

Land north of Berry Hill Road, Adderbury

Planning Statement of Case Appendices

Appeal against the refusal of an application for outline planning permission for up to 40 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road (all matters reserved other than access)

LPA Ref: 19/00963/OUT

Hollins Strategic Land

July 2020

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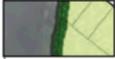
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Appendix 1
Original Masterplan



0m 50m

KEY

- | | | | | | |
|---|---|---|------------------------|---|--------------------------|
|  | Existing vegetation to be retained
Refer to Tree Consultants: Arboricultural Report & Impact Assessment, October 2017. |  | Species rich grassland |  | Main access |
|  | Proposed tree planting |  | Amenity grass |  | Existing public footpath |
|  | Proposed woodland planting |  | Proposed area for play |  | Proposed footpath |
|  | Proposed shrub/ groundcover planting |  | Bench |  | Proposed mown grass path |
|  | Proposed mixed native hedge | | | | |

Berry Hill Road, Adderbury	
Illustrative Masterplan	
Hollins Strategic Land	
	
www.peterbrett.com	Rev letter -
Drawing Number 40939-3002-01	Revision Date 10.10.17 Scale 1:1250@A3 Drawn SL Checked NE



Appendix 2

Revised Illustrative Masterplan



theurbanists
planning & design

Client: Hollins Strategic Land

Project: Berry Hill Road, Adderbury

Title: Illustrative Layout

Project ID	Organiser	Role	Block	Level	Type	Series	Delg	Rev.	Status
1097	URB	XX	XX	GA	90	001	D		Out Plan.

Drawn: LP Date: 01/05/18 Checked: LP Scale: 1:1000

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Appendix 3
Committee Report

**OS Parcel 9100 Adjoining And East Of Last House
Adjoining And North Of
Berry Hill Road
Adderbury**

17/02394/OUT

Applicant: Hollins Strategic Land LLP

Proposal: Outline planning permission for up to 55 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Ward: Adderbury, Bloxham And Bodicote

Councillors: Cllr Mike Bishop
Cllr Chris Heath
Cllr Andrew McHugh

Reason for Referral: Major development

Expiry Date: 2 March 2018 **Committee Date:** 24 May 2018

Recommendation: Refusal

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is to the south of the village of Adderbury to the north side of Berry Hill Road, close to the A4095 but separated from it by a field and a public right of way. The land extends to 4ha in area and is currently agricultural land surrounded by field hedgerows and trees. To the eastern side of the site is a stable and haybarn and part of the land is currently used for associated equestrian purposes. To the south and east of the site are agricultural fields, to the west is residential development in the form of a ribbon of detached houses set back from Berry Hill Road and to the north is further agricultural land with a sewerage treatment works close to the northern boundary of the site.
- 1.2. In terms of recorded site constraints, the site has some potential for naturally occurring contamination, there are ecological records nearby and a public right of way runs along the northern edge of the site (and to the eastern side but outside of the site). In terms of heritage assets, the Adderbury Conservation area boundary is approximately 180m to the north of the site and there are views available from Berry Hill Road towards the Grade I listed Church of St Mary. Otherwise there are naturally occurring constraints including the topography of the land, which slopes to the north and the field boundaries of hedgerows/ trees.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks outline planning permission for a residential development of up to 55 dwellings (as amended – to be explained later). All matters are reserved for later approval apart from access which requires consideration now. The application is accompanied by a raft of information including technical assessments and an

indicative layout to demonstrate that the development applied for can be accommodated.

3. RELEVANT PLANNING HISTORY

3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
02/01009/F	Erection of stable and hay barn and a menage and track to existing access	Application Permitted
05/01468/F	1 No. bungalow with associated access and re-site existing stables	Application Refused
06/00712/OUT	OUTLINE application for 5 No. detached dwellings, two terraces of 6 No. dwellings for affordable housing. New access, screened parking and amenity area.	Application Refused
06/00005/SO	Screening Opinion - Residential Development - 06/00712/OUT	Screening Opinion not requesting EIA
17/00089/SO	Screening opinion to 17/02394/OUT - Outline planning permission for up to 60 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road	Screening Opinion not requesting EIA

3.2. Application 06/00712/OUT was the subject of a planning appeal, which was subsequently dismissed. The reasons for the appeal being dismissed were predominately due to the Inspector finding that the development would have a significant adverse impact on the character and appearance of the area and would conflict with policies which aim to control residential development within the countryside and that the proposed houses would be provided in an unsustainable location.

3.3. More detailed reasoning from this appeal decision is referred to where relevant in the following appraisal.

4. PRE-APPLICATION DISCUSSIONS

4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate). The final date for comments was 23.03.2018, although comments received after this date and before finalising this report have also been taken into account.

5.2. The comments raised by third parties (39 in total) are summarised as follows:

- Strongly object – there are a number of sites currently under construction. New developments are destroying the village and 180 new homes have been approved in the past 5 years in the village
- This does not comply with the Neighbourhood Plan in particular the site lies outside of the settlement boundary within the open countryside where there is a presumption in favour of local landscape protection and enhancement.
- This does not comply with Local Plan Policies
- The site was rejected in the 2014 Strategic Housing Land Availability Assessment.
- There has been previous refusals on this site including one dismissed at appeal and those reasons for refusal have not been overcome
- The site falls outside the natural boundary of the village and will result in development beyond the built up limits of the village
- The site provides an attractive rural gateway to the village and the development would be detrimental to the visual amenities of the area, detract from the rural landscape and would destroy a view of the church and conservation area
- The development is out of keeping with the character of Berry Hill Road being substantial properties set back from the road
- The proposed development will result in excessive urbanisation of what is currently open countryside, destroying the rural nature of this entrance to the village.
- The location is unsustainable and is remote from the village centre and local school and it is at the extremity of an already sprawling village. Future occupiers would be reliant on private cars for commuting and shopping. Nearby rights of way are unpaved and unlit and not suitable for providing regular access to village facilities. This would result in a development that significantly compromises the principles of sustainable development.
- The village has a small convenience store some distance from the shop but there is no post office and other local shops are destination retailers.
- The lower part of the field is often subject to noxious smells in the summer months from the adjacent water works
- The school would be put under further pressure
- The roads have difficulty in coping with the current traffic levels and would be put under further pressure
- Berry Hill Road is substandard in construction and is of a rural nature. It is in a poor state mainly due to the increased heavy traffic associated with the nearby developments. This has increased noise and pollution. There are no footways along Berry Hill Road.
- There will be an increased risk of accident

- The proposed 2m wide footpath is of urban proportions and unsuitable for a rural setting. Concern over the suitability of the position of the crossing point and safety for pedestrians. The path and crossing extend into the conservation area and in front of listed buildings. The urban character of this proposal would cause a significant negative impact on the character and appearance of this area.
- The area is important for local wildlife and the site adjoins other fields that provide a valuable habitat and corridor for wildlife.
- The proposal would increase demand on the Horton Hospital which is facing cuts and could have a negative impact on the service available.
- The land is likely to be contaminated.
- There is a risk of increased flooding if surface water is not appropriately dealt with.
- The site lies a few hundred metres from pre-historic remains and therefore an archaeological field evaluation should be undertaken.
- The reduction in dwelling numbers proposed does not alter the previous comments made.
- Adderbury Parish Council has recently undertaken traffic surveys to inform its view on the traffic problems within Adderbury. There were significant variations between the application figures and the Parish's traffic survey. Should a more detailed traffic assessment be carried out as it is suggested that there is a problem. This development would add to the cumulative build-up of traffic on Berry Hill Road, Horn Hill Road and through the village.
- The Heritage Statement failed to address the prehistoric findings found on the site to the west of the site. An archaeological survey should be required due to its proximity to known prehistoric finds in close proximity.
- A pedestrian refuge on the Oxford Road would cause substantial visibility problems. This feature is also unlikely to reduce the speed of vehicles along the road. Encouraging pedestrians to cross this road is highly irresponsible.
- The connection at Horn Hill Road is unclear and there is no mention of the impact of this on the setting of the listed buildings and the conservation area.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **Adderbury Parish Council** – Objection for the following reasons:

- There is no requirement in Cherwell District Council's Local Plan for further development in the rural areas such as Adderbury and Cherwell District Council (CDC) has demonstrated a 5.6 year housing land supply.
- The site is outside the village built up settlement area and is in open countryside, therefore development is contrary to CDC policies as well as the emerging Adderbury Neighbourhood Plan.
- A proposal of 60 houses is over development of the site.
- This area is designated as being of High Landscape Value and housing would detract from the rural landscape. This is an important open and rural area on the approach to the village and it would be detrimental to the approach to the village from the south.
- Development on this site would detract from important views of the Church and the original and historic centre of the village, being detrimental to the visual amenities of the site. The importance of views of the Church has been stated elsewhere by Historic England and the same points apply here.
- It would be detrimental to the amenity value of a number of footpaths and bridleways which cross this part of the parish.
- The proposed design does not reflect the character of the existing dwellings along Berry Hill Road and might encourage further applications for development in land adjacent to this, behind the other Berry Hill Road properties.
- This is not a sustainable site being some distance from the main village facilities and having no good footpaths or cycle ways to reach the centre, pedestrians would have to walk along very busy roads or use cars.
- A gasometer was removed for this site around 40 years ago, therefore the ground could be polluted.
- If Cherwell District Council is minded to approve this application, Adderbury Parish Council would request that there is a provision for community benefit and the Parish Council's requests are attached.

CHERWELL DISTRICT COUNCIL

6.3. **Investment and Growth Team** – On a development of 60 units, 21 of these must be for affordable housing in line with the 35% for developments in rural villages in Cherwell as stated in the adopted Cherwell Local Plan Part 1 Policy BSC3. An indicative mix is provided, which represents a 70/30 split between affordable rented units and shared ownership units. Affordable housing should be indistinguishable in terms of external design from the market housing and be integrated throughout the site. Advice is provided regarding clustering; the percentage of dwellings required to be accessible and adaptable and that all should be built to the Government's Nationally Described Space Standard. Parking requirements are also provided.

Second response – The revised application has reduced the number of units to 53 and so the number of affordable units would be reduced proportionately (and given the now increase in numbers, the required number would be increased further).

6.4. **Recreation and Leisure** – contributions are sought towards off-site outdoor sports facilities, towards offsite indoor sports facilities, towards community halls and towards public art.

6.5. **Ecology** – (first response) The Extended Phase 1 habitat survey was undertaken at an appropriate time of year and in line with appropriate methodology. Overall the site is considered to have low-moderate ecological value with the northern most area of the site which is to be retained of the highest value. The retention as public space as well as creation of an area of species rich grassland managed for ecological enhancement is likely to result in some conflicts. The hedgerow boundaries and a number of mature trees are of high ecological value and provide wildlife corridors and they should be retained. A biodiversity impact assessment calculation should be provided prior to the determination of the application to inform if a biodiversity gain is expected within the site which must be sought in line with the NPPF and local plan policy ESD10. At present the proposals appear to be a borderline loss/ gain. There has been a recently recorded great crested newt record which was not picked up during the ecological assessment and so there is potential for GCN to be present on site. However, the concern is reduced given the northern part of the site is to be retained and enhanced and therefore the distance between the ponds and the area proposed for housing. If works to the north of the site are required, then further GCN surveys are required. The two trees with bat roosting potential are present in the hedgerow along the northern boundary of the site and these are proposed to be retained, however surveys would be required if these trees are to be felled. A pre-commencement badger check will be required and the inclusion of habitat boxes for bats, birds and invertebrates within the built environment are supported. Lighting should be kept to a minimum particularly along hedgerows.

Second response – The habitat survey is appropriate in scale and depth. The recommendations made are sufficient to protect and accommodate current ecological interest on site. A BIA metric has also been submitted to help assess whether there would be an overall gain for biodiversity from the proposals. This was discussed and agreed with a previous Ecologist, including an illustrative masterplan. Whilst this would be addressed as part of a reserved matters application, the areas of habitats proposed will need to be accommodated and this would involve some areas to be fenced off to achieve a better quality of created habitat. A net loss to biodiversity was still the result and a net gain should be achieved. It is important that further biodiversity enhancements are included on site both within the green spaces and the built environment.

6.6. **Design and Conservation** – The proposed site lies outside the Adderbury Conservation area but the appraisal is of relevance in understanding the development of the settlement. It is clear from an analysis of the settlement where areas of modern development have disrupted the defined historic settlement pattern and this proposed development would exacerbate this trend. It would be seen as positive for the development to replicate earlier patterns of modern development. There are concerns with the principle of development on this land as it forms a non-traditional extension to the settlement pattern. In addition, there are concerns with the proposed layout which shows suburban layout with non-linear streets.

In addition to the impact on the general settlement pattern of Adderbury, the proposed development would block views of the Grade I listed Church of St Marys from across open countryside. The impact would be significant from Berry Hill Road but also compromise the setting of both the church and village from the public footpaths surrounding the site. The Adderbury Conservation Area appraisal describes the significance of the church and it is a prominent feature within the settlement and is visible from a number of locations. A previous appeal was

dismissed partially due to the impact on an attractive view of the village church. The proposed development would cause harm to the setting of the grade I listed building and compromise the visual relationship between the church, village and surrounding countryside. There is not considered to be sufficient public benefit to outweigh this harm.

Second response – The development would stand alone in the landscape and is a non-traditional extension to the settlement. The additional information provided confirms this. The proposed layout is suburban and does not follow any historic, traditional or local parameters. The development is located at some distance from the conservation area and will not really impact on its setting but it remains a poorly considered urban extension which does not integrate well with the remainder of the settlement.

The heritage statement describes the view of the church spire as incidental and identifies that it is not one of the key views outlined in the conservation area appraisal. However, as Historic England point out, the church spire was designed to be seen from significant distances in the landscape to reinforce the social and community significance of the religious building. The illustrative layout shows view lines leading through to the church however due to the suburban nature of the layout of the site these appear incidental rather than funnelled. There is little sense of the significance of the church that is usually seen in more traditional and historical settlement layouts.

6.7. **Landscape Services** – Further assessment within the LVIA is required as there are no viewpoints taken from any points beyond the boundary of the site. The assessment is required to produce a greater depth of analysis and the impact upon the conservation area must be assessed. There is no indication of heights of the proposed dwellings. There is no surface water attenuation shown. The site is located in open countryside and the LVIA needs to examine this. In 2007, a Planning Inspector concluded that development on the site would have a significant adverse impact on the character and appearance of the area. A comprehensive LVIA should examine this.

Second response – The viewpoints assessed in the LVIA are critiqued. It is concluded that whilst the development has limited visibility in the wider landscape, there are many reasons why it is undesirable:

- The site is surrounded by open countryside apart from one dwelling adjacent at one corner. Last House and the dwelling opposite mark the end of the built up area of Adderbury. As you turn off Oxford Road, it is not clear where the village of Adderbury starts. The site is an important green open space on the edge of the settlement that makes a significant contribution to the character and appearance of Adderbury.
- The proposed development is out on a limb visually and intrudes into open countryside.
- The existing settlement pattern along Berry Hill Road is one of low density large detached houses with long drives and large gardens. This development does not follow that pattern and is out of character with it. The urban form will not integrate into the existing settlement pattern.
- The site allows an attractive view of the church which would mostly be lost; it would only be available as a fleeting glimpse from Berry Hill Road.

- The hedge along Berry Hill Road is a weak screen being thin at the base, gappy and leggy. It is like a line of weak trees which would require works that would make it less effective as a screen. Reinforcing this would be difficult as planting in the shade of other trees is not effective. Sections will be removed for visibility splays and provision of a footpath link. The remainder is likely to be reduced in height, weakening the screen.
- The development would result in Adderbury village starting as soon as you turn off Oxford Road which would negatively affect the setting of the village.
- The DAS does not include principles that inform the detailed landscape design.
- The play area should be located within the development so that it is overlooked.

6.8. Planning Policy – Objection.

- Adderbury is a Category A village, one of the more sustainable villages in the District (Policy Villages 1).
- Policy Villages 2 provides for a total of 750 homes to be delivered at the Category A villages on new sites of 10 or more dwellings (in addition to the rural allowance for small site ‘windfalls’ and planning permissions as at 31 March 2014).
- The proposal would assist in meeting overall Policy Villages 2 housing requirements and could contribute to the provision of affordable housing.
- The 2017 AMR (December 2017) shows there are 86 dwellings, out of the 750 allocated for the rural areas, remaining to be identified. The AMR also demonstrates that the District presently has a 5.5 year housing supply for the period 2017-2022 (commencing 1 April 2017). However, this will increase to 5.7 for the period 2018 to 2023 (commencing April 2018).
- For the period 2011 to 2017 there have been 144 recorded housing completions in the village.
- For the period 1 April 2014 (the date from which the 750 dwelling allocation in Policy Villages 2 applies) to 31 March 2017 there were 94 recorded housing completions in Adderbury.
- There is therefore no pressing need to release additional greenfield land at this time.
- The consultation period for the Adderbury Neighbourhood Plan (Submission Plan) concluded on 24 November 2017 and Adderbury Parish Council is currently preparing a list of minor modifications prior to submitting the plan for examination. The application site is not allocated for development within the Neighbourhood Plan and the Neighbourhood Plan has limited weight as a material planning consideration prior to adoption.
- The draft Housing and Economic Land Availability Assessment (HELAA) dated August 2017 identifies the application site as HELAA012 and concludes that this site would be unsuitable for development.

- Although the application site is not located within the designated Adderbury Conservation Area, Adderbury is an historic village and development is required by Policy ESD 15 to complement and enhance the character of its context through sensitive siting, layout and high quality design and to respect traditional patterns of development. It also requires development to conserve, sustain and enhance heritage assets. The advice of the Design and Conservation team should therefore be sought.
- In conclusion, Adderbury is a sustainable village and Policy Villages 2 does make provision for some development to take place in such settlements. However, the draft HELAA suggests that this is an unsuitable site for development. The merits of providing additional housing (including affordable homes) need to be considered alongside issues such as the loss of open countryside, the impact on the existing settlement pattern and the impact on heritage assets.

6.9. **Arboriculture** – It is proposed that the majority of trees on site are retained. The only trees for refusal are of low value and this category of trees should not normally pose a constraint for development. The section of hawthorn hedge is currently unmanaged and its removal will not have a significant impact on views into the site. The applicant will need to produce an arboricultural method statement with details of the proposed protective fencing and a finalised tree protection plan. Based on the illustrative masterplan there appears to be plenty of space for the planting of trees on site and details of this and tree planting pits will be required. No objections are raised subject to a number of recommended planning conditions being imposed.

6.10. **Environmental Protection** – There is a sewage pumping station, previously a sewage works until 1999 located 50m to the north east of the site. There is the potential for odour, nuisance and residual contamination to affect the development at this close proximity and there is insufficient information as part of the application to provide assurances that the risk is acceptable and any potential risks have been mitigated.

In response to queries from the applicant, further advice was provided as follows: the position that no dwelling would be closer than 150m from the pumping station is noted and this provides more separation distance than the 50m referred to and this reduces risk. Whilst the prevailing wind is south west this means the pumping station is upwind of the development for the greatest proportion of time. Non prevailing conditions are often accompanied by temperature inversions and atmospheric conditions most likely to prevent odour dispersion. A favourable prevailing wind direction does not therefore necessarily prevent nuisance. If it is assumed that the pumping station operates to standards expected of a 1999 design and construction and the former sewage works were decommissioned to minimise residual nuisance or contamination, the risk of odour nuisance should be minimal but in the absence of contamination from the sewerage undertaker, further advice cannot be confirmed.

Second response – In respect of noise, a condition to require a construction environment management plan should be imposed to require details to ensure that construction works do not adversely affect residential properties nearby. The full contaminated land conditions should be imposed. In respect of air quality, a condition is recommended to require the provision of ducting to allow for the future installation of EV charging infrastructure

OXFORDSHIRE COUNTY COUNCIL

6.11. **Transport** – (first response) Objection for the following main reasons:

- Feasibility of the footway between development site and Horn Hill Road must be demonstrated. This footway is regarded as an essential provision for a development site with relatively poor sustainability credentials and so its delivery must be established.
- Quantification of existing traffic levels is not presented in the Transport Statement. The impact within the immediate proposed development area is only considered. The trip rates derived and the resultant trip generation estimates are acceptable. No further impact or distribution assessments have been carried out on the surrounding highway network (such as the Berry Hill Road/ A4260 Oxford Road junction). A junction assessment to evaluate the impact will be required.
- The accident analysis presented in the Transport Statement is deficient. More comprehensive information should be provided with regard to the accident history of the Berry Hill Road/ A4260 junction.
- Provisions for vision splays require revision as they must be based on Design Manual for Roads and Bridges standards not Manual for Streets. The requirement for a highway trees to be felled for the vision splay also needs to be checked.
- Further drainage information is required. Whilst there is no objection in principle to the drainage proposals, the preferred option stated is to use SuDS infiltration to ground as a means of disposal of surface water at the site in accordance with the SuDS hierarchy. However this is unproven through soakage testing as a workable solution. The viability of this option needs to be proven by carrying out infiltration testing at the site to standard BRE 365. The alternative option to discharge to the off-site watercourse would involve transiting third party land and the applicant would be required to confirm the offsite surface water arrangements and right to cross third party land and consents. This issue is considered too critical to be left to be dealt with by a condition of planning permission.
- A number of S106 contributions are requested and justification provided. A number of planning conditions are also recommended.

Additional comments:

- OCC supports plans to provide a new crossing point with a pedestrian refuge, dropped kerbs and tactile paving on the A4260 Oxford Road, as well as a new footway on the northern side of Berry Hill Road from the site access to the junction with Horn Hill Road and extending south-east of the site access and around the corner on the A4260 Oxford Road. However, the safety of the crossing must be assessed. There is no mention of any potential public rights of way that may be connected to or near to the proposed site.
- Clarity over the use of the northern part of the site was required.
- The TS presents various pieces of evidence to establish a preferred maximum walking distance of 2km, however this is a maximum distance and so is unlikely to represent accessibility to all pedestrians on a regular basis. This is also reliant on the provision of the footway between the development site and Horn Hill Road. The accessibility of the site is considered poor for the following reasons:

- Most of the facilities in Adderbury are within the acceptable maximum walking distance only, which is unlikely to represent accessibility to all pedestrians on a regular basis.
- Bus services do not represent a commuter standard frequency.
- Access to the rail network is via Banbury train station which requires both walk and bus journeys.
- Travel Plan Statement and a Travel Information Pack will be required. Both these elements could be the subject of a planning condition.
- A speed survey would be needed on the A4260 and this may lead to re-positioning of the proposed pedestrian crossing to achieve required visibility.

Second response – Continued objection:

- Feasibility of the footway link between the development site and the existing pedestrian network is still not demonstrated. Whilst some of the footway appears that it can be accommodated on highway land, the extent of highway land does not reach as far as the intended tie in with the existing footway on Horn Hill Road. Further clarification is required.
- Further examination of personal injury accident data is required. Whilst the second submission uses the personal injury accident analysis from OCC, it fails to acknowledge the potential significance of the fact that all three of the incidents involved the same turning movement and this requires further examination especially in connection with the proposed pedestrian facility at the junction.
- Turning count data needs to be checked and verified. The surveyed flows appear considering lower than automatic link counts taken to the north in October 2017. It is difficult to compare the flows and this requires further examination. Once traffic flow data has been confirmed, the traffic analysis can be confirmed.
- Visibility splay amendments are required and consistent plans submitted. The plan in the TA and the separately submitted access plan must be consistent. The potential tree within vision splay still needs to be confirmed. The vision splays continue to be based on Manual for Streets and not DMRB. DMRB is required.
- The pedestrian refuge is acceptable in principle but it will need to be a minimum size and meet a number of other technical requirements.
- Further drainage information required. The additional information does not address the comments raised previously by OCC.

Third Response – Continued objection due to the need for further drainage information and this does not address comments previously raised. In respect of the other outstanding matters:

- The further response presents further insight into the personal injury accident analysis and this is accepted.
- The plan provided shows the extent of highway land on Berry Hill Road, which demonstrates that there is sufficient highway land to provide the

footway link between the proposed site access and the existing footway network on Horn Hill Road and this is accepted.

- The further plan demonstrates that adequate visibility splays can be provided without being interrupted by trees and this is accepted. The plan also shows DMRB compliant visibility splays and this is also accepted.
- The information provides adequate explanation of the dimensions of the proposed pedestrian refuge and this is accepted.

6.12. **Education** – No objection subject to S106 contributions towards nursery and primary education (expanding the provision at Christopher Rawlins CE (VA) Primary School) and secondary education (expanding secondary provision at The Warriner School).

Second response – No objection subject to S106 contributions as set out and for the same purposes as reported in the initial response (these contributions would need checking with OCC given the slight increase in dwelling number back to 55 dwellings).

6.13. **Archaeology** – in response to local concerns raised, the following advice was provided:

This site is located 500m south east of the important remains mentioned in this letter. Although these important features are likely to extend beyond the excavated area it is unlikely that they would extend this far. An archaeological evaluation was undertaken immediately east of this proposed site for the Deddington Transfer Main in 1992 which did not record any trace of archaeological features.

Lidar images also show that the site is located on the edge of the slope heading down from the south to the north.

As such we do not feel that there is a likelihood of archaeological deposits being present on this site and did not recommend any archaeological investigations.

OTHER EXTERNAL CONSULTEES

6.14. **Historic England** – the proposals raise concern owing to the obscuring of views of St Mary's Church spire. The Church, within East Adderbury, is clearly observed from Berry Hill Road and would be seen even more clearly within the application site. As a historical waymarker, the visibility of the church spire is an important part of the significance of the church as an historic landscape feature, reflecting the social importance of religion in the middle ages and the way that communities used churches to mark their presence in the landscape. Development along Berry Hill Road would inevitably obscure these views; causing a degree of harm to the significance of the grade I listed building. The site is not allocated for housing (or any other development purpose) in the Adopted Cherwell Local Plan 1996 but Adderbury is a category A village, where minor development will be considered subject to criteria being met. One such criteria of Policy Villages 2 includes whether significant adverse impact on heritage could be avoided. The draft Housing and Economic Land Availability Assessment sets out that the application site is not suitable for development, one reason being the impact on the setting of the church. The NPPF requires that any harm must have clear and convincing justification and that this must be weighed against the public benefits of the application. The proposal puts forward a site for housing, which would cause harm to a Grade I listed building and the historical landscape character of the area. Whilst new housing,

including affordable housing is proposed, the obscuring of views across to St Mary's and harm to the historic landscape character are not justified.

Second response – Further information has been submitted in support of the application, including a heritage statement and amended indicative layouts. The amended layout acknowledges and establishes the importance of views of the church from Berry Hill Road, which is welcomed and it is also acknowledged that allowing public access to proposed green space in the north of the site would enable new, clear views of the church which would allow for a better appreciation of the building in the landscape. However the additional information and amended layout do not fully address the concerns. The amended masterplan suggests 2 channelled views of the church from the access points to the proposed estate but the separation gap between dwellings appears too close to ensure that these views are clear. Furthermore, the views are over landscaped areas or front gardens, which would potentially be planted with trees or filled with paraphernalia and provides little certainty of views being maintained over the long term. In order to minimise the harm to the significance of the church, the layout of the scheme needs to be further amended to provide clear sufficiently broad and permanent views from Berry Hill Road towards St Mary's.

- 6.15. **Thames Water** – Thames Water have identified an inability of the existing waste water infrastructure to accommodate the needs of the application. Thames Water recommend a planning condition to require a drainage strategy prior to the commencement of development. In respect of surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. The advice could form part of a planning note. In respect of water supply infrastructure, the advice is that the existing has insufficient capacity to meet the additional demands for the proposed development and Thames Water recommend a planning condition be imposed to require impact studies of the existing water supply infrastructure and details of any additional capacity.

Second response – the second response identifies that there is no objection with regard to sewerage infrastructure capacity. The same advice is provided in respect of surface water drainage. In respect of water infrastructure, an informative is recommended relating to water pressure.

- 6.16. **Oxfordshire Clinical Commissioning Group** – Primary medical care in the North Oxfordshire locality is mostly at capacity and further housing growth will require additional or expanded infrastructure to be in place. A developer contribution is required and this would be used towards enhancing existing primary care medical infrastructure to meet the needs of a growing population.

Second response – the contribution is revised to reflect the reduced number of homes proposed. The justification remains the same.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. Also part of the Development Plan are Neighbourhood Plans once they are adopted. The

relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient Use of Land
- BSC3 – Affordable Housing
- BSC4 – Housing Mix
- BSC8 – Securing Health and Wellbeing
- BSC9 – Public Services and Utilities
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD5 – Renewable Energy
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Policy Villages 1 – Village Categorisation
- Policy Villages 2 – Distributing Growth across the Rural Areas
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18 – New Dwellings in the Countryside
- C8 – Sporadic development in the open countryside
- C27 – Development in Villages to respect historic settlement pattern
- C28 – Layout, design and external appearance of new development
- C30 – Design control
- C33 – Protection of important gaps of undeveloped land

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031
- Adderbury Conservation Area Appraisal
- Annual Monitoring Report (December 2017)
- Draft Housing and Economic Land Availability Assessment (2017)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of Development;
- Landscape and Visual Impact;

- Design and layout;
- Impact on Heritage Assets;
- Housing Mix/Affordable Housing;
- Effect on Neighbouring Amenity;
- Transport and Sustainability of the site;
- Flood Risk and drainage;
- Trees, Landscaping and open space;
- Ecological Implications;
- Environmental Matters;
- Sustainability and Energy Efficiency;
- Planning Obligations;
- Local Finance Considerations

Principle of the Development

- 8.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 8.3. The Development Plan for Cherwell includes the Cherwell Local Plan 2011-2031 (adopted in July 2015), the saved policies of the Cherwell Local Plan 1996 and two adopted Neighbourhood Plans (Bloxham and Hook Norton). Adderbury Parish Council has prepared a Neighbourhood Development Plan for the Parish of Adderbury, which has been subject to public consultation and has been examined by an Independent Examiner who has recommended that the Plan proceed to Public Referendum with a number of required modifications. The Lead Member for Planning has approved the Plan with the proposed modifications and the referendum is scheduled for the 21 June 2018. Once a Neighbourhood Plan has been examined, there is a statutory duty under S70 of the Town and Country Planning Act 1990 which requires that in dealing with applications a Local Planning Authority must have regard to a post-examination draft neighbourhood development plan, so far as material to the application. Whilst the Neighbourhood Plan is not yet adopted, it is notable that the Framework is clear (at paragraph 198) that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted.
- 8.4. The site is not allocated for development in any adopted or emerging policy document forming part of the Development Plan and is not previously developed other than the current stables. The site sits outside the built up limits of the village beyond the defined Adderbury Settlement Boundary as set out in the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031.

Adopted Cherwell Local Plan

- 8.5. The Cherwell Local Plan 2011-2031 seeks to allocate sufficient land to meet District Wide Housing needs. The overall housing strategy is to focus strategic housing growth at the towns of Banbury and Bicester and a small number of strategic sites outside of these towns. Policy ESD1 identifies that in mitigating the impact of development within the district on climate change, growth will be distributed to the most sustainable locations as defined in the Plan and to deliver development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars.
- 8.6. In recognising that there is a need within the rural areas to meet local and Cherwell wide housing needs, the Local Plan at Policy BSC1 identifies 2,350 homes for the

'Rest of the District'. Of these, 1,600 homes are allocated by Policy Villages 5 at Former RAF Upper Heyford leaving 750 homes identified for development elsewhere. Policy Villages 2 provides for these 750 homes to be delivered at Category A villages. The intention is to protect and enhance the services, facilities, landscapes and the natural and historic built environments of the villages and rural areas whilst recognising the need for some development. Policy Villages 2 advises that these sites would be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of applications for planning permission. A number of criteria are listed and these must be considered through the determination of a planning application.

- 8.7. The rural housing strategy is guided by Policy Villages 1 and 2 of the Cherwell Local Plan Part 1 and saved Policy H18 of the Cherwell Local Plan 1996. Policy Villages 1 provides a categorisation of the District's villages to ensure that unplanned, small scale development within villages is directed towards those villages that are best able to accommodate limited growth. Category A villages are those identified as being the most sustainable in the hierarchy of villages in the District and this is why these are where planned development to meet District housing requirements to help meet local needs should be directed as defined by Policy Villages 2, subject to a detailed assessment as to the proportionate impact of development proposed upon the settlement in question. Adderbury is classified as a category A village by Policy Villages 1. The current proposal does not however comply with the type of development identified as being appropriate within the built up limits of category A villages due to the site being outside the village and not representing minor development, being over 10 dwellings.
- 8.8. Saved Policy H18 of the Cherwell Local Plan 1996 restricts development outside the built up limits of settlements except in a number of circumstances; none of which are applicable to this current application. The proposals therefore conflict with Policy H18.
- 8.9. In the circumstances, it is appropriate to consider this proposal against Policy Villages 2. The Council's Annual Monitoring report (December 2017) confirms that of the 750 dwellings identified under Policy Villages 2 to be delivered at Category A villages across the Plan period until 2031, sites for only 86 dwellings remain to be identified. Recent appeal decisions received by the Council, including one at Finmere (16/01209/OUT refers) confirms that an overprovision of the rural housing allocation at an early stage in the plan period could prejudice the sustainable growth strategy set out in the Development Plan and leave limited ability to respond to later changes in housing need in individual settlements without fundamentally compromising the overall sustainability strategy contained in the Local Plan. Furthermore, whilst 750 dwellings is not to be regarded as an upper limit, significant deviation from this may result in unconstrained growth in less sustainable locations which would conflict with the housing strategy of the Development Plan. Significant progress has been made on the housing allocation under Policy Villages 2.

National Policy

- 8.10. The National Planning Policy Framework confirms that there is a presumption in favour of sustainable development. For decision making this means approving proposals that accord with the development plan without delay. The Framework advises that there are three dimensions to Sustainable Development; economic, social and environmental. With regard to housing, the Framework supports the need to boost significantly the supply of housing to meet the full, objectively assessed need for housing. It requires Local Planning Authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide five years' worth

of housing against the housing requirements, with an additional buffer of 5% to ensure choice and competition in the market for land.

- 8.11. The Council's 2017 Annual Monitoring Report (AMR) confirms that the District can demonstrate a 5.7 year housing land supply (for the period 2018-2023) with a 5% buffer. In these circumstances, the presumption in favour of sustainable development as set out in the NPPF must be applied in this context.

Principle of residential development at Adderbury

- 8.12. Adderbury is one of the largest category A villages in the District in terms of size and it is one of the more sustainable in terms of the range of facilities it provides as well as the transport connections available. The village has however been subject to a number of large developments approved since 31 March 2014 (3 sites for 120 dwellings), however a further 65 dwellings were approved in January 2014 giving an overall total of 185 dwellings in the village either under construction or recently completed. Recent appeal decisions received by the Council have also confirmed that if disproportionate numbers of dwellings are permitted in any one settlement, then other settlements where housing sites have yet to be identified may not be able to meet their needs, including affordable housing needs, without undermining the local plan strategy.
- 8.13. As set out above, the Adderbury Neighbourhood Plan is at Post Examination Stage and the version currently available is the referendum version. It includes policies that are material to the consideration of this application. In particular it includes Policy AD1, which refers to the Adderbury Settlement Boundary which is defined on the policies map. The policy states, in its modified form, that *'development proposals will not be supported outside the Adderbury Settlement Boundary unless it is demonstrated they will enhance, or at least not harm, local landscape character. New isolated homes in the countryside will not be supported except in special circumstances described in paragraph 55 of the Framework. Proposals for the provision of affordable housing on rural exception sites immediately adjacent to the Adderbury Settlement Boundary will be supported where they meet an identified local need and relate well to the built form of the existing settlement'*.
- 8.14. The supporting statement of the Neighbourhood Plan confirms that in respect of proposals located outside the boundary, the policy is to operate alongside Local Plan Policy ESD13 to ensure that they are compatible with the objective of that policy of protecting and enhancing the local landscape. Reference is also made to the scale of recently completed housing schemes and of the schemes that will be built out over the coming years such that the District Council does not consider it desirable or necessary for any additional major contribution from Adderbury to meeting the needs of Local Plan Policy Villages 2 in the plan period by way of new greenfield development on the edge of the village. Reference is made to the impact that these schemes have had upon the character of the village. The Plan does however confirm that in the event of the District's housing supply strategy having to change before the end of the plan period, then its implications will be considered by the Parish and District Council's and the Neighbourhood Plan may be reviewed to plan for that eventuality.
- 8.15. In the Examiners report of the Neighbourhood Plan, the Examiner, in respect of Policy AD1, concluded that the policy is in general conformity with the strategic Policies of the Adopted Cherwell Local Plan Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies. It also seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The Examiner also noted the number of new dwellings already permitted in Adderbury acknowledging that the

contribution from these sites amounts to a significant boost to the supply of housing. It was concluded that the Policy, with some proposed modifications, met the required Basic Conditions and Policy AD1 therefore forms part of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031.

- 8.16. Whilst Adderbury is one of more sustainable settlements in the District, given the range of facilities and services it provides as well as its public transport provision, the village has already accommodated a significant proportion of the number of dwellings allocated by Policy Villages 2. Additional development at the village is likely to undermine the ability of other settlements to meet their needs and undermine the Local Plan's housing strategy. In addition, the District is in an advanced position regarding providing for new rural housing with a limited number of dwellings left. The early delivery of all of the rural housing provision could also prejudice the sustainable growth strategy of the Local Plan. In light of the number of dwellings already approved in the village and the Council's ability to demonstrate a five year supply of deliverable housing sites, there is no overriding need for the proposal on housing delivery grounds. The proposal would therefore conflict with the Council's rural housing strategy contained within Policy ESD1 and Policy Villages 1 and 2 of the Cherwell Local Plan Part 1 and Saved Policy H18 of the 1996 Local Plan. In addition, the site sits outside of the Adderbury Settlement Boundary, which is defined to protect and enhance local landscape character. The specific circumstances of the site needs consideration in terms of the impact of development on this particular site and its suitability to accommodate development as well as whether it meets the criteria of Policy Villages 2.

Landscape and Visual Impact

- 8.17. Policy ESD13 of the Cherwell Local Plan advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is expected not to cause visual intrusion into the open countryside, must be consistent with local character and must not harm the setting of settlements, buildings or structures. Policy Villages 2 requires that consideration be given to whether significant landscape impacts could be avoided and whether development would contribute in enhancing the built environment.
- 8.18. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. Policy C8 seeks to limit sporadic development beyond the built limits of settlements. Policy C27 expects that development proposals in villages will respect their historic settlement pattern.
- 8.19. As referred to above, Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031 provides for a settlement boundary, outside of which, development will not be supported unless it is demonstrated that it will enhance or at least not harm, local landscape character.
- 8.20. The Framework highlights that the protection and enhancement of the natural, built and historic environment is part of the environmental role of sustainable development and one of the core planning principles also refers to recognising the intrinsic character and beauty of the countryside. The Framework also emphasises the importance of development responding to character and history with good design being a key aspect of sustainable development.
- 8.21. The site has been considered through the Council's Draft Housing and Economic Land Availability Assessment (August 2017). This concluded that the site is not suitable for development as *'the site adjoins the built-up limits of the village however the site is remote from the services and facilities. The site is considered to be*

unsuitable and there is a low density and linear development form on the northern side of the road at this gateway to the village. More intensive development in this location would be detrimental to the character of the village and represent a significant intrusion into the open countryside (harming its character and appearance). Development would harm the setting of the church. The topography of the north western part of the site also makes development challenging'.

- 8.22. In addition, and as referred to above, there has been a previous appeal on this site, which dismissed a scheme for residential development (06/00712/OUT). This was a smaller scheme, but the Appeal Inspector's conclusions in respect to the site and its character are material to the consideration of this application. In particular, the Inspector concluded that the appeal site represents a particularly pleasant part of the open countryside and which makes a significant contribution to the character and appearance of this part of Adderbury. It was also identified that the appeal site allows an attractive view of the village church. The development proposed was found to be harmful to the character and appearance of the area and would result in an unsustainable development.
- 8.23. The application included a Landscape and Visual Impact Assessment and during the course of the application, an addendum has been provided to respond to the Landscape Officer's initial concerns raised. The original LVIA concluded that the proposed development would not cause undue harm to the landscape, landscape character or visual amenity of the surrounding area and wider countryside. The Landscape Officer advised that the LVIA did not consider wider views beyond the site boundary and that the depth of the analysis needed to be expanded. The addendum to the LVIA considered and analysed a wider range of viewpoints from a greater distance from the site. This document has been reconsidered by the Landscape Officer who has critiqued the viewpoints analysed and considers that for some views, the landscape effects have been underestimated. Nevertheless, it is agreed that the wider landscape impacts would be limited but the localised impact of development on this site is considered unacceptable.
- 8.24. Officers would agree that the wider landscape effects are limited, however, given the identified localised impact, it is necessary to consider this matter further. The main core of Adderbury is to the north of the application site and, as explained in the Adderbury Conservation Area Appraisal, the historic character of the village has an east-west axis with a strong linear structure, defined by strong building lines. It describes that the series of linear streets are linked by winding lanes. Berry Hill Road runs to the south of the application site, with residential properties directly to the west of the application site. The properties on either side of Berry Hill Road, are predominantly large detached units, set back from the roadside, with wide verges giving a low density, linear, ribbon form of development.
- 8.25. The site itself sits adjacent to 'Last House' at the eastern end of Berry Hill Road. The land is greenfield and other than a small area of stabling, it is open and retains a strong rural character. The site is visually part of the open countryside and is an important open space at the edge of the village in contributing to the rural setting of the village. A number of public rights of way run within proximity of the site and clear views of the site would be gained by users who would appreciate the rural setting of the village.
- 8.26. The proposed development would involve a large scale development on the land. The indicative layout demonstrates a number of dwellings fronting towards Berry Hill Road (albeit set behind the existing hedgerow) with the remaining proposed dwellings arranged extending northwards on the site, covering approximately half of the site area, with the northern most area of land left undeveloped as public open space. The development would be accessed by a formal access road positioned at

the existing access point which would loop round to provide access to all proposed dwellings. The supporting information suggests that the retention of the southern hedgerow would be beneficial in avoiding unacceptable impacts upon the street scene. It is described as a substantial tree belt, which limits views across the site. The hedgerow is however described by the Landscape Officers as a weak screen being thin at the base, gappy and leggy. It certainly allows views through onto the land and views towards the village beyond.

8.27. As described above, the site is considered to be an important part of the open countryside and this has also previously been recognised by an Inspector considering an appeal for residential development on this site. Its development would result in the loss of this rural character and change the setting of the village, extending the village towards the A4260. Any development on the site would intrude into the open countryside and be harmful to the rural setting of the village. The development proposed under this application, for up to 55 dwellings, would conflict with the settlement pattern in this part of Adderbury, with this being a large in depth proposal which conflicts with the linear arrangement of dwellings along Berry Hill Road. In the previous appeal decision on the site (06/00712/OUT), which proposed a linear row of dwellings and then two rows of houses perpendicular to the road, the Inspector identified that the proposal would have an orientation unlike any other development within the area. It was concluded that such an arrangement would be at odds with the prevailing development pattern. The current proposal is a significantly more in depth development than the appeal scheme. The urban form proposed will not therefore integrate into the existing settlement pattern and would represent a significant intrusion into the countryside. It would result in significant urbanisation and be prominent in views from Berry Hill Road and from nearby public rights of way. Whilst the Landscape Strategy in the LVIA identifies the retention and enhancement of the site boundaries, this would aid in screening development behind a tree belt. This is not considered to be sufficient to overcome unacceptable development and in itself, would further emphasise the difference between the application site and the rest of the development along Berry Hill Road, which is not set behind a screen.

8.28. The proposed development on the application site would result in a significant urbanisation of an important open rural field adjacent to the edge of Adderbury, visually intruding into the landscape and which would be harmful to the localised landscape and character and rural setting of the village. Given the conclusion reached, the proposed development would conflict with Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031, Policies ESD13 and Villages 2 of the Cherwell Local Plan Part 1, Policies C8, C27 and C28 of the Cherwell Local Plan 1996 and advice in the NPPF which seeks to protect the intrinsic character of the countryside.

Design and Layout

8.29. Policy ESD15 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high quality design meeting high design standards and complementing any nearby heritage assets. The National Planning Policy Framework is clear that good design is a key aspect of sustainable development.

8.30. The application is in outline with all matters reserved except for access. The application is accompanied by an indicative layout, which has been amended through the course of the application to attempt to address Officer concerns. This will be explained below. It is expected that an indicative layout and design and

access statement would demonstrate that the development proposed can be appropriately accommodated and which sets appropriate design principles so that future detailed proposals can be achieved.

- 8.31. Officers have considered the design and access statement (DAS) and the indicative layout. Whilst the DAS sets some appropriate overarching principles, the nearby adjacent modern development has been the basis for the proposals on the application site. The Council's Emerging Design Guide seeks to ensure that new development responds to the traditional settlement pattern and character of a village. This includes the use of continuous building forms along principle routes and adjacent to areas of the public open space, the use of traditional building materials and detailing and form that respond to the local vernacular. Indeed the submitted heritage assessment identifies that in the Adderbury conservation area, there is a limited palette of building materials, and the use of local ironstone for many buildings creates a sense of architectural and visual harmony within the conservation area. It also identifies the strong linear structure of the village.
- 8.32. In response to criticisms raised in relation to the submitted indicative layout, a second layout, with a reduced number of dwellings (53) was submitted and discussed further with the applicant. This led to a third indicative layout being submitted increasing the number of dwellings back to 55. The latest indicative layout has incorporated a greater number of linked dwellings and has attempted to demonstrate more vernacular detailing (i.e. reducing the number of front gable projections and details and removing any indication of hipped roofs). However, the layout still remains a fundamentally suburban scheme conflicting with the adjacent settlement pattern and it is difficult to see in what alternative form a scheme for 55 dwellings could be accommodated in a way that would be considered appropriate. In addition, the play area is proposed in the open space to the north of the site rather than being incorporated into the development as would normally be expected so that it is overlooked. The Design and Access Statement does not provide sufficient certainty or an acceptable basis that a well detailed scheme could be achieved. In addition, it is likely to be necessary to recommend a planning condition to restrict the parameters of where development could occur on the site if this application were being recommended for approval so as to control development not being provided across the whole site.
- 8.33. As referred to above, access is a matter for approval as part of this application. The initial access was positioned to the western side of the southern boundary and Officers raised some concern with the position due to the way that site frontage could be achieved. In response to this comment, the applicant moved the site access to the eastern side of the southern boundary, in the same position as the access to the current stable uses. Officers consider that this also raises questions as to whether an appropriate frontage can be achieved taking into account the current indicative layout. In addition, the access provided at the far end of the site away from the village results in the increase in the concern regarding urbanisation.
- 8.34. As explained in the assessment above relating to landscape impact, the nature of the development proposed, for 55 dwellings would conflict with and be harmful to the settlement pattern in this area of the village. Officers do not consider that a future scheme could be appropriately accommodated on the site that is both locally distinctive and in keeping with the character of this area of the village or that would enhance the built environment. The indicative layouts submitted reinforce Officer concerns that development on this site would be unacceptable.
- 8.35. Given the above, Officers consider that the proposal conflicts with Policies ESD15 and Villages 2 of the Cherwell Local Plan Part 1, Saved Policies C28 and C30 of the adopted Cherwell Local Plan 1996 and Government Guidance in the NPPF.

Impact on Heritage Assets

- 8.36. Section 12 of the NPPF sets out Planning Guidance relating to the historic environment including archaeology. The development would be expected to preserve the significance of designated heritage assets within proximity. It is also provided at paragraph 131 that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF sets out the tests to be applied where harm to heritage assets is identified. Policy ESD15 of the Cherwell Local Plan 2011-2031 also refers to heritage assets expecting development to conserve, sustain and enhance designated and non-designated heritage assets. One of the criteria of Policy Villages 2 requires consideration as to whether development would avoid significant adverse impact on heritage. Policy C33 of the Cherwell Local Plan 1996 states that the Council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value. In addition, there is a legal requirement, under S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 for a Local Planning Authority to have regard to the desirability of preserving a listed building or its setting. S72 of the same Act requires that within a conservation area, the development of land or buildings shall preserve or enhance the character and appearance of that area.
- 8.37. The site is not within the conservation area and there are no heritage assets on the site itself. The Adderbury Conservation Area sits to the north and west of the site. Adderbury also has a number of listed buildings and most of these are too far away from the site to be impacted. However the Grade I listed Church of St Mary is to the north of the site and there are views from the south towards the church both from the site and the surrounding road and footpath networks. In the previous appeal on the site (06/00712/OUT), the Inspector identified that the appeal site allows an attractive view of the village church and it was concluded that the siting of the proposed dwellings would result in the loss of an important view towards the church.
- 8.38. The application was not initially accompanied by a Heritage Statement or any assessment of how the development proposed would impact upon the setting of the listed Church as an important heritage asset or how design choices would be made in the future in mitigation. Subsequently a heritage statement was prepared, which concluded that the site does not make a contribution to the significance of the listed church as the site has no historic or visual relationship with the asset. It advises that there are views of the church spire from within the proposal site but these are not clearly visible from the south along Berry Hill Road, as the substantial boundary distorts the view. The view is expressed that the views of the listed church from the south will be improved and the provision of public open space with a play area will provide access to views of the church which are not currently accessible to members of the public.
- 8.39. Contrary to the view expressed above, there are views available from Berry Hill Road towards the village and the spire of the Church of St Mary. As per the advice of Historic England, views of the Church of St Mary from surrounding public vantage points, including roads and footpaths, are an important part of the significance of the church as a historic landscape feature. The church spire was designed to be seen from some distance in the landscape as well as at closer quarters. This visibility reflects the social importance of religion in the middle ages and the manner in which communities used the highly prominent architectural church spire to mark their presence in the landscape.

- 8.40. Development on the site would, by its nature, obscure and change the rural setting of views of the church from the south and Berry Hill Road. This would cause harm, albeit less than substantial harm. The NPPF requires that where less than substantial harm is identified to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. In this case and given the other identified harms, it is not considered that any public benefits which may arise, would be significant to outweigh the harm identified.
- 8.41. In addition to the Heritage Statement and as part of the amended indicative layout (which reduced the number of proposed dwellings to 53), a plan was provided, demonstrating how long views to the Church of St Mary from Berry Hill Road could be provided for as well as the achievement of new publicly accessible views to the Church. Historic England welcomed the acknowledgement of the views of the church and the provision of a new area of open space to give new, clear views of the church allowing for better appreciation. However concerns were expressed that despite the channelled views that could be provided, the separation gap between dwellings would not allow these views to be clear and that these views would be over landscaped areas or front gardens, which would potentially be planted with trees or filled with paraphernalia that would therefore provide little certainty of the views being maintained in the long term.
- 8.42. The layout is, at this stage indicative and so it is possible that the advice of Historic England could be taken into account as part of the negotiation of layout at the reserved matters stage. However, the latest indicative layout (for 55 dwellings) amended to take account of Officer comments around local distinctiveness, appears to lose the importance of channelled views towards the church. Officers are not convinced that even if there were public benefits that might go towards outweighing the harm to significance as discussed above, that sufficient certainty is provided within the current application documentation that would allow a future scheme to be designed to avoid impacts to the listed Heritage asset.
- 8.43. The application proposes to provide a footway west along Berry Hill Road to link into the village network close to the junction with Horn Hill Road. There has been some concern raised that this proposal would be harmful to the character of the conservation area in this location and to the setting of nearby listed buildings due to the urbanisation this would involve. An application from 2015 for development of 5 houses to the south of Little Shotover and East of Cherry Cottage on Horn Hill Road (15/01384/OUT), concluded in the Officer report that the change in order to access that site would have a detrimental urbanising impact on the rural character and appearance of this area of the village which is recognised as an important green space and as a gateway to the historic village in the conservation area appraisal. In dismissing a planning appeal for this scheme, the Inspector identified the change in the informal rural character of the access and its likely increased prominence which was found to be detrimental to the character and appearance of the conservation area at this important gateway. In this case, it is possible that should development have been concluded to be acceptable on this site, the position of the footway could have been negotiated in respect of its position and how it connects into the surrounding highway network or, if there were no alternative, whether there would be a more sympathetic finish available that could maintain character. As such, whilst the concern is noted and Officers agree that in its current form there would be some detrimental impact to this part of the conservation area, this matter does not warrant its own reason for refusal as it is a matter that could be negotiated as to an appropriate alternative.
- 8.44. Archaeology is not recorded as a constraint and the Oxfordshire County Council response has not commented in respect of archaeological matters other than to confirm when queried that it does not require additional assessment. It is concluded

that this matter is not therefore likely to be a constraint for the purpose of this proposal.

- 8.45. Based upon the assessment above, Officers consider that there would be harm to the setting of the grade I listed Church of St Mary as a heritage asset. This harm is less than substantial but would not be outweighed by a public benefit. The proposal would therefore not preserve or enhance the setting of the designated heritage asset and the land is an important undeveloped gap in maintaining the proper rural setting for the listed building. As such, the proposal would conflict with Policy ESD15 and Policy Villages 2 of the Cherwell Local Plan Part 1, Saved Policy C33 of the Cherwell Local Plan 1996 and Government Guidance in the NPPF.

Housing Mix/ Affordable Housing

- 8.46. The NPPF advises that in order to create sustainable, inclusive and mixed communities, Local Planning Authorities should plan for a mix of housing, reflect local demand and set policies for meeting affordable housing need. Policy BSC4 of the Local Plan requires new residential development to provide a mix of homes in the interests of meeting housing need and creating socially mixed and inclusive communities. Policy BSC3 requires development within locations such as at Adderbury to provide 35% affordable housing on site and provides detail on the mix that should be sought between affordable/ social rent and shared ownership.
- 8.47. The Planning Statement accompanying the application confirms that a mix of housing is proposed and confirms that at least 35% affordable housing can be provided and this can be secured through the S106 agreement. The provision of an appropriate mix of housing to meet need is positive and in addition the provision of affordable housing is a particular benefit of the scheme and this would carry some weight in favour of the proposal.

Effect on Neighbour amenity

- 8.48. Policy ESD15 advises of the need for new development to consider the amenity of both existing and future development and this reflects the Core Principle of the Framework, which confirms the need for a good standard of amenity for all existing and future occupants of land and buildings to be secured.
- 8.49. Given the land adjoins only one dwelling (Last House) on Berry Hill Road, care would be required in the future design of a scheme in order to ensure that the residential amenity of this property would not be harmed. Given the size of the site, it is highly likely that a scheme could be accommodated without causing undue harm to the amenity of this property and any others that might be impacted.

Highway Safety and Sustainability of the site

- 8.50. The National Planning Policy Framework is clear that transport policies have an important role to play in facilitating sustainable development with encouragement provided to sustainable modes of transport to reduce reliance on the private car. It is also clear that applications should be accompanied by a Transport statement if it would generate significant amounts of movement. This is reflected in Policy SLE4 of the Local Plan. Policy SLE4 and Villages 2, both emphasise the need for consideration to be given to whether safe and suitable access can be achieved.
- 8.51. The application is accompanied by a Transport Statement and two responses, which have been provided through the course of the application to address comments received by the Highway Authority objecting to the application.

- 8.52. In respect of traffic impact the Highway Authority are currently considering the submitted information, including the data provided of the junction and the impact there.
- 8.53. The proposal includes a proposal to increase connections to the site, by way of a footway along Berry Hill Road in both directions from the site access, west towards the village to connect into existing pedestrian infrastructure and east towards the A4260 along with a proposed crossing point. The Highway Authority is content with these proposals following confirmation of their feasibility. Notwithstanding the comments above regarding the footway leading into the village and its potential impact, the provision of new links would be important in encouraging the use of sustainable modes of transport. The applicant has also explained that their view with regard to the site is that the land would be opened up to public access, improving connections with rights of way and within proximity to good bus service connections. It is noteworthy however that the site is relatively distant from the core of the village where the facilities and services are provided and I agree with the Highway Authority (and the Inspector for 06/00712/OUT) that the site is poorly located and would therefore lead to an increase in car borne commuting. This would compromise the principles of sustainable development. The Highway Authority has sought contributions towards transport improvements and these would be pursued should this site have been recommended for approval.
- 8.54. The Highway Authority has also confirmed that adequate visibility splays can be provided in respect to the site access arrangements. There are a number of public rights of way that run within proximity and within the site. It is not expected that these would be adversely impacted providing they are protected during construction and the Highway Authority have sought contributions for their improvement.
- 8.55. There are some current outstanding matters in respect to a response which is expected from the Highway Authority. Whilst technical highway safety matters may be overcome, the development site is not considered to be well-located to services and facilities and therefore this would compromise the principles of sustainable development. There would therefore be conflict with Government guidance in the NPPF and Policies Villages 2 and SLE4 of the Cherwell Local Plan Part 1.

Flood Risk and Drainage

- 8.56. A flood risk assessment and drainage management strategy is submitted with the application in line with the requirements of Policy ESD6 of the Local Plan and the Framework, given the site extends to over 1ha in area and is predominantly in Flood Zone 1. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems to manage surface water drainage systems. This is all with the aim to manage and reduce flood risk in the District.
- 8.57. The FRA concludes that the site is unlikely to be affected by flood risk and that development could therefore be appropriately accommodated without raising the risk of flooding. A drainage strategy is also submitted, which concludes that based on the ground conditions, infiltration would be an appropriate solution for site drainage in line with Sustainable Urban Drainage System principles. However, further soakaway testing is described as being required and if this were to identify that this will not offer a feasible surface water management solution, then the next method would be to discharge to a water course with the Sor Brook being 80m north of the site. If this option needed to be progressed, then further design work to confirm feasibility and discharge rates would be required.
- 8.58. Oxfordshire County Council as Lead Local Flood Authority has objected on drainage grounds because whilst the overall drainage proposal would be acceptable, the

infiltration option is unproven through soakage testing as a workable solution. The alternative option appears to involve discharging surface water to the offsite watercourse would involve transiting third party land but no confirmation as to offsite water arrangements and the right to cross third party land is provided. The advice is that this matter is too critical to be left to be dealt with via a planning condition. A condition is often used to secure additional drainage information but it is important that the overall strategy is a workable solution that could result in an acceptable detailed scheme. No additional information has been provided by the applicant and therefore the OCC objection remains and in the circumstances this matter should be a reason for refusal of this application as it has not been demonstrated that the requirements of the above mentioned policies can be met.

- 8.59. Of relevance to this conclusion is that in considering the previous appeal on this site (06/00712/OUT), the Inspector concluded when considering the evidence in that case, that the flooding implications of that proposal could be adequately addressed by the imposition of a condition.

Trees, Landscaping and Open Space

- 8.60. Policy ESD10 of the Local Plan refers to the protection and enhancement of ecology and the natural environment. It requires the protection of trees amongst other ecological requirements. Policy ESD13 also encourages the protection of trees and retention of landscape features. Policy BSC11 sets out the Council's requirements for local outdoor space provision and play space.
- 8.61. In respect of the existing trees and hedgerows, these form the field boundaries of the site. An Arboricultural report has been submitted with the application and this concluded that no significant trees would require removal to facilitate the new access arrangement. In fact, the site access position has now been moved being taken from the existing access point to the site so, this impact is likely to be limited (although the arboricultural report has not been updated). Otherwise, the report suggests the need for management and enhancement of the southern hedgerow to improve the hedgerows quality and long term value. The report also identifies the root protection area of trees and has not identified any indirect negative impacts to trees by way of providing the development proposed.
- 8.62. The Arboricultural report also advises that the site provides an opportunity to undertake new tree planting throughout the site as part of a soft landscaping scheme. Landscaping is a matter reserved for later approval, however it is clear to see how this can be achieved as the whole of the northern part of the site is set aside as public open space. Policy BSC3 requires the provision of approximately 0.36ha of open space for a development of the scale proposed. The site provides approximately 1.7ha which is sufficient to meet the open space requirements. The incorporation of street trees within the built up area would need careful consideration given the need for views towards the listed church to be provided.
- 8.63. In respect of play space, the site is required to provide a Local Equipped Area of Play and a Local Area of Play (or a combined facility) as required by Policy BSC3. This is currently shown within the area of open space but the location has been raised as a concern by the Landscape Officer as mentioned. As the layout provided is indicative only, the play facility can be changed in the future as it is not fixed, albeit if it were moved into the area of the site shown for built development, then this may impact upon the number of units that could be provided.
- 8.64. The site does not exceed the threshold for the onsite provision of formal outdoor sports facilities or for allotments. There is a requirement for contributions towards offsite sports facilities.

Ecological implications

- 8.65. The Framework sets out that Planning should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and provide net gains in biodiversity where possible. Policy ESD10 reflects the requirements of the Framework to ensure protection and enhancement of biodiversity. The Authority also has a legal duty set out at Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) which states that “every public authority must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity”.
- 8.66. The application is supported by an Extended Phase 1 Habitat Survey. This concludes that the site has some potential for ecological interest including reptiles and great crested newt, birds, bats, badgers and invertebrates. The survey makes a number of recommendations to avoid harm to and to enhance ecology across the site. This includes further surveys, native planting, avoiding the bird nesting season, bird and bat boxes, insect houses and retention of an area of the site with higher ecological value and its management and maintenance to enhance the range of habitats identified. The Council’s Ecologist advises that the survey is of appropriate scale and depth and that the recommendations made are sufficient to protect and accommodate current interest on site.
- 8.67. In relation to net biodiversity gain, a calculation has been provided using the Warwickshire, Coventry and Solihull Biodiversity Impact Assessment Calculator. After discussion between the Council’s Ecologist and the Applicant’s Ecologist, an agreed calculation has been provided. This shows an overall minor net biodiversity loss. The Council’s Ecologist has suggested that a scheme of enhancements both within the green spaces and the built environment should be included. However, given that the calculation has been agreed and there are opportunities for further enhancements at the reserved matters stage when landscaping details would be available, it is considered that there is the opportunity to secure a net biodiversity gain. It is however noted that advice has been provided that this would involve some areas being fenced off from public access to achieve a better quality of created habitat. Therefore, whilst it is unfortunate that the calculation does not demonstrate a net gain and this carries some weight against the proposal, it is not considered that in the circumstances that this should be a reason for refusal of the application.

Environmental Matters

- 8.68. The application is accompanied by a contaminated land desk study. This identifies that there is a low to moderate risk for ground gas and contamination across the site and that there may be a need for remedial action. Intrusive investigation is recommended to further assess potential risks. Given this conclusion, planning conditions could be recommended to require further contaminated land assessment and to secure appropriate mitigation if this application were to be recommended for approval.
- 8.69. The Environmental Protection Team have advised that there is a sewage pumping station, previously a sewage works until 1999, located 50m to the NE of the site. There is potential for odour, nuisance and residual contamination to affect the development at this close proximity. It is advised that there is insufficient information to provide assurances that the risk is acceptable and any potential risks have been mitigated. In response, the applicant’s agent provided additional information confirming that due to the proposed open space in the north of the site, the pumping station would be around 150m from the nearest proposed dwelling. They advise that this combined with the intervening topography and landscaping means there is little prospect of any nuisance. In response, the Environmental Protection Officer advised

that if the pumping station operated to standards expected of the age of the station and the formal sewage works were decommissioned to minimise residual nuisance or contamination, then the risk of odour nuisance should be minimal. In the circumstances, no comments were received from the Sewerage Undertaker raising concerns in respect of nuisance; no further information was sought as the risk is likely to be limited.

- 8.70. A Utility Statement has been submitted confirming that the utilities infrastructure within the vicinity of the site appears to be capable of supporting new mains and services to serve the proposed residential development. There is existing electric, gas, water and telecoms services immediately adjoining the site and these should have sufficient capacity to serve the development and the proposal should not place any undue stress on the delivery of these services to the wider community.

Sustainability and Energy Efficiency

- 8.71. The Cherwell Local Plan includes a number of energy policies in order to seek development which mitigates and adapts to the future predicted climate change. This relates to locating development in sustainable locations as well as seeking to reduce energy use, making use of renewable energy and sustainable construction techniques as well as achieving reductions in water use. Mitigating and adapting to climate change in order to move to a low carbon economy is a key part of the environmental role of sustainable development set out in the Framework.

- 8.72. The application is not accompanied by a Sustainability or Energy Statement but sustainability is important with regard to how development adapts to future climate change. This is a matter that it is considered could be addressed by the imposition of a planning condition if the application were to be recommended for approval.

Planning Obligations

- 8.73. Notwithstanding Officer's recommendation of refusal, should Members resolve to approve the application, a S106 Legal agreement would be required to be entered into to secure mitigation resulting from the impact of the development both on and off site. This would ensure that the requirements of Policy INF1 of the Local Plan can be met, which seeks to ensure that the impacts of development upon infrastructure including transport, education, health, social and community facilities can be mitigated. This includes the provision of affordable housing. The Authority is also required to ensure that any contributions sought meet the following tests, set out at Regulation 122 of the Community Infrastructure Regulations 2011 (as amended):

- Necessary to make the development acceptable in planning terms;
- Directly relate to the development; and
- Fairly and reasonable related in scale and kind to the development

- 8.74. The following are sought through this application but Officers have not entered into negotiations with the applicant in respect of these matters due to the recommendation (all matters would be updated to reflect the increased number of dwellings to 55):

- Affordable housing – 35% overall, with the split of 70% affordable/ social rent and 30% intermediate together with arrangements for its provision
- Play provision in the form of a LEAP and LAP or a combined facility

- Open space provisions to include the laying out and regulation of such areas and arrangements for the long term management of maintenance including the provision of commuted sums towards surface water drainage features, public open space, hedgerows and play areas.
- Contribution towards the enhancement of public transport services serving the site to pump prime bus services on the A4260.
- Contribution towards the provision of two sets of bus stop pole and premium route standard flags and a bus shelter, plus a commuted sum for long term maintenance.
- Contribution towards access mitigation measures on local public rights of way to the east and north of the site (Footpaths 13, 6, 5 and 24 and bridleway 9). This would fund surface improvement, signing and furniture along the routes.
- An obligation to enter into a S278 Agreement prior to the commencement of the development.
- Contribution towards Nursery and Primary education to be used towards expanding nursery and primary provision at Christopher Rawlins CE (VA) Primary School.
- Contribution towards Secondary education to be used towards expanding secondary provision at The Warriner School.
- Contribution towards providing increased outdoor tennis provision within the locality of Adderbury/ Banbury
- Contribution towards creating additional or enhanced existing indoor tennis provision within the locality of Adderbury/ Banbury
- Contribution towards helping the local community hall accommodate an increase in capacity
- Contributions towards public art
- Contribution towards the improvement of local primary medical care facilities as existing facilities in the North Oxfordshire locality are mostly at capacity and further housing growth will require additional or expanded infrastructure to be in place. The CCG have requested to be part of discussions in respect of negotiating obligations and this would be undertaken should this matter have proceeded to this stage. The contribution would need to be revised based upon a slightly increased number of dwellings proposed to 55.
- The requirement for an apprenticeship and skills training plan to secure apprenticeships.
- Contributions towards waste and recycling bins

Justification for the requested planning obligations and full details of contributions are available on the file.

8.75. Adderbury Parish Council has prepared a list of requests to secure community benefit. These matters would need to be considered against the statutory tests for the request of planning obligations as set out at paragraph 8.70.

- 8.76. Given that there is no legal agreement in place to secure the above referenced matters (notwithstanding the applicant may be prepared to enter into such an agreement), it is necessary for a refusal reason to be imposed as there is no certainty that the infrastructure necessary to make the development acceptable in planning terms will be secured.

Local Finance Considerations

- 8.77. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. This can include payments under the New Homes Bonus. The scheme has the potential to generate New Homes Bonus for the Council under current arrangements once the homes are occupied together with additional payments for the affordable units. However, Officers recommend that such funding is given no weight in decision making in this case given that the payments would have no direct relationship to making this scheme acceptable in planning terms and Government guidance in the PPG states that it is not appropriate to make a decision based on the potential for the development to raise money for a local authority or other Government body.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The overall purpose of the Planning system is to seek to achieve sustainable development as set out within the Framework. The three dimensions of sustainable development must be considered, in order to balance the benefits against the harm in order to come to a decision on the acceptability of a scheme.
- 9.2. The proposed development would be located adjacent to a Category A settlement, however the village has already accommodated a significant proportion of the rural housing allowance and additional housing would prejudice a balanced distribution of rural housing growth as required by the Cherwell Local Plan Part 1 and therefore undermine its housing strategy. In addition, the Local Planning Authority can currently demonstrate a five year housing land supply therefore there is no pressing need for further development. The site itself is positioned some distance from the main services and facilities within the village and therefore future occupiers are likely to be reliant on the private car, which conflicts with Government Guidance in the NPPF and Policies ESD1, Villages 1 and Villages 2, which seek to guide rural housing development to locations which reduce the need to travel and reduce the impact on climate change.
- 9.3. The proposal would result in significant environmental harm in proposing development on an important open site on the edge of the village, intruding into the open countryside and being harmful to the rural setting of the village causing localised landscape harm. The development would have a poorly integrated relationship with the existing character of Berry Hill Road by virtue of its scale and suburban character and this, combined with the localised landscape harm would fail to reinforce local distinctiveness. In addition, the design and access statement and indicative layout indicate a suburban form of development that does not follow any historic, traditional and local parameters and therefore it is difficult to see how a locally distinctive development could be achieved.
- 9.4. The site affords positive views across the landscape towards the grade I listed Church of St Mary. The development of the site would change the rural setting of this part of the village and obscure views of the church. Whilst it is possible that some views could be achieved and negotiated through a reserved matters application, there would nevertheless be harm and there are not considered to be public benefits that would outweigh this less than substantial harm.

- 9.5. The development would however contribute affordable housing and this as well as the construction of dwellings would bring some economic and social benefits and the applicant has advised that the site is deliverable within the next five years. However, these benefits are not considered to outweigh the significant environmental harm identified. On this basis and combined with the reasons set out through this appraisal as well as the identified conflict with the policies of the Development Plan, Officers conclude that the proposal does not constitute sustainable development recommend the application for refusal.

10. RECOMMENDATION

That permission is refused, for the following reason(s):

1. The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury as well as Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development which would undermine the housing strategy and prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan Part 1. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031) causing significant urbanisation and its visual impact on the rural character and appearance of the locality, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the Church of St Mary and the harm stemming from the proposals are not considered to be outweighed by any public benefits. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version – 2014 – 2031 and Government guidance contained within the National Planning Policy Framework.
3. The Design and Access Statement and indicative layout submitted as part of the application fails to provide sufficient acceptable detail in respect of the design principles set as a basis for the future detailed consideration of the development proposed. This includes the siting, form, appearance, materials and detailing of the proposed new dwellings. The Local Planning Authority is therefore unable to determine whether the development proposed could be satisfactorily accommodated on the site in a manner that would respect its context, enhance the built environment and properly respond to local distinctiveness. The proposal therefore fails to accord with the requirements of Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies C27, C28 and C30 of the Cherwell Local Plan 1996 and Government advice within the National Planning Policy Framework.
4. The submitted Drainage Strategy does not provide sufficient certainty to

demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems can be appropriately accommodated to deal with the sustainable discharge of surface water. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan 2011-2031 and the advice within the National Planning Policy Framework.

CASE OFFICER: Caroline Ford

TEL: 01295 221823

Appendix 4
Decision 3138078



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

Name and Address of Agent/Applicant :

Hollins Strategic Land LLP
c/o Nexus Planning
Miss Helen Hartley
Eastgate
2 Castle Street
Castlefield
Manchester
M3 4LZ

Date Registered: 1st December 2017

Proposal: Outline planning permission for up to 55 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road.

Location: OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of, Berry Hill Road, Adderbury,

Parish(es): Adderbury

REFUSAL OF PERMISSION FOR DEVELOPMENT

The Cherwell District Council, as Local Planning Authority, hereby **REFUSES** to grant planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. **THE REASONS FOR REFUSAL ARE SET OUT IN THE ATTACHED SCHEDULE.**

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA

Paul Feehily

**Interim Director for
Planning and Regeneration**

Date of Decision: 25th May 2018

Checked by: RD (Officer initials)

REASONS FOR REFUSAL

- 1 The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury as well as Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development which would undermine the housing strategy and prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan Part 1. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
- 2 The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Draft Adderbury Neighbourhood Plan Referendum version - 2014 - 2031) causing significant urbanisation and its visual impact on the rural character and appearance of the locality, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the Church of St Mary and the harm stemming from the proposals are not considered to be outweighed by any public benefits. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version - 2014 - 2031 and Government guidance contained within the National Planning Policy Framework.
- 3 The Design and Access Statement and indicative layout submitted as part of the application fails to provide sufficient acceptable detail in respect of the design principles set as a basis for the future detailed consideration of the development proposed. The Local Planning Authority is therefore unable to determine whether the development proposed could be satisfactorily accommodated on the site in a manner that would respect its context, enhance the built environment and properly respond to local distinctiveness. The proposal therefore fails to accord with the requirements of Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C27, C28 and C30 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.
- 4 The submitted Drainage Strategy does not provide sufficient certainty to demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems can be appropriately accommodated to deal with the sustainable discharge of surface water. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
- 5 In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan (2011-2031) Part 1 and the advice within the National Planning Policy Framework.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), Cherwell Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined 24 May 2018 are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>.



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

NOTES TO THE APPLICANT

REFUSAL OF PERMISSION

The Local Planning Authority has refused consent for the reasons set out in the schedule forming part of this notice of refusal. A further explanation of the reasons for the decision can be found in the planning officer's report, which can be viewed in Public Access via the council's web site.

If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection on our website, or at the District Council offices, Bodicote House, Bodicote, during normal office hours.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse the application you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000.**

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission or approval for the proposed development, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses planning permission or approval for the development of land, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

Appendix 5

Design and Access Statement



Land off Berry Hill Road, Adderbury

Design and Access Statement

Prepared on behalf of Hollins Strategic Land LLP

June 2020

This Design and Access Statement has been prepared by



On behalf of



Contents

1. Introduction
2. Design Guidance and Planning Policy
Context
3. Understanding the Site and Context
4. Opportunities and Constraints
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8. Access
9. Conclusions

1. Introduction

1. Introduction

This Design and Access Statement has been prepared by Nexus Planning on behalf of Hollins Strategic Land (HSL) in support of an outline planning application for the development of up to 40 dwellings at land off Berry Hill Road, Adderbury.

- 1.1 This document describes the design and access issues that have been considered when preparing the proposals, and provides an overview of the planning basis for approval of the application.

Application Documentation

- 1.2 The planning application is supported by the following documents, which should be read in conjunction with this Design and Access Statement:

- Planning Application Form and Certificates;
- Planning Statement;
- Flood Risk Assessment and Drainage Strategy;
- Extended Phase 1 Habitat Survey Report;
- Illustrative Masterplan;
- Landscape and Visual Appraisal;
- Landscape and Visual Appraisal Addendum;
- Desk based Geo-environmental Assessment;
- Transport Statement;
- Heritage Statement;
- Tree Survey; and
- Utilities Statement.

Site Location Plan



Summary

- 1.3 The application site ('the site') is located to the south of the village of Adderbury. It comprises approximately 4 hectares of predominantly agricultural land used for grazing, a paddock and some areas of hardstanding comprising a stables to the north of Berry Hill Road.
- 1.4 An outline planning application is now submitted for the development of the site for up to 40 new dwellings.
- 1.5 The application is made in outline form with all matters other than means of access reserved for consideration at a later date.
- 1.6 The proposed development will comprise:
- Up to 40 dwellings, including 35% affordable homes;
 - A mix of dwelling types and sizes which will respond to identified local need.
 - Vehicular and pedestrian access off Berry Hill Road;
 - Pedestrian connection to existing footpath to north west of site and new footpath along Berry Hill Road;
 - A Green Infrastructure Network including formal and informal areas of public open space; and
 - Landscape and Ecological mitigation and enhancement.

2. Design Guidance and Planning Policy Context

2. Design Guidance and Planning Policy Context

This section of the Design and Access Statement considers the design guidance in national and local planning policy of relevance to the application proposals.

Planning Practice Guidance – Design and Access Statements

- 2.1 A Design and Access Statement is intended to be a concise report accompanying applications for planning permission. They provide a framework for applications to explain how the proposed development is a suitable response to the site and its setting and to demonstrate that it can be adequately accessed by prospective users.
- 2.2 The level of detail in a Design and Access Statement should be proportionate to the complexity of the application. The information on what a Design and Access Statement should include is listed below:
- 2.3 Appraising the Context – explain the design principles and concepts that have been applied and demonstrate the steps taken to appraise the context of the proposed development, and how the design of the development takes that context into account.
- 2.4 The Design Component – an explanation of the proposals and the design approach taken in terms of:
- Use;
 - Amount;
 - Access;
 - Layout;
 - Scale;
 - Landscaping;
 - Appearance

- 2.5 Particular emphasis has been given to the guidance set out within the National Design Guide which has informed the the design process undertaken for this scheme. Other relevant design guidance documents considered in developing the proposals include:

- CABE: Design and Access Statements;
- Manual for Streets;
- Manual for Street 2; and
- Building for Life 12
- National Design Guide



Design Guidance Documents

This design and access statement has been compiled in line with the holistic approach and design principles set out within 'Cherwell Residential Design Guide' (July 2018) to ensure this application promotes a high quality scheme that reflects and enhances the character of Cherwell.

Essential areas of design highlighted within the design guide have been addressed and elaborated on to the necessary level of detail required at this stage. The 'Adderbury Conservation Area Appraisal' SPG has been utilised frequently whilst detailing important design considerations around urban form and landscape to ensure local character is reflected in all aspects of design, from the masterplan layout to building typologies, materials and detailing.

Planning Policy Context

2.6 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all planning applications to be determined in accordance with the development plan unless there are material considerations which indicate otherwise. One such material consideration is the National Planning Policy Framework 2019 ('the Framework'). Paragraph 11 of the Framework sets out the presumption in favour of sustainable development and asks decision-makers to approve development proposals that accord with the development plan without delay.

Development Plan

2.7 The currently adopted Development Plan for the area comprises the Cherwell Local Plan (Part I) (adopted 2015), the saved policies of the Cherwell Local Plan 1996 (adopted 1996) and the Adderbury Neighbourhood Plan.

2.8 The following policies of the Cherwell Local Plan (Part I) are considered relevant specifically in relation to the design of the proposals.

- Policy PSD1 states the Council will take a presumption in favour of sustainable development and will grant permission for development unless material considerations indicate otherwise.
- Policy SLE4 outlines improved transport and connections .
- Policy BSC1 outlines district wide housing distribution.
- Policy BSC2 outlines the effective and efficient use of land – brownfield land and housing density.
- Policy BSC3 outlines how development must contribute towards affordable housing.
- Policy BSC4 outlines how development must provide a mix of homes to meet current and future needs.
- Policy BSC8 outlines securing health and well-being.
- Policy BSC9 outlines public services and utilities.
- Policy BSC10 expects new housing developments to contribute towards accessible open space, in accordance with the Council's open space standards.
- Policy BSC11 outlines Local standards of provision – outdoor recreation.
- Policy BSC12 outlines indoor sport, recreation and community facilities.
- Policy ESD1 seeks to ensure new development incorporates measures to take account of climate change.
- Policy ESD2 sets out the Energy Hierarchy and Allowable Solutions that will be followed to achieve carbon emissions reductions.
- Policy ESD3 sets out the Council's criteria to ensure sustainable construction methods are followed.
- Policy ESD5 sets out Renewable Energy.
- Policies ESD6 and ESD7 relate to flood risk and drainage and states that if possible, SuDS should be incorporated into new development.
- Policy ESD7 outlines sustainable drainage systems.
- Policy ESD10 requires new development to protect and enhance biodiversity and the natural environment wherever possible.
- Policy ESD13 states development will be expected to respect and enhance local landscape character.
- Policy ESD15 sets out how development

should be of the highest quality – respecting local context and distinctiveness, creating an attractive, accessible public realm and reducing opportunities for crime and anti-social behaviour.

- Policy ESD17 states that green infrastructure networks should be integral to the planning of new development.

2.9 The following Saved Policies of the Cherwell Local Plan 1996 are also relevant to design:

- Policy C27 states that development proposals in villages will be expected to be respectful of the historic settlement pattern.
- Policy C28 states that control will be exercised over all new development to ensure that standards of layout, design and appearance are appropriate to the character of their context.
- Policy C30 states that design control will be exercised to ensure new housing development is compatible with the character of existing dwellings in the vicinity.

Adderbury Neighbourhood Plan

2.10 The following Saved Policies of the Adderbury Neighbourhood Plan 2018 are also relevant to design:

- AD1 Adderbury Settlement Boundary
- AD2 Green Infrastructure
- AD3 Local Green Spaces
- AD4 Local Open Spaces
- AD6 Managing Design in the Conservation Area and its Setting Church Quarter
- AD8 Managing Design in the Conservation Area: The Manors
- AD9 Managing Design in the Conservation Area: The Streets
- AD9 Managing Design in the Conservation Area: The Streets
- AD11 Managing Design in the Conservation Area: The Valley
- AD16 Managing Design in Berry Hill Road and St. Mary's Road
- AD17 Building and structures of local importance
- AD21 Community Infrastructure Levy

The National Planning Policy Framework

2.10 The NPPF 2019 sets out the Government's planning policies and how these are expected to be applied. It confirms at Paragraph 6 that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies at Paragraph 7 that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- An economic role – contributing to building a strong, responsive and competitive economy;
- A social role – supporting strong, vibrant and healthy communities;
- An environmental role – contributing to protecting and enhancing our natural and built historic environment.

2.11 Paragraph 14 of the NPPF 2019 sets out that at the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread, running through both plan making and decision taking.

2.12 The other chapters within the NPPF 2019 which are considered relevant are:

- Chapter 4; Promoting Sustainable Transport;
- Chapter 6; Delivering a wider choice of high quality homes;
- Chapter 7; Requiring good design;
- Chapter 8; Promoting health communities;
- Chapter 11; Conserving and Enhancing the Natural Environment;
- Chapter 12; Conserving and Enhancing the Historic Environment.

Other Material Considerations

2.13 The following documents are also considered to be of relevance to the application proposals:

- Emerging Partial Review of Cherwell Local Plan 2011-2031 (Part I)
- Emerging Cherwell Local Plan (Part II)
- The Council's Evidence Base
- Cherwell Residential Design Guide SPD

3. Understanding the Site and Context

3. Understanding the Site and Context

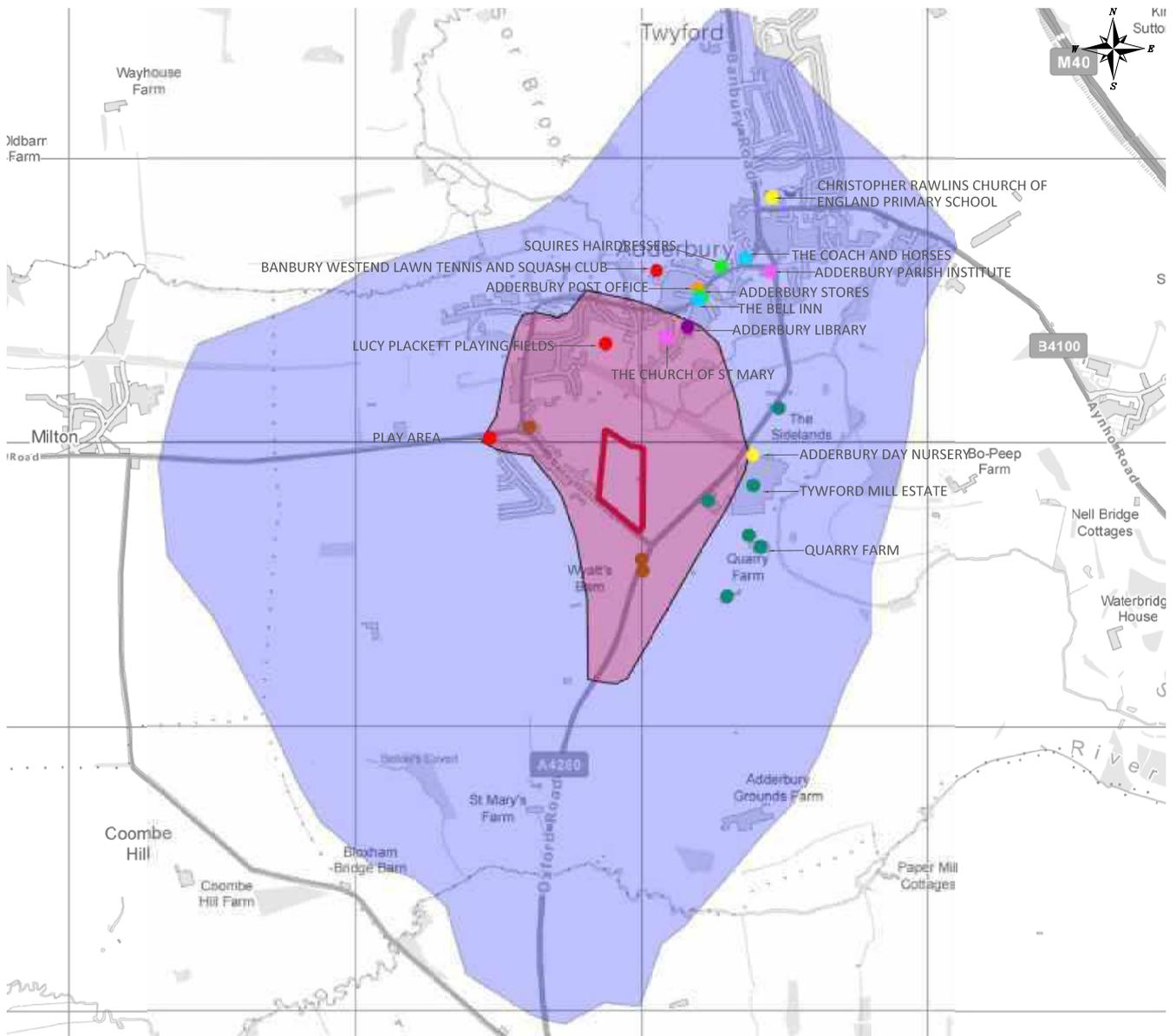
This section sets out our understanding of the site and surrounding area. This context has been used to inform the design of the application proposals.

Wider Context

- 3.1 The site is adjacent to the existing built area of Adderbury. Adderbury is a historically linear settlement, which has been considerably extended and consolidated by estate and infill development over time.
- 3.2 The centre of the village is located to the north of the site, with a range of services and facilities located along High Street. Much of the historic core of the village is designated as a Conservation Area. The boundary of the Conservation Area lies approximately 120 metres to the west and north of the site at its nearest point. The Conservation Area is screened from the site by virtue of existing trees and hedges within the intervening fields and the topography.
- 3.3 To the immediate west of the site is an area of residential development along Berry Hill Road leading to the centre of the village and around St Mary's Road to the west. This existing development is characterised by a mixture of detached and semi-detached properties of predominantly 20th century construction, as well as two modern 21st century residential areas off Milton Road. These dwellings are predominately two storey.
- 3.4 To the south of the site beyond Berry Hill Road and the A4260 is an area of open agricultural land extending towards the village of Deddington approximately 3 kilometres to the south. To the immediate east of the site is an agricultural field beyond which is the A4260 and an area of employment land around Twyford Mill Estate.

The Application Site

- 3.5 The site is located to the south-west of the village of Adderbury, in the Adderbury, Bloxham and Bodicote ward. The site is approximately 4 hectares and is broadly rectangular in shape. The landform gently falls to the north but is generally flat with levels ranging between 110 and 98 metres AOD.
- 3.6 The site is used for grazing with some areas of hardstanding consisting of stables and a paddock in the east of the site and boundary trees. Primary access into the site is currently via a field gate and track off Berry Hill Road at the southern boundary.



Context Plan

- Site Location
- 800m Pedestrian Catchment
- 2km Pedestrian Catchment
- Nearest Bus Stops
- Education
- Community Facilities
- Cafe/Takeaway/Public House
- Business/Employment/Industrial
- Retail
- Library
- Leisure/Sport
- Post Office

3.7 The site lies to the immediate east of the existing residential properties fronting Berry Hill Road. The western boundary of the site abuts these dwellings. A line of boundary trees forms the northern boundary of the site. Approximately 100 metres north of the site boundary lies Sor Brook. The eastern edge of the site is bound by a combination of hedges and trees beyond which is an area of open agricultural land. The southern boundary of the site is formed by Berry Hill Road. Along the southern boundary is a fence, line of trees and hedgerows and a ditch. A public right of way runs along the eastern and northern boundaries of the site.

Access

- 3.8 One of the core principles of the Framework is to 'actively manage patterns of growth to make the fullest use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable'.
- 3.9 The accessibility of the proposed site has been considered by the following modes of transport:
- Accessibility by Foot
 - Accessibility by Cycle
 - Accessibility by Public Transport

Access by Foot

- 3.10 The proposed vehicular access to the site is via Berry Hill Road. The proposed access will have footways of 2 metres on both sides which will continue along the proposed primary street within the site.
- 3.11 The proposals include a new footway on the northern side of Berry Hill Road which will provide an additional 400 metres of footway up to the junction of Berry Hill Road and Horn Hill Road. This will enhance the pedestrian connectivity in this part of the village to the benefit of the wider community. The site will also connect to the Public Right of Way to the immediate north-east and north. Links will also be provided to Oxford Road and the Twyford Mill employment area.
- 3.12 The supporting Accessibility Statement prepared by Croft Transport Solutions shows that the site is within walking distance of several local facilities within the village of Adderbury giving future residents the option to access the range of facilities in the village centre on foot. This includes a convenience store, several public houses and a restaurant and post office. Christopher Rawlins Church of England Primary School lies approximately 1,740 metres from the site.

Access by Cycle

- 3.14 As stated with the supporting Accessibility Statement the Site has good accessibility on foot and by cycle and the proposals will provide a substantial level of additional links and contributions to improve the accessibility of the proposals on foot and by cycle.

Access by Public Transport

- 3.15 The nearest existing bus stops are located to the west of the site on Horn Hill Road, with an approximate walking distance of 670 metres from the centre of the site, around a 9 minute walk.
- 3.16 The Site provides potential for travel by rail, with the nearest bus services travelling into Banbury Town Centre, just a short walk from Banbury train station.

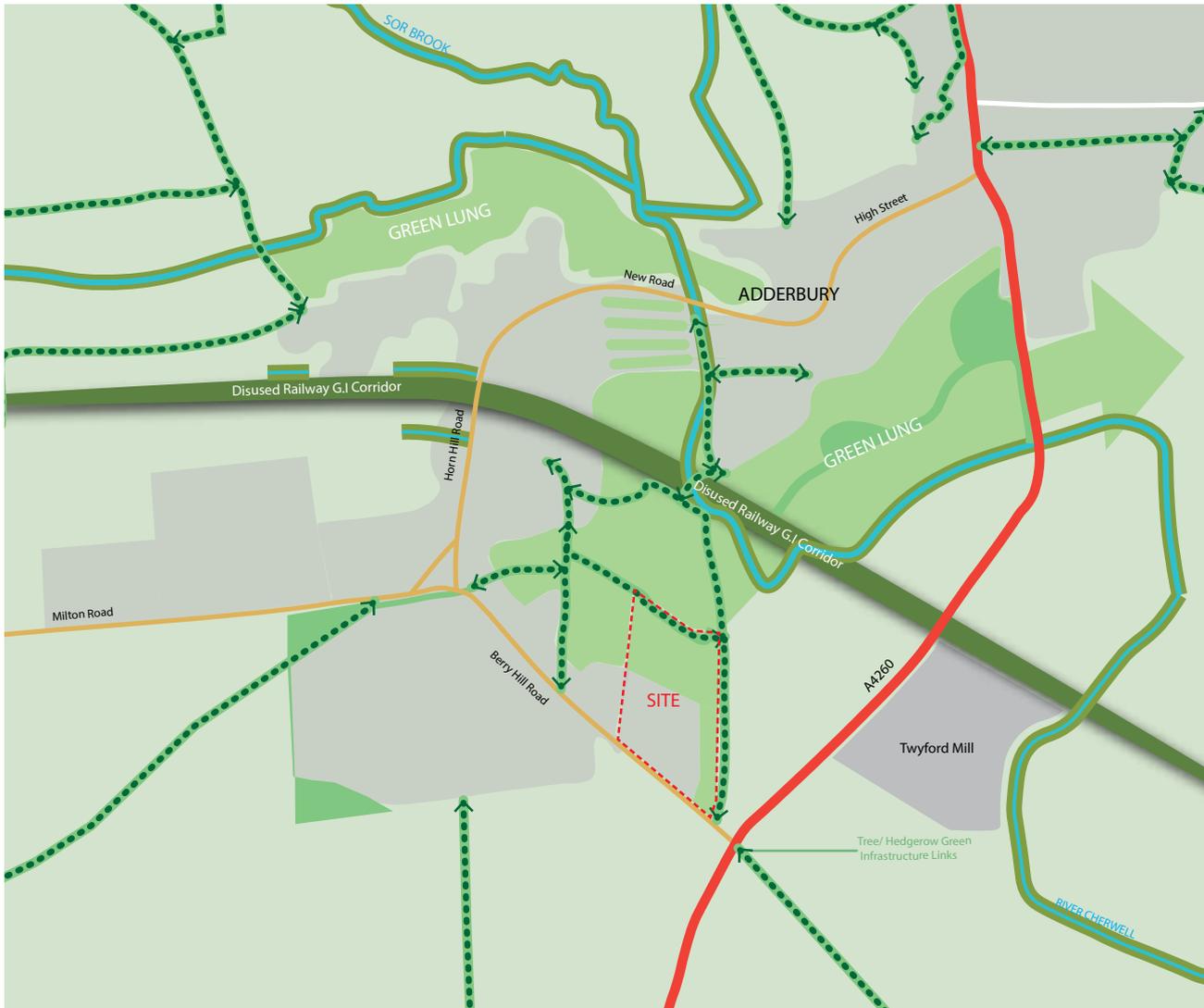
Summary

- 3.17 The site is in a sustainable location, with a range of shops, services and employment opportunities available within an accessible distance of the site by suitable means of transport.



The existing access to the site

Green Infrastructure Network



- 3.18 The application site lies outside of, but immediately adjacent to, the existing built up area of Adderbury. Its development would be experienced as a continuation of the residential development along Berry Hill Road. Berry Hill Road bounds the site to the south. Whilst there is an agricultural field to the immediate east of the site, the A4260 lies only approximately 200 metres east of this, on the other side of which is the industrial estate of Twyford Mill.
- 3.19 The site is therefore experienced as part of the existing settlement.
- 3.20 To the north and north-west, the site is bound by, what can be termed as, the 'green lung' of Adderbury; a pattern of small irregular fields and hedges and substantial vegetation along the Sor Brook and former railway embankment'. The site is also contained by dense, established vegetation along, and adjacent to, the northern and eastern boundaries.
- 3.21 A proposed, publicly accessible, open space on the application site will contribute a usable space to the existing green lung running through the heart of Adderbury. This is entwined with Public Rights of Way which form green movement corridors through the centre of the Village.
- 3.22 The application site offers an opportunity to appropriately extend the village up to a natural boundary (the vegetated PROW corridor running parallel to the eastern boundary of the site) which forms the edge of Adderbury and the start of the wider green infrastructure network.
- 3.23 Accordingly, the site represents a logical location for housing, and a considered and carefully designed scheme would appear congruous and well integrated with the existing settlement.

Photos of the Site and Surroundings



View of the existing features of the site



View north showing the paddock and existing stables



The southern boundary of the site



Tree-lined boundaries provide a sense of enclosure and visual screening



View along PROW from Berry Hill Road



View along Berry Hill Road from Oxford Road (Current site access viewable to the left)

Historical Context

- 3.24 During the early 20th century Adderbury consisted of what is now the core village north of an active railway line. During this time the historic maps show a gas works located adjacent to the site. By the mid 20th century Adderbury started to become a denser village with more development around the Church.
- 3.25 By the late 1970s/ early 1980s development started to take place to the south of , to the west of and along Berry Hill Road. By this time the railway line had been dismantled. The core of Adderbury also became more developed with residential developments to the north.
- 3.26 At the turn of the 21st century Adderbury village core has become further developed with further urban infill, the south of Adderbury starts to develop as space to the north becomes scarce. From this period to 2020 there has been development south of the village core along Milton Road with two urban extension residential sites, extending the south of Adderbury closer to its boundary with Milton.
- 3.27 Adderbury has evolved heavily during the last 100 years. The plans overleaf illustrate how layers of development have contributed to the Village during this time.
- 3.28 As is visible from the plans, initially Adderbury developed as two clusters, East and West Adderbury, along the main route through the Village. Development has gradually moved south along this route (Berry Hill Road) and north along Banbury Road and Aynho Road.



Properties along Berry Hill Road

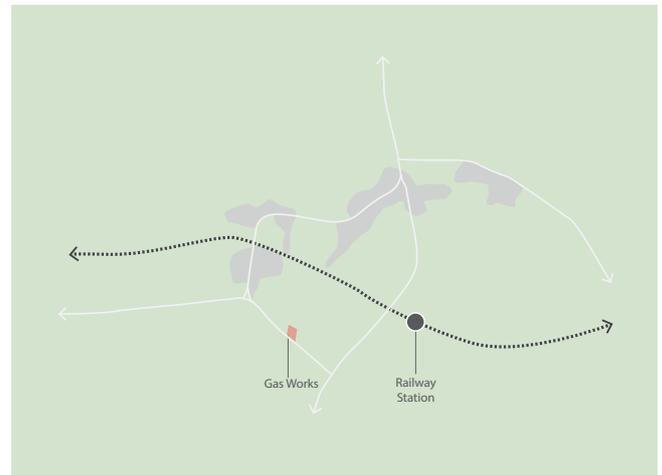


Development on Milton Road on approach to Adderbury

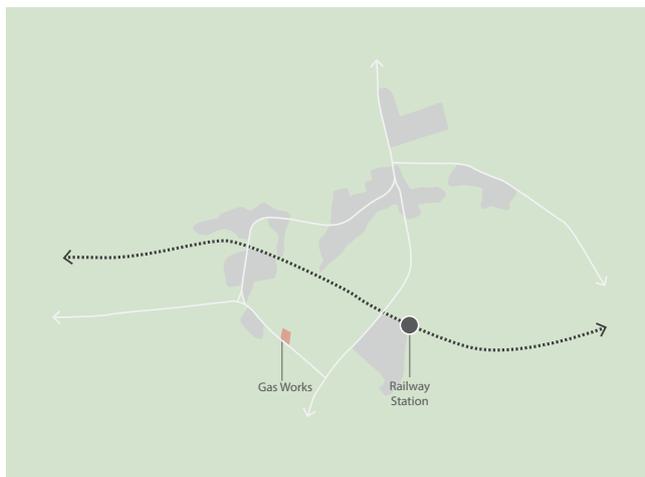


Example of new dwellings in the south-west of Adderbury

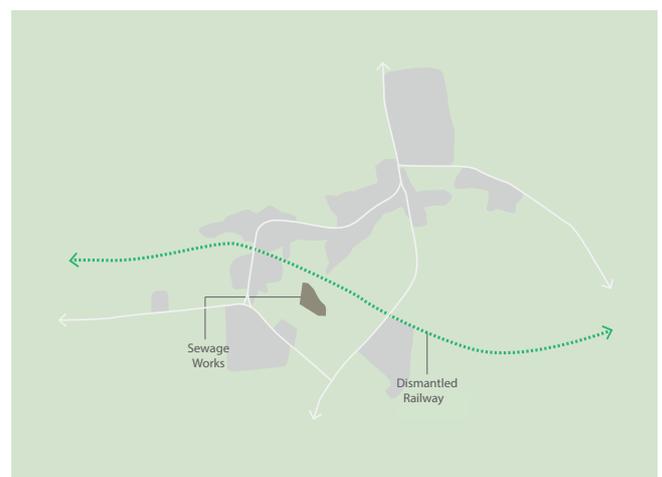
3.29 The development of this site presents a unique opportunity to strengthen the character of Berry Hill Road and the wider West Adderbury area, enhancing one of the primary approaches into the village. Development has gradually moved south along this route (Berry Hill Road) and north along Banbury Road and Aynho Road.



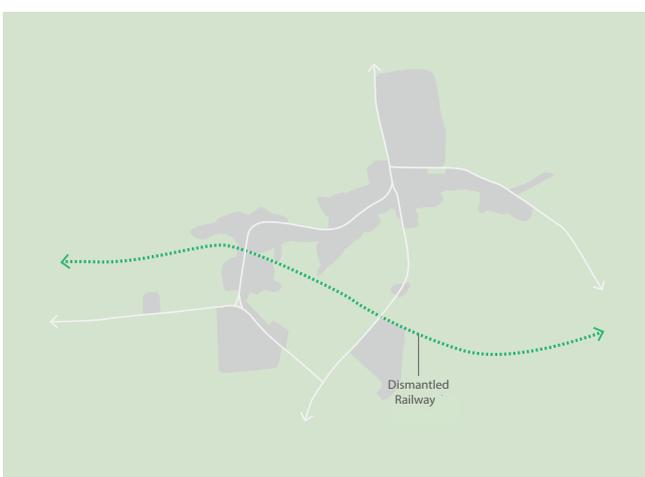
1923



1955



1980



1999



2020 including proposals

Built Context - Overview

Materials

The palette of materials prominent throughout Adderbury largely comprise of a combination of local ironstone prevalent in the historic core of the Village with use of red brick common in all other areas. Brick is used in combination with render on some 20th century properties whilst entirely rendered properties are rare. Roofs typically comprise of:

- Slate
- Dark brown and some red clay tiles
- Some thatched properties

Roofs are typically pitched and chimneys are prevalent in the more historic parts of the Village. Windows are predominantly white casement windows.

Character / Layout

Size and density of development varies greatly dependant upon the location and age of the property. Throughout the historic parts of Adderbury terraces fronting closely onto the road are common. Large, single detached dwellings set within extensive grounds are also common. 20th and 21st century developments in the area are set back further from the road often having front gardens and private drives. Streets are typically permeable with most streets having more than one access point.

Gardens / Boundaries

Hedgerows are the predominant boundary treatment within the less historic parts of Adderbury. Within the historical areas stone walls constructed from local ironstone are common. The use of natural landscape to define streets, spaces and property boundaries is extensive.

Density

The density varies notably throughout Adderbury dependant upon the age and location of the development.



Terraced red brick contemporary properties in South Adderbury



Traditional property in the village core



An example of contemporary development in the village core



An example of 1980s development along Berry Hill Road



Bungalow in the village core



Traditional terraced properties along Cross Hill Road



Traditional terraced properties along Round Close



Traditional terraced properties along Cross Hill Road

Character Area 1: St Marys Road & Berry Hill Road

Properties along Berry Hill Road and St Marys Road have no consistent architectural style. There is a mix of large units are set in generous plots and more modest units of single storeys. Development has been piecemeal over a period of approximately 50 years.

Scale

The building height within this character area is predominately two storeys. There are a number of single storey bungalows along the western side of St Mary's Road. Along the southern edge there are a number of 1.5 storey dormer bungalows, the roof height on these properties is typically consistent with the two storey houses.

There is a mix of garage types with some units having integral garages, but the predominant garage type is detached from the house.

Materials

The predominant building material is red brick and red brick with render. There are occasions of houses with brown brick. Roof material is consistently brown clay or concrete tile. Windows are of the casement type throughout.

Character / Layout

The area has a suburban character to it, typical of 1970-80s period. Two storey houses are a mixture of detached and semi-detached and all bungalow/dorma-bungalows are detached. All properties have front driveway access and front gardens, resulting in all properties being set back from the road. Bungalow/dorma-bungalows are wide fronted, the houses are deeper than they are wide. Gardens are longer than they are wide.

Gardens / Boundaries

Front gardens are of good size and largely consist of a driveway and a grassed area. Gardens are typically separated by dwarf brick walls or hedges, this gives a semi-private feel to them.

Density

The overall density is relatively low and dispersed. Where there are variations of building heights on the eastern side of Berry Hill Road creates occasional glimpsed views of St Mary's Church.



Image 1: Semi-detached unit with front gardens and front access drives



Image 1: Large detached units on the southern side of the road which are set back from the main road



Character Area 1 Location

Character Area 2: The Robbins and Land North of Milton Road

This is a recent development comprising detached, semi-detached and terraced housing. The development includes green space provision and a children's play area at the gateway of the site.

Scale

The building height is two to two-and-a-half storeys throughout the development. Larger units have detached garages, smaller units have parking arranged in rear parking courts.

Materials

The material palette is principally red brick for smaller dwellings and local ironstone or similar for the larger properties and the properties forming the gateway to the site. Roof materials are a mix of grey and red tiles.

Character / Layout

This is a contemporary development and as a result the detailing on properties reflects this. The dwellings have very few features which make them representative of Adderbury or the wider district. Properties are arranged around short streets connecting to the main spine road of the site. Secondary streets are in cul-de-sac style. Parking is arranged at the rear of properties in parking courts. Properties have a wide frontage and typically shallow front gardens creating a consistent frontage to the street and greater enclosure. Gardens are as deep as they are wide.

Gardens / Boundaries

Dwellings typically have a small landscape strip at the front giving a semi-public feel. Larger units have front gardens with front drive access and a grassed area. Boundaries between buildings are stone/brick walls. Rear garden boundaries are formed by a mix of hedge planting and walls.

Density

Approximately 27 units per hectare.



Image 1: Terraced brick units with rear courtyard access



Image 2: Local ironstone (or a modern day equivalent) units terminating the views. An example of the larger / key plots which are responding to local vernacular



Character Area 2 Location

Character Area 4: Tanners Lane

Tanners Lane is located to the north-east of the proposed development site and falls within the Conservation Area. Dwellings are consistent with the historic style of the Village with very few contemporary units.

Scale

There is a combination of detached units and terraced units. Properties along the southern side of Tanners Lane are two storey units with tall pitched roofs. Along the northern side is a more modern development in the form of bungalows.

Materials

The predominant building material is the traditional local ironstone, a number of the newer dwellings feature render and red brick. Roofs are a mixture of grey slate tiles and traditional thatched roofs.

Character / Layout

Properties are arranged along Tanners Lane in a mixture of terraced units in runs of 3-4 as well as detached units. The older traditional units front directly onto the road enclosing the street and have a strong relationship with the street. Parking is to the rear or to the side. On some units historic coach house entrances have been converted into garages. The newer units are set back from the road and have private gardens and front access to drives. The road is narrow and lacks footways.

Gardens / Boundaries

Houses along the south of Tanners Lane open directly onto the street and therefore do not have a front boundary or a front garden. In some instances there is a small landscape strip forming a buffer between the property front and the street edge. Boundaries along the southern side are formed by stone walls. There are two

Detached properties with small front gardens and dwarf stone walls giving a semi private feel.

The newer properties have front gardens and front access to parking. Boundaries are formed by stone walls and hedges. Many of the stone walls have trees and bushes behind them. This adds positively to the street scene.

Density

Approximately 28 dwellings per hectare



Image 1: Street scene on Tanners Lane. Traditional and newer dwellings providing a strong relationship with the street



Image 2: Traditional dwellings on Tanners Lane with the local ironstone seen throughout Adderbury



Character Area 3 Location



4. Opportunities & Constraints

4. Opportunities & Constraints

This section draws together a summary of the opportunities and constraints of the application site for the proposed development. This reflects the appraisal of the site and local area set out in the preceding section. It is also informed by the technical survey work undertaken to support the application and submitted with the application.

Constraints

- 4.1 Development of the application site should be informed by:
- The scale and character of existing development in the surrounding area
 - The shape and topography of the existing site, which falls to the north-east corner;
 - The existing boundary trees and hedges along the site boundaries;
 - The need to conserve and enhance opportunities for biodiversity interest;
 - The view across the site (by the existing site entrance) towards St. Mary's Church;
 - Views within the site towards the church that are currently not accessible.
 - The need to respect the amenity of nearby residents, namely to the immediate west of the site fronting Berry Hill Road.

Opportunities

- 4.2 The proposed development of the application site affords the opportunity to:
- Provide new homes in a sustainable location to meet an identified local need;
 - To contribute towards the 5 year housing land supply in Cherwell;
 - To ensure that through good design, development can be delivered in a manner which responds to the existing natural features of the site including tree and hedges, topography and views;
 - Achieve biodiversity gain through appropriate habitat creation and native planting;
 - Creating a pedestrian connection to neighbouring green space and the village centre to the north;
 - Promote views from Berry Hill Road, through existing vegetation, towards the spire of St. Mary's Church and open views from the site;
 - Creating enhanced pedestrian infrastructure along Berry Hill Road;
 - To bring forward new housing on a site which is well related to the existing settlement and is naturally well enclosed from surrounding views;
 - To create a new strong boundary to the settlement through the creation of significant buffers of open space;
 - Provision of a Green Infrastructure Network to integrate with and enhance the existing Network; and,
 - Form a logical extension of the village whilst enhancing the approach to the village-core when arriving from the south-east.
 - Establishing and delivering new publicly accessible spaces which enhance experiences of church views.

5. Vision

5. Vision

This section identifies the vision statement and core design principles that have been considered to help to create a sustainable environment which exhibits a high level of design quality.

New development at Berry Hill Road will enhance an approach into Adderbury by creating a distinctive development which is reflective of the positive character of Adderbury and the Cherwell district.



Compactness

5.1 To provide a sustainable scheme it is essential to efficiently consider land use appropriately and ensure maximum connectivity and permeability. To achieve this the development will:

- Provide an appropriate density of development for a site that is an integral part of the village;
- Create places for people, whilst recognising the need for the car, through prioritization of routes for pedestrians and cyclists, and careful consideration of surface treatments; and,
- Provide practical and usable amenity space, which reflect desire lines and meets public need.

Legibility

5.2 A legible scheme will allow people to easily read their surroundings and orientate themselves. Legibility should be created or enhanced by:

- Clearly marking entrance points and routes through the scheme;
- Creating identity and character using the site's existing and natural characteristics and new design elements;
- Using a clear street hierarchy;
- Defining spaces which are memorable;
- Landscaping and varying materials to indicate clear routes;
- Maintaining and enhancing important local views to the church;
- Creating a central focus for development; and,
- Utilising existing landscape features as distinctive elements.



Context & Character

5.3 Integrating the site into the surrounding area and establishing character is vital in delivering a successful scheme. This includes locally distinctive development patterns, landscape, culture, materials and bio-diversity. To enable this:

- The development will adopt a style and character which draws on and interprets the key elements of the surrounding settlement as identified in the character and context appraisal;
- The development will adopt a style that is complementary to the nearby Conservation Area;
- The scale and massing of the development will respond to surrounding context; and,
- The development will contribute a positive change to the image of the area, reinforcing and enhancing the historic character utilising guidance set out within the Adderbury Conservation Area Appraisal .

Continuity & Enclosure

5.4 The enclosure of streets and spaces, a considered building line and active frontages onto the public realm and nearby public rights of way are essential components in the creation of a safe and secure environment. This helps to create a stronger sense of place and identity and encourages social interaction. The development must have:

- Properties that face on to Berry Hill Road and proposed streets and spaces creating high levels of activity and surveillance;
- Spaces that are well enclosed by development to create a sense of place and to promote public safety and security;
- A relationship between building height and road/space width to create the appropriate sense of enclosure in relation to spatial role and form; and,
- Clarity in what is public and what is private space.
- Appropriate building frontage continuity to ensure channelled and glimpsed views to St Mary's Church.



Adaptability & Diversity

5.5 The scheme must be designed to be robust, to accommodate the needs and expectations of inhabitants and users as they change. This can be achieved through:

- Creating flexible development plots, to allow units to be converted or extended;
- High quality homes that are built to last, and permit alteration to the structure over time;
- Designing spaces that are capable of adapting over time and which can fulfil a number of roles; and,
- Streets that are simple, robust and clutter free.

Variety and diversity should be increased via the following:

- Providing a mix of property types and tenures that build on the existing stock;
- Variety in building form, plot structure, detailing and materials to create uniqueness; and,
- Creating distinctive spaces that add character to the development and are complementary to existing development.



Sustainability & Efficiency

5.6 The development should be designed and delivered to minimise resource use and maximise energy efficiency during construction and operation. This should include:

- Orientation to take advantage of passive solar gain should be considered;
- Conservation of energy consumption both during construction and by the site's end users;
- Conservation of water through reduced consumption; and,
- Minimising surface water run-off.

Accessibility

5.7 An accessible scheme will accommodate all users, ensuring safe and secure access to local facilities. The site is to be incorporated into the local movement network by:

- Facilitating new, safe, pedestrian infrastructure within the site, connecting to surrounding areas;
- Connecting to the existing footways and footpaths around the site;
- Ensuring pedestrian movement is safe and easy with cars prevented from dominating;
- Establishing a layout that is legible and can easily be read by all users; and,
- Providing equal access, meeting the needs of individuals with visual/hearing impairments and with limited mobility.

Development Concept

- 5.8 The concept is based around the issues and opportunities that have emerged from a thorough site analysis and understanding of the built context as outlined in Sections 3 & 4.
- 5.9 Key to the success of the development as “place” will be its integration with existing green infrastructure and immediate built context and provision of new green infrastructure.
- 5.10 The frontage onto Berry Hill Road will help maintain a sensitive relationship between the existing and proposed development. Although the site falls outside of the conservation area, the development will be sympathetic to this and take appropriate cues from the historic character.
- 5.11 The key elements of the concept are outlined in the adjacent plan and below:
1. The retention and enhancement of the site’s landscape frontage integrated with a sympathetic built frontage which has a character congruous to Adderbury.
 2. The creation of a high quality built development area which forms a logical extension to the settlement.
 3. The use of green landscape and movement corridors through the site to enhance green infrastructure.
 4. The creation of a legible street network and clear hierarchy.
5. Ecological enhancement areas strengthening the landscape along the eastern boundary and within the south eastern corner of the site.
6. Retention of mature trees along with southern and northern boundaries.
7. Extensive open space in the northern part of the site to improve and create enhanced pedestrian links into local green space.
8. The creation of a development that provides well overlooked green spaces and pedestrian links.
9. Integrate and connect into the wider PROW network affording sustainable access to the village amenities.
10. The introduction of a formal and safe pedestrian footway connecting to Oxford Road in the east and up along Berry Hill Road to the west.
11. Enhance and frame views of St Mary’s Church through existing site access;
12. Frame newly publicly accessible views of St Mary’s Church along pedestrian access and recreational route to proposed on-site POS; and,
13. Create new public realm and publicly accessible views towards St Mary’s Church from proposed POS.



Illustrative Masterplan

- | | | | | | |
|---|-------------------------------|---|----------------------------------|---|------|
|  | New legacy tree planting |  | Amenity grass |  | PROW |
|  | Semi-ornamental tree planting |  | Existing boundary hedgerow | | |
|  | Existing Trees |  | New native hedge planting | | |
|  | Species rich grassland |  | Hoggin or similar informal paths | | |
|  | Pedestrian Link |  | Paths mown through grass | | |

6. Proposed Development

6. Proposed Development

Design Evolution

- 6.1 The approach to planning and designing the site has been an iterative one in response to on-going discussions with the Local Planning Authority as well as responding to an evolving understanding of site constraints.
- 6.2 The plans below highlight the evolution of the scheme:



Plan 1: For development of circa 60 properties with western access



Plan 2: For development of circa 60 properties with eastern access



Plan 3: For development of circa 55 properties.

- 6.3 Plan 3, below, responded to the Local Planning Authority's concerns of over-development along the eastern edge of the site. Views through the site to St Mary's Church were also enhanced by ensuring corridors through the site that were free of development and helped to frame views.
- 6.4 Following presentation of this indicative layout, it was felt that the proposed housing numbers were still too high and more could be done to better reveal views of the church, enhance POS and achieve good design. The current proposed layout, presented on the next pages, addresses these concerns.

Parameter Plan



The outline application seeks approval for a new residential development with all matters reserved apart from access. This section describes the vision for the proposals in line with the Planning Practice Guidance, considering use, amount, layout, scale, landscaping and appearance in turn.

Use

- 6.5 The site comprises land used for grazing with some areas of hardstanding consisting of stables. Consequently the site is considered a highly suitable location for housing where a carefully designed development would create a well-related extension to the existing settlement.

Amount

- 6.6 It is submitted that up to 40 dwellings can be appropriately accommodated on the application site. The submitted Illustrative Masterplan shows how a mix of dwelling types and sizes can be accommodated on the site. This is to include affordable dwellings in accordance with Policy BSC3 of the Cherwell Local Plan.
- 6.7 The density of the developable area will be approximately 25 dwellings per hectare. This accords with the density of other recent developments in Adderbury, with a recent development at The Robbins having a density of 27 dwellings per hectare.



Pedestrian Links



Vehicle Access



General Development Area



Attenuation Basin and Swale



Play Area

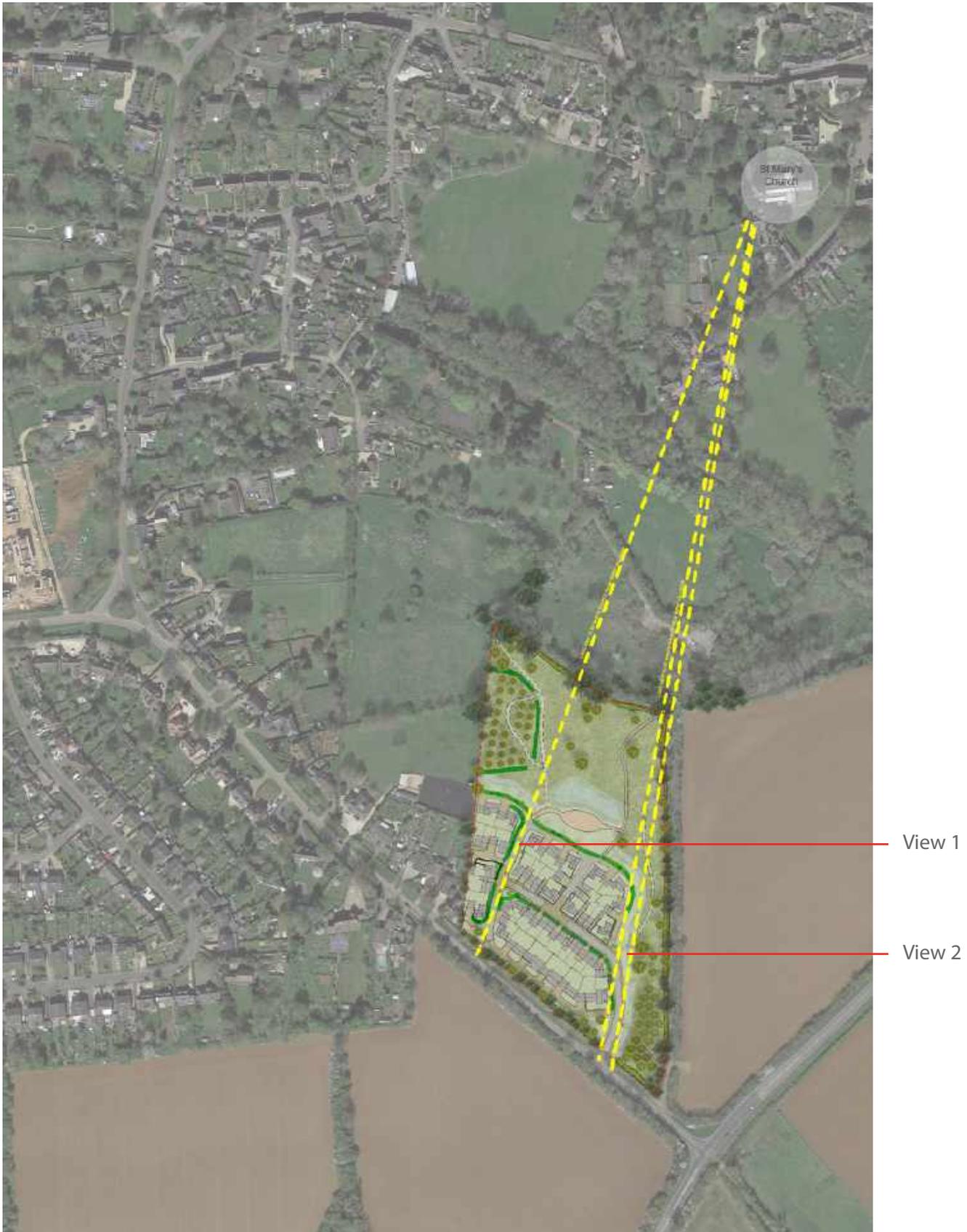
Proposed Illustrative Masterplan



Layout

- 6.8 The matter of layout is reserved for consideration at a later date. However, the Illustrative Masterplan submitted in support of this application demonstrates that up to 40 dwellings can be accommodated in a manner which responds positively to the opportunities and constraints of this site.
- 6.9 Whilst the masterplan is only indicative, it has been informed by the findings of the technical surveys and assessments that accompany the application. Where possible, recommendations for biodiversity or landscaping enhancements and known constraints have been considered and have informed the final illustrative layout.
- 6.10 Specifically, the following are the key principles that have informed the production of the Indicative Masterplan:
- Public Open Space, incorporating a network of informal footpaths, is to wrap around the northern and western boundaries of the proposed development. This will help to create a buffer, soften the appearance of the development and also provide residents with recreation opportunities. Footpaths will be provided across these areas.
 - The desire to maintain and enhance and create long view to St. Mary's Church spire to the north-east. The layout retains this view corridor and also provides a new framed view corridor through the site and new views from northern edge of built development which are not currently accessible. No built development is located within these corridors.
 - The existing vegetation, particularly around the perimeter of the site, is to be protected and enhanced with new native hedgerow and tree planting.
 - Habitat connectivity is to be achieved throughout the site by adopting a landscape led approach to masterplanning, which has been informed by the findings of the Ecology Survey and Landscape & Visual Appraisal.
 - The relationship between the scale, mass and form of buildings, open space, public realm and general layout arrangement is appropriate for a rural setting and will nestle comfortably with the surrounding setting. This is further elaborated on in the subsequent sections.

Proposed Layout Context



The proposed illustrative masterplan within the wider context of Adderbury illustrating how views to St. Mary's Church have been enhanced and new views created.



View 1



View 2

6.11 The two sketches above illustrate how the indicative layout maintains views through the site from pedestrian and vehicular access points on Berry Hill Road. As pedestrians move through the site views are uncovered further and property build lines stay clear of view corridors.



View towards landmark structure framed by built form (Source: Cherwell Residential Design Guide 2019)

6.12 Please note, the model views are indicative of scale and massing of potential proposed properties only.

Character & Appearance - Overview

- 6.13 The development proposal utilises a variety of house types to create lower density outer edges to the scheme with higher density clusters within the core.
- 6.14 This variety supports a clear street hierarchy and legibility by creating areas of differing character throughout the proposal.
- 6.15 The scale and massing of the development proposal responds to the surrounding context and utilises a mix of dwelling types avoiding excessive repetition. The development proposal also adopts a style and character which draws on and interprets the key elements of the surrounding settlement.
- 6.16 Materials are to be considered at reserved matters stage. It is anticipated that materials proposed for use in the development will be characteristic of the site and its surroundings - local ironstone (or similar approved equivalent) with instances of brick properties. High quality architectural design will be used to ensure development is sympathetic of the character of the area and adjacent development.
- 6.17 The final design of the dwellings will be subject to the detailed proposals, but the underlying emphasis will be to provide interesting elevations that afford an attractive and appealing street scene that are in keeping with the character of Adderbury. This will be achieved by incorporating features and details seen in the local area into the proposals as well as adopting established architectural design principles.
- 6.18 Best practice and good design would see that development responds to and takes cues from the best parts of the local built context including appropriate historic detailing that can be reflected within modern housing.
- Common design and layout features that should be reflected include;
- Pitched roofs, the majority steeply pitched, mainly slate;
 - Mixture of front garden sizes but generally bound by a low wall, hedge or combination of the two. Where front gardens are small, a semi-private buffer should be planted with shrubs and hedges;
 - Predominance of local iron stone as the prevalent building material. Red brick as the secondary building material;
 - Soft landscape plays an important part of the character of Adderbury and should be a considered part of any development;
 - Chimneys, mostly on the ridgeline, are important building features that can be used on key buildings ;
 - Generally flat facades;
 - Occasional dormers;
 - Informal cottage style small properties;
 - Larger properties with more formal, classic facades;
 - Use of narrow fronted properties with gable end to the road;
 - White casement windows; and,
 - Pitch canopies over front doors.
- 6.19 The page opposite illustrates architectural features and vernacular found throughout Adderbury on both traditional and contemporary properties and is deemed an appropriate overall character for the proposed development.
- 6.20 Use of features, architectural detailing, massing and layout are further explored within the Character Areas enclosed overleaf.
- 6.21 Due respect should be paid to the Cherwell Design Guide SPD with regard to layout, massing and materials.



Whilst the area encapsulated by the Adderbury Conservation Area has a very strong local character and built form, a succession of 20th century development in the immediate context (namely along Berry Hill Road and to the south-west of Berry Hill Road) has a weakly defined urban character. The proposed development aims to take cues from the best parts of the local built context including appropriate historic detailing that can be reflected within high quality modern housing.



Character Areas & Urban Design Principles



- Character Area 1 - Berry Hill Road
- Character Area 2- The Street
- Character Area 3 - The Lanes
- Character Area 4 - Valley Edge

- ★ Key Buildings/Landmark Property
- ✻ Opportunity for Specimen/Townscape Trees

6.21 'Berry Hill Road' has a strong natural frontage with landmark buildings highlighting site gateways and channelling views through the site.

'The Street' has a strong linear street pattern with an irregular and informal building line.

'The Lanes' are defined by informal, unstructured, rural feeling lanes which filter views towards the surrounding countryside and Church of St Mary.

'Valley Edge' is defined by an irregular and dispersed edge which has a direct relationship with the surrounding landscape.

These character areas are described in further detail in the following pages.

6.22 'Key Buildings' are located in important locations, marking key visual gateways into the site from Berry Hill Road or ending long views through the site. These buildings include enhanced architectural features such as a bay window on a prominent facade or enhanced height through the use of dormers or a taller floor-ceiling height.

6.23 Specimen or townscape trees can be used in the same way as key buildings, highlighting or enhancing key nodal points and adding prominence to units where a large front garden is present.



An example of a key corner unit utilising a change in material and a bay window on the most prominent facade



This key corner unit has an enhanced floor-ceiling height when compared to the nearby properties.

Character Areas & Urban Design Principles

Chimneys have been detailed to reflect the local character utilising brick masonry construction, rectangular form and located on the Ridgeline.

Outward views and filtered and framed.

The layout of the masterplan ensures the built form frames views towards the Church of St Mary the Virgin. Views into Adderbury towards the Church are reinforced where possible as per figure 4.10 of the design guide.



Dormer windows are a common feature found in the surrounding context which has been utilised within the proposals. Dormers are detailed at or below half-way up the roof slope with the ridge of the dormer below the main ridge of the house.



Many of the proposed secondary routes have no formal footways, with buildings directly abutting the highway and verges in place of footways. The lack of formal footways adds to the rural quality of many of these lanes.

Character Areas & Urban Design Principles

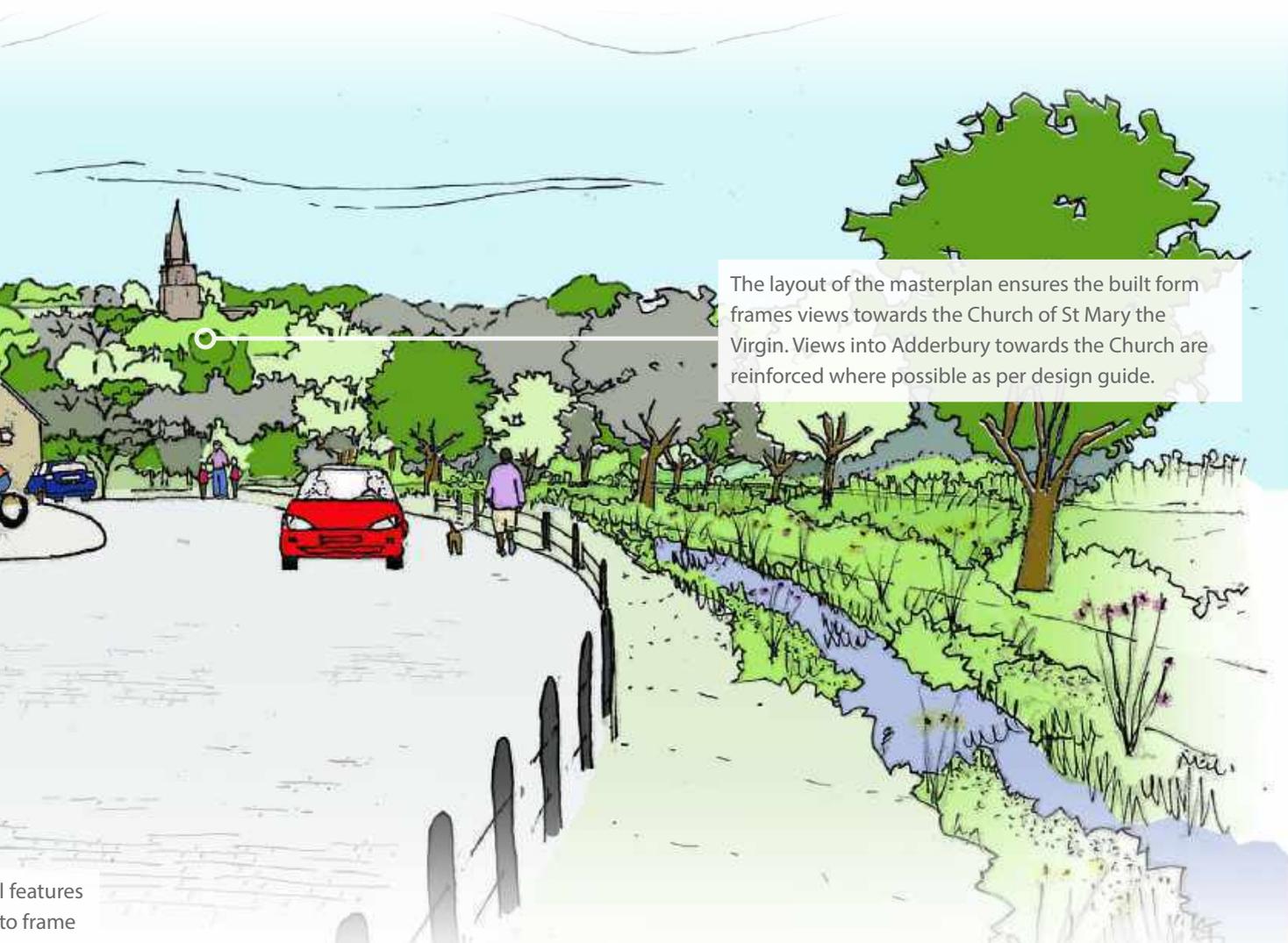
Landmark properties that punctuate key vistas have bespoke treatment through architectural detailing and ornamentation, slightly larger scale and distinctive architectural style or form.

Traditional building forms that are prominent in Adderbury have been used to inform the proposals. These forms have been grouped together to form a continuous street frontage accommodating a range of different building sizes to create an interesting street scape.



Porch detailing is constant with what can be found in Adderbury, utilising flat and simple gabled porches in proportion with the building façade.

Boundary treatments provide key structural elements which incorporate walls of varying heights. Views and create a strong sense of enclosure. A mix of high and low stone walls are used around the properties and to define front gardens space from the main street.



The layout of the masterplan ensures the built form frames views towards the Church of St Mary the Virgin. Views into Adderbury towards the Church are reinforced where possible as per design guide.

l features
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Character Area 1 - Berry Hill Road



6.24 Berry Hill Road Frontage

Fronts/Backs

Properties front onto Berry Hill Road. The frontage here will be glimpsed through the existing trees forming the boundary to the site. Gaps in the trees which facilitate both pedestrian and vehicular access will give clear views through to a strong built form with landmark buildings.

The backs of properties should be clearly defined by building layout, perimeter wall and front garden landscaping

Parking

Parking in this character area can be varied. Plots should benefit from a front garden (c.6m) to accommodate on plot parking. Garages are to form part of the strong built frontage. Where a series of linked properties exist, further parking and garages could be provided in a courtyard.

Building Line & Rhythm

Building position and layout should create private drives running parallel with Berry Hill Road that have a sense of enclosure and are well overlooked.

The building line should be varied but have an element of formality in locations. Some larger wider front properties should be utilised in this location to match the scale of properties further along Berry Hill Road. A series of linked properties should be included at the site entrance and will provide a strong, coherent, frontage and gateway to the site. Where detached properties exist, a c1.8m high stone wall should form a boundary enhancing levels of enclosure and continuity.

Public Realm

Private drives in this location should be designed to appear informal and rural in nature, promoting a slow speed and an intimate setting.



Indicative street scene along Berry Hill Road



Linked properties with differing ridge heights and the occasional garage - Long Wall Close

Materials & Character

Building materials should be sympathetic to the local vernacular. As the most visible parts of the site to those approaching Adderbury from the south, properties in this location should be constructed of local stone. The existing tree belt bordering the site makes a significant contribution to the character of this part of the site creating a 'soft' naturalised edge to the development.

Boundary Treatments

Perimeter treatment should act as a threshold between public and private space. The front boundary should include a short driveway and a front garden which should be defined by low boundary planting. This will help blend this edge of the development into the bordering trees and existing landscape. It may be appropriate to differentiate the landmark property by including a low stone boundary wall.



Character Area 1 - Berry Hill Road



Formality / Informality

Reflecting the urban form of Adderbury the site should take a more formal approach to the setting out of properties towards the southern fringe of the site (similar to that of Adderbury's 'The Manors' character areas) and more informal towards the centre (similar to that of Adderbury's 'Former Farms' character areas). In response to this character area should be formally laid out, maintaining strong repetition of building forms and plot widths, building line, details and materials.

Enclosure / Openness

Properties in this character should comprise of a mixture of comparatively larger detached and semi detached units set back from the road / drive that are characteristic of other properties on Berry Hill Rd. This will enable continuity of enclosure and the existing building line further along Berry Hill Rd. Existing mature vegetation along the southern edge of the site will help promote a human scale, positive sense of enclosure and sense of character that contrasts with the rest of the site.

Landscape

At the entrance to the site, where a feature gateway building is located, the use of feature specimen trees would be appropriate with small pockets of green space that can be found throughout Adderbury.

Front gardens should be generous in size contributing to the open landscape character of the immediate context and providing an appropriate approach into Adderbury from the south.



Simple front gardens, wide fronted properties and linked garages - Horn hill Road



A larger detached property on Horn Hill Road



A larger detached property on Berry Hill Road

Character Area 2-The Street



6.25 'The Street' - main primary route

Fronts/Backs

The key characteristic of this area is an attractive pedestrian scale street continuously enclosed and fronted by a mixture of properties. To achieve this, the character area should benefit from a strong but irregular building line, clearly defining what is public and private.

The backs of properties should be clearly defined by building layout, perimeter wall and front garden boundaries.

Building Line & Rhythm

The building line should be varied and informal. Properties in this location should have varied plot widths, with concentrations of small narrow housing. Larger, wider properties should be introduced to add interest. These could be set back from the build line and benefit from additional detailing to add interest to the street scene. Properties should have shallow front gardens, enhancing the sense of enclosure onto the main access route. Properties should be linked and occasional garages or appropriately detailed car ports included within the street scene to add interest to the ridge line.

Parking

Parking in this location should largely be provided accommodated on plot, within a car port or garage and short driveway to avoid cars dominating the street scene.

Parking and garages to the rear of properties allows for narrower streets to give a height of buildings to street width ratio characteristic of the some of the streets within the historic core.

Public Realm

As the main access road running through the development, the public realm should provide practical and usable streets and amenity spaces which reflect the semi-rural character of the development and its village setting. The length of the street should be broken up by a change of surface or extra detailing, highlighting the notional centre or 'heart' of the scheme.

Materials and Character

The character is defined by the strong building frontage as you approach the centre of the scheme.

Boundary Treatments

Where space for a front garden is limited there should be sufficient buffer landscaping to act as a threshold between public and private space. Low stone walls used as front boundary treatment should be used where possible to enhance enclosure of the street.

Back garden boundaries adjacent to the public realm should be constructed of stone and be at least 1.5m high.



A short terraced run of properties on High Street. Variations in ridge and eaves line adds interest to the street scene.



High stone wall boundary facing public realm



A narrow street with buildings close to the back of the footway enhanced the sense of enclosure and continuity - Cross Hill Road



Low stone wall boundary on Mill Lane



Undercroft through to parking court

Character Area 2-The Street



Formality / Informality

The street should be comparatively more informal with other character areas within the site with strong building lines along a bending road. The transition from the Berry Hill Rd character into the street should slightly funnel into a tighter urban grain to mimic the informal urban form and enclosure of 'the Streets' character area within Adderbury. The alignment of the road through this character area should be informal in nature and slightly meander.

Enclosure / Openness

Properties in this character should comprise of a mixture of comparatively smaller semi detached and terrace units with predominantly very short front gardens and short set backs from the street to achieve a tight urban grain. This will enable a strong sense of enclosure found in the historic centre of Adderbury. Short iron stone walls should be used in strategic locations and on landmark properties to reinforce public and private space as well as contribute towards a positive sense of enclosure and sense of character that contrasts with the rest of the site aiding legibility.

Spaces should contract and release in response to key nodal points and help pull you through the space. The tight grain and informal nature of the space will also act as an organic traffic calming measure and promote more pedestrian friendly environments.

Landscape

This character area should incorporate specimen trees at key focal points where the urban fabric opens up providing a strong visual landmark. The small gardens and short and small verges of green should offer touches of vegetation here and there to soften the environment and provide a strong contrast to some of the other character areas within the site. Dense hedgerows are in keeping with the character of the centre of Adderbury and can be used to provide defensible space to properties fronting the street and soften the environment.



Informal tight urban grain with short front gardens and green verges



Feature properties with hedge boundary treatments



Tree in prominent location providing a strong focal point to small open space

Character Area 3 - The Lanes



6.26 'The Lanes'

Fronts/Backs

The character area should benefit from a varied building line utilising a combination of property types.

Front garden sizes should vary dependent upon plot size and location. The backs of properties should be clearly defined by building layout, perimeter wall and front garden boundaries.

Building Line & Rhythm

The building line should be varied and informal. Property types in this location should vary in size and consist of a mixture of short terraces, semi-detached and detached units.

Parking

Parking in this location should be predominantly garages with driveways. Where garages are provided, they should be positioned with minimal set back to avoid 'bleeding' of the street scene with a clear definition between parking and private garden.

Public Realm

A strong defining character of this part of the scheme is the informal nature of the street. The character of The Lanes is strongly associated to a lane with no formal footway which maintains a 'winding', rural quality.

Materials and Character

The informal nature of this character area affords the opportunity to use a mixture of build materials. Brick can be introduced as both a detail and as predominant building material. The occasional use of muted render may be appropriate to add interest to the street scene.

Boundary Treatments

The informal nature of this character area affords the opportunity to utilise a mixture of enclosure means including planting/grass, and random rubble stones. The landmark plot should have a stronger boundary such as a low stone wall or metal railings.



A variety of property types and sizes with a varied front garden depths and boundary treatments- Tanners Lane



A brick detached property on Horn Hill Road



A variety of property types and sizes with a varied front garden depths and boundary treatments- Tanners Lane

Character Area 3 - The Lanes



Formality / Informality

This character area should consist of a mixture of minor routes that filter off the main central spine. These should be comparably narrow, shared surface informal routes where dwellings sit very close to the main thoroughfare. It is recommended that the setting out and typology of properties contrast with one another to reinforce an organic character. The alignment and width of the streets should fluctuate in response to the site conditions and accommodate movement desire lines and key views.

Enclosure / Openness

A mixture of semi-detached and terraced properties should be situated close to the shared surface lane and garages should be linked to properties where possible to create a built form with a strong sense of enclosure to the public realm.

The narrow nature of the public realm means that edging to the defensible space to properties should be limited to low level treatment such as planting/ grass, and random rubble stones to avoid an overly enclosed environment.

Landscape

This character area will be one of the most hard landscape areas due to the limited amount of space available for landscaping and therefore will have very little in the way of soft landscape features. Where opportunities for landscaping is available it should be low level landscaping to avoid infringing on views towards the church.

Whilst these areas provide limited amount of landscaping they will offer a connection with the wider surrounding landscape, particularly to the north, providing views towards the woodland surrounding Huron House and the River Cherwell, as well as towards the Grade 1 listed church spire.



Strong enclosure to the street framing view towards The Church of St Mary



Informal building character with a mixture building typologies and slightly varying set backs



Strong enclosure with properties sitting close to the street with limited amounts of low level landscaping

Character Area 4-Valley Edge



6.27 'Valley Edge'

Fronts/Backs

This character area should benefit from a dispersed building line with a strong relationship to the surrounding open space. The backs of properties should be clearly defined by building layout, perimeter wall and front garden boundaries.

Building Line & Rhythm

The building line should be varied and dispersed. Properties in this location should be larger and benefit from a large plot in general. Building facades should have a formal character which matches the stature and size of the property.

Parking

Parking in this location should be a combination of on plot garages with driveways parking to the rear and to the side of properties. Where garages are provided, they should be positioned with minimal set back to avoid 'bleeding' of the street scene.



Newer properties overlooking public open space - Sydenham Close

Public Realm

A strong defining character of this part of the scheme is the relationship with proposed open space to north and fields and woods . A winding path with a rural character should connect the properties to nearby streets and lanes as well as to footpaths linking to the public right of way.

Materials and Character

The informal nature of this character area affords the opportunity to use a mixture of build materials. Brick can be introduced as both a detail and as predominant building material.

Boundary Treatments

A mostly natural boundary such as a formal hedgerow should be utilised in this area. A relationship should be maintained with the surrounding open space but properties need to benefit from a clear boundary to define public from private.

Character Area 4 - Valley Edge



Enclosure / Openness

This character area will achieve high levels of openness due to its location on the edge of the development and proximity to the scheme's primary open space.

Large detached properties and garages should be prioritized in this character area informally arranged and set back behind generous front gardens which will also contribute towards a more open character.

Boundary treatments should be restricted to low hedges, planting/grass, and random rubble stones in this character area to maintain the open feel and contrast to the rest of the scheme.

Landscape

Verges should continue from other character areas into this space in order to unify other character areas and aid legibility. Verges and open front gardens can provide seamless transitions between the open space to the north and development area of the site.

Formality / Informality

The Valley Edge character area should reflect the informality of the 'Former Farms' character areas of Adderbury which are often towards the fringes of the village and overlooking large open spaces. Properties should undulate slightly from one another and contrast in typology.

Large areas of open space will provide opportunities for new tree planting which will create a visually strong but soft edge to the development area from the north and aid the transition from green to urban.



Illustrative sketch of Valley Edge character area



Front garden with no boundary treatments creating strong sense of openness



Large corner turning detached property overlooking public open space

Landscaping

- 6.28 Landscaping will be considered at reserved matters stage, but it is recognised that existing green infrastructure will have a major influence on the form of development proposed at the site and a landscape and ecological led approach to masterplanning has been utilised in creating the Illustrative Masterplan. This is reflected in proposed landscape strategy and masterplan which shows that significant levels of public open space will be incorporated throughout the scheme to ensure an attractive development, which respects existing natural features, is sensitive to the character of the wider area, provides opportunities for recreation. and provides a positive transition to the surrounding open countryside. The layout provides opportunities for significant new tree planting.
- 6.29 In particular, the Illustrative Masterplan seeks to protect and enhance the existing boundary trees on the site and introduces new native hedgerow planting to both increase opportunities for biodiversity across the site, to secure the privacy of surrounding residents and maintain a setback to Berry Hill Road in keeping with existing development in the area.
- 6.30 The layout incorporates substantial areas of open space and landscaping along the northern and eastern boundaries of the site. This will integrate development into landscape setting and ensure the development respects its edge of centre location. These significant areas of open space also provide opportunities for informal recreation, with pathways proposed throughout. This comprises a significant material benefit of the scheme.
- 6.31 Consideration has been given to establish a positive relationship between the existing built form and ensuring a transition to the surrounding open countryside
- 6.32 Images on the next page are representative of how they open space to the north of the development could appear. The proposed play area should be well overlooked by surrounding properties and also orientated so that users can appreciate views to the surrounding countryside and towards St. Mary's Church.
- 6.33 The landscape should remain natural, rural and informal. There are opportunities for swathes of wildflower planting, informal tree planting and natural play scattered throughout. Paths connecting through to the PROW should be informal and natural.





Landscape Strategy Drawing

7. Sustainability

7. Sustainability

The overriding objective of national and local planning policies is to promote and deliver sustainable forms of development. This aim is shared by the applicant and is reflected in the application proposals.

- 7.1 At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 7.2 There are three dimensions to sustainable development: economic, social and environmental. The accompanying Planning Statement prepared by Nexus Planning demonstrates how the application proposals would make a contribution to all three dimensions.
- 7.3 Given the emphasis at the national and local level, it is important that sustainability is considered throughout the design process and carried through to completion. This maximises opportunities to integrate sustainable development principles and features into a scheme and reduce the risk of retrofitting measures in the future. A wide range of issues have therefore been considered in respect of these proposals. The most pertinent features are now described.

Land Use

- 7.4 Consideration of land use within the scheme and in neighbouring areas is essential to ensure that the proposed development makes a positive contribution to the existing and any future community.

- 7.5 Key land use consideration addressed by the proposals include:

- Development of an appropriate scale which will not only reduce the need to travel but will ensure that the needs of all existing future residents are met locally and accessibly;
- The Illustrative Masterplan has been designed sensitively in consideration of neighbouring land uses ensuring that no existing properties suffer unacceptable loss of amenity; and
- Key landscape features, including the existing trees along the borders and frontage of the site are to be integrated into the development wherever possible and have provided a framework for the future development of the site.

Movement and Access

- 7.6 The layout has been designed to ensure:

- A safe and usable access from Berry Hill Road
- Maximum permeability for pedestrians and cyclists without creating unacceptable security risks; and
- The inclusion of safe and usable footpaths within the site;
- An internal layout which ensures pedestrians are prioritized above vehicles.

Energy Efficiency

- 7.7 It is anticipated that the development will incorporate sustainable design and construction measures in order to achieve carbon emissions reductions.

8. Access

8. Access

Croft Transport Solutions have been commissioned by Hollins Strategic Land to provide transport and highways advice for the application proposals. This application is supported by a Transport Statement.

- 8.1 It is proposed that the access to the development will be formed via a new junction to Berry Hill Road, midway along the site frontage. The proposed junction will have a carriageway width of 5.5 metres and footways of 2 metres wide will be provided on both sides of the access to provide safe and efficient pedestrian access into the site. The Transport Statement demonstrates that acceptable visibility splays can be achieved in either direction. It is proposed that the existing 30 mph speed limit along Berry Hill Road will be extended to beyond the site access.
- 8.2 The proposals also provide for a new footway along the northern side of Berry Hill Road up to the junction of Berry Hill Road and Horn Hill Road and connect to the existing footway network. This will provide the local highway network with around 400m of additional footway to assist not only pedestrians travelling to and from the site but also existing residents. The new link will enhance the pedestrian connectivity in this part of the village and ensure a safe and usable route between the site and the local facilities in the village core. In addition, the footway will extend to Oxford Road where a new crossing point and pedestrian refuge will be provided.
- 8.3 The Transport Statement that accompanies the application demonstrates that given the low predicted trip rates as a result of the proposals, the additional traffic generated can be accommodated on the local highway network.
- 8.4 The internal site layout will be designed to accord with Manual for Streets and Local Guidance and car parking will be provided at a level to be agreed with the local highway authority as detailed proposals emerge. The internal road layout design will also be designed to allow for the collection of refuse from each property, with dedicated waste collection points accommodated on site, positioned to meet bin carry distance requirements and refuse wagon vehicle movements will be tracked at the detailed stage to ensure that they can move safely throughout the internal road layout.
- 8.5 The proposed development is accessible to a wide range of existing and proposed local facilities both on foot and via public transport.
- 8.6 Overall the supporting application document demonstrates that the proposals will provide a sustainable development and has adequately taken into account all matters relating to Access.



9. Conclusions

9. Conclusions

This Design and Access Statement has been prepared in accordance with national and local policy and guidance on design and demonstrates how the application site can accommodate the proposed development in a manner which reflects local character and will make a positive contribution to local housing need, green infrastructure and biodiversity.

- 9.1 This is a suitable location for housing as the site is within walking and cycling distance of local shops and services within Adderbury. The site is within easy walking distance of bus stops which provide frequent services to other key destinations including the 'Major Service Centre' of Banbury from where connections are available to major destinations further afield including Birmingham and London. The provision of a new footpath along Berry Hill Road will further increase the site connectivity.
- 9.2 The proposals will see the delivery of a high quality residential development in a demonstrably highly sustainable location.
- 9.3 It has been shown that up to 40 new homes could be provided in a mix that will respond to locally identified need and contribute towards national and local policy objectives to create mixed sustainable communities. This will include provision of affordable housing.
- 9.4 The delivery of up to 40 new dwellings on the site provides an opportunity to secure biodiversity enhancements which will improve habitat connectivity between the site and the existing green infrastructure network surrounding the site.
- 9.5 This statement, and the accompanying application documents demonstrate that the proposals constitute sustainable development, in an appropriate location to deliver new housing and that there are no adverse impacts arising from the development that would outweigh its benefits. As such, the application should be considered favourably by the Council and approved without delay in accordance with paragraph 11 of the NPPF 2019.

Land at Berry Hill Road, Adderbury
Design and Access Statement

Appendix 6
Relevant Correspondence

Matthew Symons

From: Matthew Symons
Sent: 07 January 2020 10:12
To: Judith Ward
Subject: FW: Last House Adjoining And North Of Berry Hill Road, Adderbury

Hello Judith,

Following on from my below emails, would you be willing to give me a ring today/tomorrow. I'm keen to know your thoughts on the on-site POS provision.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 04 December 2019 13:03
To: Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>
Subject: FW: Last House Adjoining And North Of Berry Hill Road, Adderbury

Hello Judith,

Following on from my below email, would you be willing to give me a ring when you are free this week to chat through the POS provision? As I say below, I'd like to understand whether you are happy with the POS typologies we are proposing.

For convenience, I have attached our illustrative scheme as well as our biodiversity calculator to give you an idea of landscaping and maintenance.

I am available on the mobile this afternoon and will be back in the office tomorrow and Friday.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 07 November 2019 09:53

To: Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>; Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>
Subject: RE: Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi both,

Sharon, thanks for giving me a ring yesterday and chatting things through with me, appreciate it.

I've had a look at the Open Space Update (OSU) (2011) this morning and note that it states the following:

- There is a shortfall of natural/semi-natural green space in the Rural North and the Action Plan is to negotiate public access agreements to privately owned natural/semi-natural provision in Adderbury (and other settlements) and to improve the quality of existing sites, especially access.
- There is a shortfall of amenity green space in the Rural North and the Action Plan is to develop 4.1ha of space with priority provision in Adderbury (and other settlements) and to improve the quality of existing space, especially access.
- There is a shortfall of children and young persons provision in the Rural North and the Action Plan is to provide a combination of new equipped play areas and additional play opportunities using other forms of green space and to improve the quality of existing play areas.

I hadn't included this OSU detail in my Planning Statement but it does reiterate the issues I picked up on from other evidence base documents.

We are looking to provide a large area of on-site POS as part of our development. It will be more than would be required for a 40 dwelling scheme and I am of the opinion that it will be an attractive addition to this part of the village, enhancing the Green Infrastructure Network. It will incorporate areas of grassland that will be rotationally managed for biodiversity gain (natural/semi-natural) as well as areas of amenity greenspace and a children's play area.

We are also looking to provide seating within the POS, facing northwards to create a space with views of the Church spire. Furthermore, we will be enhancing the PROW network through 106 contributions, making the on-site POS more accessible to existing residents but also improving access to existing POS elsewhere in the village. The provision of a footway along Berry Hill Road will also achieve this aim.

Given the Council's latest evidence base points to the on-site POS provision being a benefit of weight in the decision making process, I would welcome a discussion with Judith regarding its composition to see if what we are proposing does respond as positively as it can to the identified shortfall.

Judith, I will be in the office all day today and tomorrow if you are free for a chat. Alternatively, I am happy to travel to your offices to discuss POS with you and Caroline.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Sent: 06 November 2019 15:43
To: Matthew Symons <matthew.symons@hsland.co.uk>

Cc: Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>; Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Last House Adjoining And North Of Berry Hill Road, Adderbury

Dear Matthew,

Just to confirm our earlier conversation, document LEI02 Open Space Update September 2011 is the most up to date published evidence base for assessment of green space. Work on updating assessments is on-going and it is hoped that we will be in a position to publish an updated open space and play areas study in the next couple of months or so.

Judith Ward (e-mail details below) is the relevant contact for open space/play space if you wish to discuss the details of your greenspace proposals in more detail.

Kind regards,

Sharon Whiting
Principal Planning Policy Officer
Planning Policy, Conservation and Design
Place and Growth Directorate
Cherwell District Council
Direct Dial 01295 221848
sharon.whiting@cherwell-dc.gov.uk
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Facebook www.facebook.com/cherwelldistrictcouncil
Twitter @cherwellcouncil

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 13:38
To: Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Cc: Yuen Wong <Yuen.Wong@Cherwell-DC.gov.uk>; Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>
Subject: RE: Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Sharon, yes, that will be good – his details are below.

Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Sent: 05 November 2019 13:36
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Yuen Wong <Yuen.Wong@Cherwell-DC.gov.uk>; Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>
Subject: RE: Last House Adjoining And North Of Berry Hill Road, Adderbury

It will be me Caroline. Do you want me to contact him direct?

Sharon Whiting
Principal Planning Policy Officer
Planning Policy, Conservation and Design
Place and Growth Directorate
Cherwell District Council
Direct Dial 01295 221848
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Twitter @cherwellcouncil

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 11:41
To: Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>; Yuen Wong <Yuen.Wong@Cherwell-DC.gov.uk>; Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Subject: FW: Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi All,

I have received the email below regarding the application site for 40 dwellings north of Berry Hill Road in Adderbury. There is a query regarding the Green Space deficit showing in the Council's evidence base for Adderbury and the Rural North and they would like to discuss this/ find out more. Who would be the best person to speak to?

Thanks
Caroline

Caroline Ford BA. (Hons) MA MRTPI
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 November 2019 10:53
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Would the Recreation and Leisure Team deal with Green Space provision in terms of supply deficits?

You'll have seen that our Planning Statement points to the Council's evidence base highlighting a shortage in Green Infrastructure provision in Adderbury and the Rural North. I'd like to find out more about this and was wondering who I should contact at the Council?

Thanks,

Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 04 November 2019 16:38
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

In terms of the footway, I think this will be a matter that I will query with OCC – I understand where the Parish are coming from but if it is required to be adoptable then it may need to be provided to a certain standard and width. The other issue is one of accessibility for pushchairs and individuals with disabilities.

In terms of traffic calming along Berry Hill Road – I don't have any further information but the County Council might – again I will query that.

In terms of a contribution to a community facility, I don't appear to have had a response from my colleagues in the Recreation and Leisure Team so I think I need to chase this. In the previous refused scheme (17/02394/OUT), one of the listed Heads of Terms was for a contribution towards helping the local community hall accommodate an increase in capacity and our Planning Obligations SPD does state that new residential developments of 10 or more dwellings are to contribute towards the provision or expansion of new community facilities so I would say it is likely we would seek a contribution from the development towards community hall facilities. I will speak to our Recreation and Leisure Team to seek their view.

This advice is of course provided without prejudice, but I trust it is helpful nevertheless.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 04 November 2019 14:46
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look at the Parish Council's consultation response this afternoon.

I note that they welcome the provision of the footway along Berry Hill Road. The PC suggests it should be fairly narrow and in keeping with the area. Are you happy with the footway as proposed?

The PC also refers to a possible traffic calming scheme along Berry Hill Road. Do you have access to any further information on this?

What are your thoughts on the PC request for a contribution to the community facility off Milton Road?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 31 October 2019 11:50

To: Matthew Symons <matthew.symons@hsland.co.uk>

Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your confirmation, I will update our records on this basis.

I have emailed Adam Littler this morning on the drainage issue to explain the situation so hopefully he will be in touch soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 31 October 2019 11:47
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Yes, I can confirm that we agree to an EoT until 31/12/2019.

To keep you updated on drainage, our consultant has confirmed this morning that he has not heard from OCC as yet.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 10:12
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your email and the attachments. I will review and put these all onto the file.

We have been discussing internally and we think it would be sensible to delay the consideration of the application until the December 2019 planning committee to give the Council time to consider the conclusions reached in the Tappers Farm, Bodicote decision particularly given the timing of the receipt of this decision and this will also give the opportunity to resolve the drainage issue potentially before we go to committee.

So, your agreement to a further extension of time would be appreciated – can you confirm by return that you agree an extension of time until the 31 December 2019?

At the moment, we are looking at when the December planning committee will be rearranged to (its scheduled date now being the date of the General Election – 12/12/2019!) so, once that has been formally rearranged, I will confirm when the committee will take place.

I trust this is of assistance. Please accept this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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Email: caroline.ford@cherwell-dc.gov.uk
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 30 October 2019 15:55
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

In my email to you on Monday, I said that I would be able to get the illustrative layout amended so that the pedestrian link is obvious. I have attached the updated Illustrative Layout and Wider Context Plan.

You will see that I have taken the opportunity to also update the plans so that they show the preliminary drainage strategy. This in turn has allowed me to get our ecologist to update the Biodiversity Calculator. I know we said that would not be necessary, but you will see that it does confirm a net gain, so I thought it would be helpful.

The attached access plan simply shows more context. The access proposals have not changed but it just helps to make the proposals a little clearer which I thought may help.

As I mentioned in my email to you of 09/10/19, I was waiting for the Bodicote decision before finalising the Planning Statement. As you'll probably know, that was issued this morning, so I have spent today doing the Planning Statement for you. It is attached and I'd be happy to chat any aspects of it through with you.

To keep you updated on drainage, our consultant sent the attached email to the OCC Officer, but as yet, he has not had a response to my knowledge. I'm not sure if there is anything you can do to get them talking? Simon is trying to get it resolved for you this week, so you can hopefully confirm that drainage has been dealt with in your report.

Are you still intending to take the application to the November Committee? If it would help, particularly with drainage matters ongoing and the Bodicote decision only coming out today, we would be happy to agree to a further extension of time so that it could go to the December meeting?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 29 October 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew,

The Drainage Officer at OCC is Adam Littler – I am afraid I don't have a phone number for him but his email address is adam.littler@oxfordshire.gov.uk

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 29 October 2019 09:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I've cc'd our drainage consultant, Simon Gough, who'd like to liaise directly with the OCC Officer. Please could you let Simon have the Officer's details so that he can get in touch with him/her asap?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 28 October 2019 10:25
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Hopefully you got my out of office from Friday.

I've been through the OCC comments this morning and have sent them on to our drainage consultant. I've asked him to consider the comments and to let me know if he'd be happy to liaise with the LLFA officer directly. I imagine he will be.

On the highways comments, I'm obviously pleased that there are no objections and that they state that the new footway along Berry Hill Road "*will clearly be of benefit to residents of the existing properties along Berry Hill Road in reaching the village centre safely and directly*" and that they welcome the new ped refuge on the A4260.

There is no mention of the proposed bus stops on the A4260 and I wondered if you could ask them to comment on these? I assume they will be seen as a benefit too given the 106 request for money to pump prime services along the A4260.

I note the comments about the pedestrian connectivity from the western part of the site. We had shown a pedestrian link on the illustrative plan but I acknowledge that can be made clearer. I will get that done for you.

On the PROW, OCC confirm that this is also welcomed "*especially if the trigger can be advanced*". Do you know what they're thinking of and why an advanced trigger would be more beneficial?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 25 October 2019 16:51

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Importance: High

Hi Matthew,

I have received the attached response from Oxfordshire County Council. The main reason for forwarding is due to the continuing drainage objection. They have asked that the attached proforma be completed and returned – could that be actioned please? If it is easier for your Drainage consultant to speak to the Officer directly, then I'm happy to see if I can facilitate that.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
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From: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>
Sent: 24 October 2019 15:38
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>
Cc: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>; Cllr Arash Ali Fatemian <ArashAli.Fatemian@Oxfordshire.gov.uk>; David Flavin <david.flavin@oxfordshire.gov.uk>
Subject: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Importance: High

Dear Caroline

Please find attached Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

If you have any further queries please send an email to planningconsultations@oxfordshire.gov.uk and a member of Major Planning Applications Team will get back to you as soon as possible.

Thank you.

Regards

Dan

Daniel Tritton
Major Planning Applications Officer
Planning Process Team
Oxfordshire County Council
County Hall | Oxford | OX1 1ND
Tel: 07776 997045



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Matthew Symons

From: Matthew Symons
Sent: 07 November 2019 09:53
To: Sharon Whiting; Caroline Ford
Cc: Judith Ward
Subject: RE: Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi both,

Sharon, thanks for giving me a ring yesterday and chatting things through with me, appreciate it.

I've had a look at the Open Space Update (OSU) (2011) this morning and note that it states the following:

- There is a shortfall of natural/semi-natural green space in the Rural North and the Action Plan is to negotiate public access agreements to privately owned natural/semi-natural provision in Adderbury (and other settlements) and to improve the quality of existing sites, especially access.
- There is a shortfall of amenity green space in the Rural North and the Action Plan is to develop 4.1ha of space with priority provision in Adderbury (and other settlements) and to improve the quality of existing space, especially access.
- There is a shortfall of children and young persons provision in the Rural North and the Action Plan is to provide a combination of new equipped play areas and additional play opportunities using other forms of green space and to improve the quality of existing play areas.

I hadn't included this OSU detail in my Planning Statement but it does reiterate the issues I picked up on from other evidence base documents.

We are looking to provide a large area of on-site POS as part of our development. It will be more than would be required for a 40 dwelling scheme and I am of the opinion that it will be an attractive addition to this part of the village, enhancing the Green Infrastructure Network. It will incorporate areas of grassland that will be rotationally managed for biodiversity gain (natural/semi-natural) as well as areas of amenity greenspace and a children's play area.

We are also looking to provide seating within the POS, facing northwards to create a space with views of the Church spire. Furthermore, we will be enhancing the PROW network through 106 contributions, making the on-site POS more accessible to existing residents but also improving access to existing POS elsewhere in the village. The provision of a footway along Berry Hill Road will also achieve this aim.

Given the Council's latest evidence base points to the on-site POS provision being a benefit of weight in the decision making process, I would welcome a discussion with Judith regarding its composition to see if what we are proposing does respond as positively as it can to the identified shortfall.

Judith, I will be in the office all day today and tomorrow if you are free for a chat. Alternatively, I am happy to travel to your offices to discuss POS with you and Caroline.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW

From: Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Sent: 06 November 2019 15:43
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>; Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Last House Adjoining And North Of Berry Hill Road, Adderbury

Dear Matthew,

Just to confirm our earlier conversation, document LEI02 Open Space Update September 2011 is the most up to date published evidence base for assessment of green space. Work on updating assessments is on-going and it is hoped that we will be in a position to publish an updated open space and play areas study in the next couple of months or so.

Judith Ward (e-mail details below) is the relevant contact for open space/play space if you wish to discuss the details of your greenspace proposals in more detail.

Kind regards,

Sharon Whiting
Principal Planning Policy Officer
Planning Policy, Conservation and Design
Place and Growth Directorate
Cherwell District Council
Direct Dial 01295 221848
sharon.whiting@cherwell-dc.gov.uk
www.cherwell.gov.uk
Facebook www.facebook.com/cherwelldistrictcouncil
Twitter @cherwellcouncil

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 13:38
To: Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Cc: Yuen Wong <Yuen.Wong@Cherwell-DC.gov.uk>; Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>
Subject: RE: Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Sharon, yes, that will be good – his details are below.

Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
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From: Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Sent: 05 November 2019 13:36

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Yuen Wong <Yuen.Wong@Cherwell-DC.gov.uk>; Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>
Subject: RE: Last House Adjoining And North Of Berry Hill Road, Adderbury

It will be me Caroline. Do you want me to contact him direct?

Sharon Whiting
Principal Planning Policy Officer
Planning Policy, Conservation and Design
Place and Growth Directorate
Cherwell District Council
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From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 11:41
To: Judith Ward <Judith.Ward@Cherwell-DC.gov.uk>; Yuen Wong <Yuen.Wong@Cherwell-DC.gov.uk>; Sharon Whiting <Sharon.Whiting@Cherwell-DC.gov.uk>
Subject: FW: Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi All,

I have received the email below regarding the application site for 40 dwellings north of Berry Hill Road in Adderbury. There is a query regarding the Green Space deficit showing in the Council's evidence base for Adderbury and the Rural North and they would like to discuss this/ find out more. Who would be the best person to speak to?

Thanks
Caroline

Caroline Ford BA. (Hons) MA MRTPI
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 November 2019 10:53
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Would the Recreation and Leisure Team deal with Green Space provision in terms of supply deficits?

You'll have seen that our Planning Statement points to the Council's evidence base highlighting a shortage in Green Infrastructure provision in Adderbury and the Rural North. I'd like to find out more about this and was wondering who I should contact at the Council?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 04 November 2019 16:38
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

In terms of the footway, I think this will be a matter that I will query with OCC – I understand where the Parish are coming from but if it is required to be adoptable then it may need to be provided to a certain standard and width. The other issue is one of accessibility for pushchairs and individuals with disabilities.

In terms of traffic calming along Berry Hill Road – I don't have any further information but the County Council might – again I will query that.

In terms of a contribution to a community facility, I don't appear to have had a response from my colleagues in the Recreation and Leisure Team so I think I need to chase this. In the previous refused scheme (17/02394/OUT), one of the listed Heads of Terms was for a contribution towards helping the local community hall accommodate an increase in capacity and our Planning Obligations SPD does state that new residential developments of 10 or more dwellings are to contribute towards the provision or expansion of new community facilities so I would say it is likely we would seek a contribution from the development towards community hall facilities. I will speak to our Recreation and Leisure Team to seek their view.

This advice is of course provided without prejudice, but I trust it is helpful nevertheless.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 04 November 2019 14:46
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look at the Parish Council's consultation response this afternoon.

I note that they welcome the provision of the footway along Berry Hill Road. The PC suggests it should be fairly narrow and in keeping with the area. Are you happy with the footway as proposed?

The PC also refers to a possible traffic calming scheme along Berry Hill Road. Do you have access to any further information on this?

What are your thoughts on the PC request for a contribution to the community facility off Milton Road?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 11:50
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your confirmation, I will update our records on this basis.

I have emailed Adam Littler this morning on the drainage issue to explain the situation so hopefully he will be in touch soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk

Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 31 October 2019 11:47

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Yes, I can confirm that we agree to an EoT until 31/12/2019.

To keep you updated on drainage, our consultant has confirmed this morning that he has not heard from OCC as yet.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 31 October 2019 10:12

To: Matthew Symons <matthew.symons@hsland.co.uk>

Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your email and the attachments. I will review and put these all onto the file.

We have been discussing internally and we think it would be sensible to delay the consideration of the application until the December 2019 planning committee to give the Council time to consider the conclusions reached in the Tappers Farm, Bodicote decision particularly given the timing of the receipt of this decision and this will also give the opportunity to resolve the drainage issue potentially before we go to committee.

So, your agreement to a further extension of time would be appreciated – can you confirm by return that you agree an extension of time until the 31 December 2019?

At the moment, we are looking at when the December planning committee will be rearranged to (its scheduled date now being the date of the General Election – 12/12/2019!) so, once that has been formally rearranged, I will confirm when the committee will take place.

I trust this is of assistance. Please accept this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 30 October 2019 15:55
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

In my email to you on Monday, I said that I would be able to get the illustrative layout amended so that the pedestrian link is obvious. I have attached the updated Illustrative Layout and Wider Context Plan.

You will see that I have taken the opportunity to also update the plans so that they show the preliminary drainage strategy. This in turn has allowed me to get our ecologist to update the Biodiversity Calculator. I know we said that would not be necessary, but you will see that it does confirm a net gain, so I thought it would be helpful.

The attached access plan simply shows more context. The access proposals have not changed but it just helps to make the proposals a little clearer which I thought may help.

As I mentioned in my email to you of 09/10/19, I was waiting for the Bodicote decision before finalising the Planning Statement. As you'll probably know, that was issued this morning, so I have spent today doing the Planning Statement for you. It is attached and I'd be happy to chat any aspects of it through with you.

To keep you updated on drainage, our consultant sent the attached email to the OCC Officer, but as yet, he has not had a response to my knowledge. I'm not sure if there is anything you can do to get them talking? Simon is trying to get it resolved for you this week, so you can hopefully confirm that drainage has been dealt with in your report.

Are you still intending to take the application to the November Committee? If it would help, particularly with drainage matters ongoing and the Bodicote decision only coming out today, we would be happy to agree to a further extension of time so that it could go to the December meeting?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 29 October 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew,

The Drainage Officer at OCC is Adam Littler – I am afraid I don't have a phone number for him but his email address is adam.littler@oxfordshire.gov.uk

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 29 October 2019 09:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I've cc'd our drainage consultant, Simon Gough, who'd like to liaise directly with the OCC Officer. Please could you let Simon have the Officer's details so that he can get in touch with him/her asap?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Matthew Symons

Sent: 28 October 2019 10:25

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Hopefully you got my out of office from Friday.

I've been through the OCC comments this morning and have sent them on to our drainage consultant. I've asked him to consider the comments and to let me know if he'd be happy to liaise with the LLFA officer directly. I imagine he will be.

On the highways comments, I'm obviously pleased that there are no objections and that they state that the new footway along Berry Hill Road "*will clearly be of benefit to residents of the existing properties along Berry Hill Road in reaching the village centre safely and directly*" and that they welcome the new ped refuge on the A4260.

There is no mention of the proposed bus stops on the A4260 and I wondered if you could ask them to comment on these? I assume they will be seen as a benefit too given the 106 request for money to pump prime services along the A4260.

I note the comments about the pedestrian connectivity from the western part of the site. We had shown a pedestrian link on the illustrative plan but I acknowledge that can be made clearer. I will get that done for you.

On the PROW, OCC confirm that this is also welcomed "*especially if the trigger can be advanced*". Do you know what they're thinking of and why an advanced trigger would be more beneficial?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 25 October 2019 16:51

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Importance: High

Hi Matthew,

I have received the attached response from Oxfordshire County Council. The main reason for forwarding is due to the continuing drainage objection. They have asked that the attached proforma be completed and returned – could that be actioned please? If it is easier for your Drainage consultant to speak to the Officer directly, then I'm happy to see if I can facilitate that.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
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From: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>
Sent: 24 October 2019 15:38
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>
Cc: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>; Cllr Arash Ali Fatemian <ArashAli.Fatemian@Oxfordshire.gov.uk>; David Flavin <david.flavin@oxfordshire.gov.uk>
Subject: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Importance: High

Dear Caroline

Please find attached Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

If you have any further queries please send an email to planningconsultations@oxfordshire.gov.uk and a member of Major Planning Applications Team will get back to you as soon as possible.

Thank you.

Regards

Dan

Daniel Tritton
Major Planning Applications Officer
Planning Process Team
Oxfordshire County Council
County Hall | Oxford | OX1 1ND
Tel: 07776 997045



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Matthew Symons

From: Matthew Symons
Sent: 07 November 2019 16:24
To: 'Caroline Ford'
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

For a scheme of 40 dwellings comprising of 26 market homes and 14 affordable homes, we're considering the following mix:

Market

- 6 x 4-bedroomed homes;
- 18 x 3-bedroomed homes; and,
- 2 x 2-bedroomed homes.

This mix is based on the Council's need for more moderately sized homes, as referred to in the Planning Statement, which would be more affordable to those on average incomes and would also result in downsizing homes coming up for sale.

Affordable

- 4 x 1-bedroomed units;
- 6 x 2-bedroomed units; and,
- 4 x 3-bedroomed units.

This affordables mix is as per the mix requested by Strategic Housing in its response dated 21/10/2019.

Looking at it in percentage terms, as per the SHMA table in the preamble to BSC4, the proposed mix is as follows:

	1-bed	2-bed	3-bed	4-bed
Market	0%	8%	69%	23%
Affordable	29%	43%	28%	0%
All dwellings	10%	20%	55%	15%

This mix performs well against the SHMA table, which is extracted below:

	1-bed	2-bed	3-bed	4-bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

I would welcome your comments on the proposed mix.

For me, it demonstrates a commitment to providing the mix of housing that is required in Cherwell, with an over provision of moderately sized family homes, and this represents a benefit that weighs heavily in favour of the application proposals.

I'd also be interested to know if the Council has undertaken an assessment of the mix of housing that has been delivered/has consent in the Category A villages and Adderbury? IS there a particular officer in the policy department that I can speak to about this?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 05 November 2019 16:58
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Ok, thanks Caroline, I'll come back to you on this during the week

Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 15:25
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

All we really have to go on is policy BSC4 and the SHMA table in the pre-wording to this policy. This suggests a predominant mix of 2/3 bedrooms overall. I am happy for you to propose a mix taking this into account for wider discussion.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 05 November 2019 12:06

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Ok, lucky you!

What sort of mix do you think might be welcomed? Do you want to consult policy and come back to me or do you want us to put a mix to you that you can discuss with policy. Which would work best for you?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 05 November 2019 11:49

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

No, it would normally be a matter that I would deal with, probably in consultation with planning policy in regard to the market housing mix. Affordable housing is dealt with by a housing team which normally would specify a mix to meet that particular need.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 November 2019 11:06
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Does the Council have an Officer that deals with Housing Mix?

You'll have seen that our Planning Statement confirms that we would agree to a condition relating to housing mix, in compliance with policy BSC4.

We've obviously seen that there is an issue in terms of the locally widening gap in the ratio of housing prices to earnings and that the Council is looking for more moderately sized homes. Our illustrative layout shows we can do this, but I'd like to have a chat with the appropriate Officer about this, to see what sort of mix may be welcomed.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 05 November 2019 10:53
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Would the Recreation and Leisure Team deal with Green Space provision in terms of supply deficits?

You'll have seen that our Planning Statement points to the Council's evidence base highlighting a shortage in Green Infrastructure provision in Adderbury and the Rural North. I'd like to find out more about this and was wondering who I should contact at the Council?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 04 November 2019 16:38

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

In terms of the footway, I think this will be a matter that I will query with OCC – I understand where the Parish are coming from but if it is required to be adoptable then it may need to be provided to a certain standard and width. The other issue is one of accessibility for pushchairs and individuals with disabilities.

In terms of traffic calming along Berry Hill Road – I don't have any further information but the County Council might – again I will query that.

In terms of a contribution to a community facility, I don't appear to have had a response from my colleagues in the Recreation and Leisure Team so I think I need to chase this. In the previous refused scheme (17/02394/OUT), one of the listed Heads of Terms was for a contribution towards helping the local community hall accommodate an increase in capacity and our Planning Obligations SPD does state that new residential developments of 10 or more dwellings are to contribute towards the provision or expansion of new community facilities so I would say it is likely we would seek a contribution from the development towards community hall facilities. I will speak to our Recreation and Leisure Team to seek their view.

This advice is of course provided without prejudice, but I trust it is helpful nevertheless.

Kind regards

Caroline

Caroline Ford BA. (Hons) MA MRTPI

Principal Planning Officer – Major Projects Planning Team

Development Management Division

Place and Growth Directorate

Cherwell District Council

Tel: 01295 221823

Email: caroline.ford@cherwell-dc.gov.uk

Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 04 November 2019 14:46

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look at the Parish Council's consultation response this afternoon.

I note that they welcome the provision of the footway along Berry Hill Road. The PC suggests it should be fairly narrow and in keeping with the area. Are you happy with the footway as proposed?

The PC also refers to a possible traffic calming scheme along Berry Hill Road. Do you have access to any further information on this?

What are your thoughts on the PC request for a contribution to the community facility off Milton Road?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 11:50
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your confirmation, I will update our records on this basis.

I have emailed Adam Littler this morning on the drainage issue to explain the situation so hopefully he will be in touch soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 31 October 2019 11:47
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Yes, I can confirm that we agree to an EoT until 31/12/2019.

To keep you updated on drainage, our consultant has confirmed this morning that he has not heard from OCC as yet.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 10:12
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your email and the attachments. I will review and put these all onto the file.

We have been discussing internally and we think it would be sensible to delay the consideration of the application until the December 2019 planning committee to give the Council time to consider the conclusions reached in the Tappers Farm, Bodicote decision particularly given the timing of the receipt of this decision and this will also give the opportunity to resolve the drainage issue potentially before we go to committee.

So, your agreement to a further extension of time would be appreciated – can you confirm by return that you agree an extension of time until the 31 December 2019?

At the moment, we are looking at when the December planning committee will be rearranged to (its scheduled date now being the date of the General Election – 12/12/2019!) so, once that has been formally rearranged, I will confirm when the committee will take place.

I trust this is of assistance. Please accept this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 30 October 2019 15:55
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

In my email to you on Monday, I said that I would be able to get the illustrative layout amended so that the pedestrian link is obvious. I have attached the updated Illustrative Layout and Wider Context Plan.

You will see that I have taken the opportunity to also update the plans so that they show the preliminary drainage strategy. This in turn has allowed me to get our ecologist to update the Biodiversity Calculator. I know we said that would not be necessary, but you will see that it does confirm a net gain, so I thought it would be helpful.

The attached access plan simply shows more context. The access proposals have not changed but it just helps to make the proposals a little clearer which I thought may help.

As I mentioned in my email to you of 09/10/19, I was waiting for the Bodicote decision before finalising the Planning Statement. As you'll probably know, that was issued this morning, so I have spent today doing the Planning Statement for you. It is attached and I'd be happy to chat any aspects of it through with you.

To keep you updated on drainage, our consultant sent the attached email to the OCC Officer, but as yet, he has not had a response to my knowledge. I'm not sure if there is anything you can do to get them talking? Simon is trying to get it resolved for you this week, so you can hopefully confirm that drainage has been dealt with in your report.

Are you still intending to take the application to the November Committee? If it would help, particularly with drainage matters ongoing and the Bodicote decision only coming out today, we would be happy to agree to a further extension of time so that it could go to the December meeting?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 29 October 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew,

The Drainage Officer at OCC is Adam Littler – I am afraid I don't have a phone number for him but his email address is adam.littler@oxfordshire.gov.uk

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 29 October 2019 09:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I've cc'd our drainage consultant, Simon Gough, who'd like to liaise directly with the OCC Officer. Please could you let Simon have the Officer's details so that he can get in touch with him/her asap?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 28 October 2019 10:25
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Hopefully you got my out of office from Friday.

I've been through the OCC comments this morning and have sent them on to our drainage consultant. I've asked him to consider the comments and to let me know if he'd be happy to liaise with the LLFA officer directly. I imagine he will be.

On the highways comments, I'm obviously pleased that there are no objections and that they state that the new footway along Berry Hill Road "will clearly be of benefit to residents of the existing properties along Berry Hill Road in reaching the village centre safely and directly" and that they welcome the new ped refuge on the A4260.

There is no mention of the proposed bus stops on the A4260 and I wondered if you could ask them to comment on these? I assume they will be seen as a benefit too given the 106 request for money to pump prime services along the A4260.

I note the comments about the pedestrian connectivity from the western part of the site. We had shown a pedestrian link on the illustrative plan but I acknowledge that can be made clearer. I will get that done for you.

On the PROW, OCC confirm that this is also welcomed "especially if the trigger can be advanced". Do you know what they're thinking of and why an advanced trigger would be more beneficial?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 25 October 2019 16:51
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Importance: High

Hi Matthew,

I have received the attached response from Oxfordshire County Council. The main reason for forwarding is due to the continuing drainage objection. They have asked that the attached proforma be completed and returned – could that be actioned please? If it is easier for your Drainage consultant to speak to the Officer directly, then I'm happy to see if I can facilitate that.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>
Sent: 24 October 2019 15:38
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>
Cc: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>; Cllr Arash Ali Fatemian <ArashAli.Fatemian@Oxfordshire.gov.uk>; David Flavin <david.flavin@oxfordshire.gov.uk>
Subject: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Importance: High

Dear Caroline

Please find attached Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

If you have any further queries please send an email to planningconsultations@oxfordshire.gov.uk and a member of Major Planning Applications Team will get back to you as soon as possible.

Thank you.

Regards

Dan

Daniel Tritton
Major Planning Applications Officer
Planning Process Team
Oxfordshire County Council
County Hall | Oxford | OX1 1ND
Tel: 07776 997045



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Matthew Symons

From: Matthew Symons
Sent: 08 January 2020 09:17
To: Caroline Ford
Subject: FW: Berry Hill Rd, Adderbury

Hi Caroline,

I've spoken with Judith Ward this morning about the on-site public open space.

Judith confirmed that she is happy with the POS as shown, but she would rather see the Local Area for Play closer to the proposed dwellings, not separated from them by the attenuation pond. Judith did not suggest that the LAP has to be more central to the developable area.

As mentioned, we are happy that the LAP is appropriately located but I think it is something that can be agreed at RM stage.

I am conscious that our Parameters Plan shows it beyond the area identified for possible drainage solutions. Please note that the PP is primarily provided to show the developable area. Beyond that, there is certainly flexibility and the location of the LAP need not be exactly where it is shown on the PP.

Hope this helps.

Could you tell me how you intend to deal with ecology in your report? Our consultant has been looking at the net gain for us but I wanted to know if you'd be doing the same as before i.e. saying that an appropriate net gain is achievable? Or if you'd want more from us on that before the Committee?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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From: Matthew Symons
Sent: 09 December 2019 12:32
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: Berry Hill Rd, Adderbury

Hi Caroline,

With Christmas and your Committee Report deadline fast approaching, I thought it might help if I set out what I see as the outstanding matters to hopefully inform our catch up chat this week:

Principle of development

- You were going to check the status of the Ambrosden challenge and come back to me on the Council's position on PV1, PV2 and H18.

Parameters plan

- Do you have any comments on the draft parameters plan?

Access

- We are waiting on OCC to comment on the revised footway proposals along Berry Hill Road, designed to respond positively to the Parish Council's comments.

Drainage

- We are waiting for OCC to provide comments in light of the additional information we submitted

On-site public open space

- Judith Ward is due to ring me to discuss the on-site POS provision, in terms of required typologies (in response to my email of 07/11).

Housing mix

- You will come back to me on the proposed housing mix (in response to my email of 07/11)
- The Council is due to come back to me on my email of 29/11 which set out the housing mix that has been achieved in Adderbury against the SHMA mix set out in local policy.

Historic England

- HE suggest that their only issue (the width of the new view from Berry Hill Rd) could be dealt with at RM stage.
- I will be able to submit some visuals to illustrate how the proposals would provide beneficial views of the Church. I am expecting the next revisions through later today and will be sending them on to you and HE asap.

Ecology

- We need to consider the recent ecology consultation response and the LPA is due to advise on the suggested 10% net gain, which I don't think was applied to recent appeal decisions?

I think that covers everything at the moment, but please do let me know if you think I've missed anything.

I'm happy to come down to your offices to chat through all of this if it would help. If you're happy to catch up over the phone, I should be in the office all day tomorrow, on my mobile on Wednesday and then back in the office on Thursday.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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Matthew Symons

From: Matthew Symons
Sent: 08 November 2019 09:37
To: Caroline Ford
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I can confirm that we agree to the to the rental units being social rented units.

Yes, we can do a parameters plan, no problem with that. I'll ask our architects do one, it'll probably be next week now but I'll ask for it to be done asap.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 07 November 2019 16:40
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for this. I will come back to you on this separately.

Can I ask – are you prepared to agree to the delivery of the rental units as part of the affordable housing provision to be social rented units?

Also, just thinking about the plans we have available – would you be prepared to prepare a parameter plan to show where the land uses are proposed (i.e. residential development in the south of the site and open space to the north as indicated), to enable control over the type of development proposed? This request is of course made without prejudice to any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 07 November 2019 16:24

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

For a scheme of 40 dwellings comprising of 26 market homes and 14 affordable homes, we're considering the following mix:

Market

- 6 x 4-bedroomed homes;
- 18 x 3-bedroomed homes; and,
- 2 x 2-bedroomed homes.

This mix is based on the Council's need for more moderately sized homes, as referred to in the Planning Statement, which would be more affordable to those on average incomes and would also result in downsizing homes coming up for sale.

Affordable

- 4 x 1-bedroomed units;
- 6 x 2-bedroomed units; and,
- 4 x 3-bedroomed units.

This affordables mix is as per the mix requested by Strategic Housing in its response dated 21/10/2019.

Looking at it in percentage terms, as per the SHMA table in the preamble to BSC4, the proposed mix is as follows:

	1-bed	2-bed	3-bed	4-bed
Market	0%	8%	69%	23%
Affordable	29%	43%	28%	0%
All dwellings	10%	20%	55%	15%

This mix performs well against the SHMA table, which is extracted below:

	1-bed	2-bed	3-bed	4-bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

I would welcome your comments on the proposed mix.

For me, it demonstrates a commitment to providing the mix of housing that is required in Cherwell, with an over provision of moderately sized family homes, and this represents a benefit that weighs heavily in favour of the application proposals.

I'd also be interested to know if the Council has undertaken an assessment of the mix of housing that has been delivered/has consent in the Category A villages and Adderbury? IS there a particular officer in the policy department that I can speak to about this?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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From: Matthew Symons
Sent: 05 November 2019 16:58
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Ok, thanks Caroline, I'll come back to you on this during the week

Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 15:25
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

All we really have to go on is policy BSC4 and the SHMA table in the pre-wording to this policy. This suggests a predominant mix of 2/3 bedrooms overall. I am happy for you to propose a mix taking this into account for wider discussion.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division

Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 November 2019 12:06
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Ok, lucky you!

What sort of mix do you think might be welcomed? Do you want to consult policy and come back to me or do you want us to put a mix to you that you can discuss with policy. Which would work best for you?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 11:49
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

No, it would normally be a matter that I would deal with, probably in consultation with planning policy in regard to the market housing mix. Affordable housing is dealt with by a housing team which normally would specify a mix to meet that particular need.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823

Email: caroline.ford@cherwell-dc.gov.uk

Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 05 November 2019 11:06

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Does the Council have an Officer that deals with Housing Mix?

You'll have seen that our Planning Statement confirms that we would agree to a condition relating to housing mix, in compliance with policy BSC4.

We've obviously seen that there is an issue in terms of the locally widening gap in the ratio of housing prices to earnings and that the Council is looking for more moderately sized homes. Our illustrative layout shows we can do this, but I'd like to have a chat with the appropriate Officer about this, to see what sort of mix may be welcomed.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons

Sent: 05 November 2019 10:53

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Would the Recreation and Leisure Team deal with Green Space provision in terms of supply deficits?

You'll have seen that our Planning Statement points to the Council's evidence base highlighting a shortage in Green Infrastructure provision in Adderbury and the Rural North. I'd like to find out more about this and was wondering who I should contact at the Council?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 04 November 2019 16:38
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

In terms of the footway, I think this will be a matter that I will query with OCC – I understand where the Parish are coming from but if it is required to be adoptable then it may need to be provided to a certain standard and width. The other issue is one of accessibility for pushchairs and individuals with disabilities.

In terms of traffic calming along Berry Hill Road – I don't have any further information but the County Council might – again I will query that.

In terms of a contribution to a community facility, I don't appear to have had a response from my colleagues in the Recreation and Leisure Team so I think I need to chase this. In the previous refused scheme (17/02394/OUT), one of the listed Heads of Terms was for a contribution towards helping the local community hall accommodate an increase in capacity and our Planning Obligations SPD does state that new residential developments of 10 or more dwellings are to contribute towards the provision or expansion of new community facilities so I would say it is likely we would seek a contribution from the development towards community hall facilities. I will speak to our Recreation and Leisure Team to seek their view.

This advice is of course provided without prejudice, but I trust it is helpful nevertheless.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 04 November 2019 14:46
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look at the Parish Council's consultation response this afternoon.

I note that they welcome the provision of the footway along Berry Hill Road. The PC suggests it should be fairly narrow and in keeping with the area. Are you happy with the footway as proposed?

The PC also refers to a possible traffic calming scheme along Berry Hill Road. Do you have access to any further information on this?

What are your thoughts on the PC request for a contribution to the community facility off Milton Road?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 11:50
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your confirmation, I will update our records on this basis.

I have emailed Adam Littler this morning on the drainage issue to explain the situation so hopefully he will be in touch soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 31 October 2019 11:47
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Yes, I can confirm that we agree to an EoT until 31/12/2019.

To keep you updated on drainage, our consultant has confirmed this morning that he has not heard from OCC as yet.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 31 October 2019 10:12

To: Matthew Symons <matthew.symons@hsland.co.uk>

Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your email and the attachments. I will review and put these all onto the file.

We have been discussing internally and we think it would be sensible to delay the consideration of the application until the December 2019 planning committee to give the Council time to consider the conclusions reached in the Tappers Farm, Bodicote decision particularly given the timing of the receipt of this decision and this will also give the opportunity to resolve the drainage issue potentially before we go to committee.

So, your agreement to a further extension of time would be appreciated – can you confirm by return that you agree an extension of time until the 31 December 2019?

At the moment, we are looking at when the December planning committee will be rearranged to (its scheduled date now being the date of the General Election – 12/12/2019!) so, once that has been formally rearranged, I will confirm when the committee will take place.

I trust this is of assistance. Please accept this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 30 October 2019 15:55
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

In my email to you on Monday, I said that I would be able to get the illustrative layout amended so that the pedestrian link is obvious. I have attached the updated Illustrative Layout and Wider Context Plan.

You will see that I have taken the opportunity to also update the plans so that they show the preliminary drainage strategy. This in turn has allowed me to get our ecologist to update the Biodiversity Calculator. I know we said that would not be necessary, but you will see that it does confirm a net gain, so I thought it would be helpful.

The attached access plan simply shows more context. The access proposals have not changed but it just helps to make the proposals a little clearer which I thought may help.

As I mentioned in my email to you of 09/10/19, I was waiting for the Bodicote decision before finalising the Planning Statement. As you'll probably know, that was issued this morning, so I have spent today doing the Planning Statement for you. It is attached and I'd be happy to chat any aspects of it through with you.

To keep you updated on drainage, our consultant sent the attached email to the OCC Officer, but as yet, he has not had a response to my knowledge. I'm not sure if there is anything you can do to get them talking? Simon is trying to get it resolved for you this week, so you can hopefully confirm that drainage has been dealt with in your report.

Are you still intending to take the application to the November Committee? If it would help, particularly with drainage matters ongoing and the Bodicote decision only coming out today, we would be happy to agree to a further extension of time so that it could go to the December meeting?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 29 October 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew,

The Drainage Officer at OCC is Adam Littler – I am afraid I don't have a phone number for him but his email address is adam.littler@oxfordshire.gov.uk

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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Follow us on Twitter @Cherwellcouncil

From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 29 October 2019 09:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I've cc'd our drainage consultant, Simon Gough, who'd like to liaise directly with the OCC Officer. Please could you let Simon have the Officer's details so that he can get in touch with him/her asap?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 28 October 2019 10:25
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Hopefully you got my out of office from Friday.

I've been through the OCC comments this morning and have sent them on to our drainage consultant. I've asked him to consider the comments and to let me know if he'd be happy to liaise with the LLFA officer directly. I imagine he will be.

On the highways comments, I'm obviously pleased that there are no objections and that they state that the new footway along Berry Hill Road "*will clearly be of benefit to residents of the existing properties along Berry Hill Road in reaching the village centre safely and directly*" and that they welcome the new ped refuge on the A4260.

There is no mention of the proposed bus stops on the A4260 and I wondered if you could ask them to comment on these? I assume they will be seen as a benefit too given the 106 request for money to pump prime services along the A4260.

I note the comments about the pedestrian connectivity from the western part of the site. We had shown a pedestrian link on the illustrative plan but I acknowledge that can be made clearer. I will get that done for you.

On the PROW, OCC confirm that this is also welcomed "*especially if the trigger can be advanced*". Do you know what they're thinking of and why an advanced trigger would be more beneficial?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 25 October 2019 16:51
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Importance: High

Hi Matthew,

I have received the attached response from Oxfordshire County Council. The main reason for forwarding is due to the continuing drainage objection. They have asked that the attached proforma be completed and returned – could that be actioned please? If it is easier for your Drainage consultant to speak to the Officer directly, then I'm happy to see if I can facilitate that.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk

Web: www.cherwell.gov.uk

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From: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>

Sent: 24 October 2019 15:38

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>

Cc: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>; Cllr Arash Ali Fatemian <ArashAli.Fatemian@Oxfordshire.gov.uk>; David Flavin <david.flavin@oxfordshire.gov.uk>

Subject: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Importance: High

Dear Caroline

Please find attached Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

If you have any further queries please send an email to planningconsultations@oxfordshire.gov.uk and a member of Major Planning Applications Team will get back to you as soon as possible.

Thank you.

Regards

Dan

Daniel Tritton

Major Planning Applications Officer

Planning Process Team

Oxfordshire County Council

County Hall | Oxford | OX1 1ND

Tel: 07776 997045



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Matthew Symons

From: Matthew Symons
Sent: 09 October 2019 18:03
To: 'Caroline Ford'
Subject: RE: Berry Hill Rd, Adderbury
Attachments: Highways Note.pdf; Illustrative Layout.pdf; Wider Context Plan.pdf; Heritage Statement.pdf; QR006-1 - 80-195- L1 - 2 - Updated Preliminary Ecological Appraisal.pdf; 2713_Adderbury Revised Addendum Complete.pdf; FW: Land off Berry Hill Rd, Adderbury (30394)

Hi Caroline,

Following on from our discussion yesterday, I am writing to formally confirm that we would like you to amend the description of development to:

Resubmission of application 17/02394/OUT – Outline application for permission for up to 40 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road (all matters reserved other than access)

As we discussed when we met, the reduction of the amount of development is proposed so that we can respond positively to the reasons for refusal of 17/02394/OUT.

I have attached the following plans/documents to support the amended proposals:

1. Illustrative Layout;
2. Wider Context Plan;
3. Heritage Statement;
4. Highways Note;
5. Updated Ecological Appraisal; and,
6. Revised Landscape and Visual Appraisal Addendum.

Items 1 – 3 replace the previously submitted Layout, Context Plan and Heritage Statement. Items 4 – 6 supplement the previously submitted highways, ecology and landscape reports. Please note that the Highways Note includes a revised access plan which retains the access previously approved by OCC but does show that we can provide bus stops on Oxford Road; we this is as a benefit of the scheme as it will enhance the sustainability of Adderbury.

I have also attached the drainage information which I only received at 5pm. As you will see, we have done additional work in response to the previous reason for refusal and can propose a preliminary drainage scheme which shows sustainable drainage solutions.

As discussed, I can submit an amended Planning Statement and an amended Design and Access Statement. In my opinion, these are not necessary for reconsultation. It is my experience that schemes are regularly amended during the application process without the PS or DAS being amended. However, I do intend to provide you with updated versions in case they would be of assistance for your Report. When is your Report deadline?

As I mentioned yesterday, I drafted a lot of the revised Planning Statement last month but stopped at the Evaluation section because I wanted to refer to appeal decisions that were due out. I didn't think it would make sense to submit an updated PS only to have to amend again in light of the appeal decisions.

The decision on the Merton Road, Ambrosden site was published on 09/09/2019. I do of course appreciate that each appeal has to be judged on its merits but the Ambrosden decision is of relevance to our Adderbury proposals and will need to be referred to in our PS and the Committee Report. The Inspector considered Category A villages, the housing strategy and distribution of housing growth.

In addition to the Ambrosden decision, our PS and the Committee Report will need to refer to the Oxford Road, Bodicote appeal. The Hearing was held in early September and a decision is due out this month. That decision will

again take account of category A villages, the housing strategy and the distribution of growth. It will potentially be of further interest as it may include reference to the weight to be applied to the Oxfordshire Housing Land Supply Written Ministerial Statement (WMS). You will no doubt be aware of the slippage to the joint statutory spatial plan timetable and the expected scrapping of the South Oxfordshire emerging Local Plan.

Once the Bodicote decision has been published, I will look to complete the revised PS and get it over to you.

With regard the DAS, as discussed, I had not completed this as I wanted to refer to the drainage information and blue infrastructure. I will be able to do this and submit the DAS but I don't see it as being essential for reconsultation purposes. However, as promised, I can give you a note on the approach to design.

When we met, we pointed to the proposed reduction in the amount of development resulting in us having a significantly reduced developable area and this resulting in significantly more on-site public open space, which we see as a benefit.

You will see that the submitted Heritage Statement states that *"views of the listed church from the south will be improved, and the provision of public open space with a play area, will provide access to views of the church which are not currently accessible to members of the public"*. The revised Landscape Addendum also states that the revised proposals *"will result in important enhancements to the proposed development and its immediate context"*:

- Increased separation from the footpaths to the east and north and the countryside beyond;
- A closer relationship with the existing development pattern along Berry Hill Road, including the depth of development from the road frontage; and
- A reduction in development visible from the footpaths.

The layout, appearance and scale are all reserved matters and so I would not look to discuss these in great detail in the DAS. As the Ambrosden Inspector said, *"these are matters of limited relevance in respect of an outline application when they are reserved for subsequent approval"*. But I can confirm that the proposals can be designed to reflect the character of the surrounding area and the content of the Design Guide SPD. In particular, we note the section on Wider Views which states that *"significant views into the existing settlement, such as to a church steeple, should be preserved and enhanced by the new development and new views to gateways and landmarks established"*. You will see from the illustrative layout and wider context plan that we will enhance views to the church steeple and indeed, that they will be framed by built frontage, as encouraged by the SPD (figure 4.10).

I trust all of this information allows you to amend the description of development and commence reconsultation. If you do have any queries, please do give me a ring. I am out of the office at a Local Plan examination tomorrow, but will be able to respond to emails/ring you during the break as I did yesterday.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 07 October 2019 15:31
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Berry Hill Rd, Adderbury

Matthew,

I note no further information has yet been provided regarding the above.

I will need the additional information to be provided by the end of Wednesday this week (09/10/2019) so that I can make the necessary arrangements for the application to be reconsulted upon this week (and to make sure it is re-advertised in the local press next week). The consultation period, even then, will expire after my committee report will be due for the November committee date, but we can deal with that through updates.

I have spoken to my Team Leader and we are not prepared to accept any further delay beyond the November committee date and as such, the above date will need to be met, otherwise the application will be determined on the basis of the information submitted at the time of the submission of the application (i.e. the same information that was previously refused).

I look forward to hearing from you soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Caroline Ford
Sent: 26 September 2019 09:46
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Linda Griffiths <Linda.Griffiths@Cherwell-DC.gov.uk>
Subject: RE: Berry Hill Rd, Adderbury

Hi Matthew,

Thank you for the update – if you could send anything additional to me and copy it to my colleague Linda Griffiths (copied into this email). I will leave notes with Linda as to what needs to happen and so hopefully she can progress this whilst I am away.

Please note Linda works Monday to Thursday so if it is not received by Thursday 3rd October 2019, then it will await my return on Monday 7th October 2019.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823

Email: caroline.ford@cherwell-dc.gov.uk

Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 25 September 2019 17:16

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Berry Hill Rd, Adderbury

Hi Caroline,

I have today received the results of the drainage testing work. These have been passed on to our drainage/flood risk consultant, for him to produce his report. I'm afraid I won't have that for you tomorrow, but am still working to get things submitted as quickly as I can. I am sorry for these delays, I am chasing progress.

If I am able to get things submitted while you are off, who should I contact?

If we don't speak before you go, have a good holiday and no doubt we'll catch up when you're back.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 20 September 2019 16:30

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Berry Hill Rd, Adderbury

Hi Matthew,

Thank you for the update.

In that case, I won't amend the application at this stage or re-consult as the resubmission is not complete and we can't consider it properly. I am on leave from the end of next Thursday 26/09/2019 returning on the 07/10/2019 and all additional information would be required before I go so that the re-consultation can happen whilst I am away – otherwise, it is going to be difficult to get to committee on the 14 November 2019 (unless the report is written subject to the end of the consultation period).

I look forward to hearing from you further.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 20 September 2019 16:07
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Berry Hill Rd, Adderbury

Hi Caroline,

Sorry for the delay in getting back to you, I've been wading through my inbox over the last couple of days since getting back from leave.

As you mentioned to David, you are due to receive an amended Planning Statement and DAS, as well as drainage information.

Unfortunately, we have not been able to get the drainage information yet. The site investigation work has been undertaken but I don't have a report. I am chasing it for you and asked for an update today – it's not come in yet but I will send it on when it does.

I wanted the DAS to make reference to the outline drainage proposals, so didn't complete that.

I started writing the Planning Statement a couple of weeks before going on leave, but stopped when I got to the evaluation section. I thought it would make more sense for me to just to wait for the Bodicote and Ambrosden appeal decisions. They do/will cover similar issues, and I would have only had to make amendments/write to you about them.

Please do give me a ring if it's easier to chat any of this through.

Have a good weekend,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 20 September 2019 09:58
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: FW: Berry Hill Rd, Adderbury

Good Morning Matthew,

Further to my correspondence with David on Wednesday, could you provide me with an update please on whether you are intending to submit any additional information or whether the information he sent through is the whole of your re-submission? I need to carry out a re-consultation and amend the application but will only do so once I know I have everything to avoid having to re-consult twice which may cause confusion.

If you intend to submit anything else, it is needed as soon as possible if we are to meet a committee date in November.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Caroline Ford
Sent: 18 September 2019 11:17
To: David Josephs <david.josephs@hsland.co.uk>
Cc: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Berry Hill Rd, Adderbury

Hi David,

Not to worry today – if Matthew is back tomorrow then I can pick it up with him then as one day won't make too much difference.

I'll await his return before progressing anything further.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: David Josephs <david.josephs@hsland.co.uk>
Sent: 18 September 2019 11:13
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Berry Hill Rd, Adderbury

Hi Caroline,

I'm afraid that this isn't my project, I just know that the documents were needed to be sent today so was forwarding them in Matthew's absence. Matthew is back in the office tomorrow so would he be able to deal with the matters you've raised when he returns?

I will follow up on the issues you have raised today and see if I can get an answer for you in the meantime.

Kind regards
David

David Josephs
Strategic Land Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 0798 110 0429 | david.josephs@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 18 September 2019 11:02
To: David Josephs <david.josephs@hsland.co.uk>
Cc: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Berry Hill Rd, Adderbury

David,

Many thanks, I can confirm receipt.

Can I just query whether this is everything? I thought Matthew was intending to submit an updated Design and Access Statement, planning statement and additional information on drainage (to overcome the drainage reason for refusal) – please see attached email correspondence.

If you could confirm as I would prefer to carry out one re-consultation only.

I look forward to hearing from you.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

From: David Josepchs <david.josepchs@hsland.co.uk>
Sent: 18 September 2019 09:23
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: Berry Hill Rd, Adderbury

Good morning Caroline,

Hope you are well.

As Matthew is on annual leave I am sending you the additional information required for the application at Berry Hill Road, Adderbury. If you could acknowledge receipt of this email that would be greatly appreciated.

Kind regards
David

David Josepchs
Strategic Land Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 0798 110 0429 | david.josepchs@hsland.co.uk | www.hsland.co.uk

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Matthew Symons

From: Matthew Symons
Sent: 11 November 2019 10:28
To: 'Caroline Ford'
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Attachments: Sibford Ferris.pdf

Hi Caroline,

I came across the attached appeal decision last week, which you're no doubt already aware of. It is the fourth policy PV2 appeal that has been allowed in quick succession and further supports our case, as set out in the Planning Statement.

As you'll know, the Inspector allowed the appeal finding that the development "*would not amount to a material exceedance in breach of policy PV2*" (para. 23). He also stated that he did "*not consider 'material exceedance' to be an issue for this appeal given the modest number of units proposed and the categorization and size of Sibfords*" (para. 16). I am of the opinion that the same can be said for our proposals.

There was also a debate about whether Sibford was actually a Cat A village. Adderbury is of course one of the most sustainable Cat A villages, as confirmed by the Council's evidence base, and has much better connections with Banbury as a result of the excellent public transport service (S4 Gold). Indeed, the links with Banbury are evident given the Council's request for a contribution towards the Spiceball Leisure Centre.

Furthermore, the Sibford Inspector states that the proposals were "*not in conflict with 'saved' policy H18 given the status of the village defined by PV1 and PV2*" (para. 23). The same must apply to our proposals for Berry Hill Rd.

I also note that the Inspector did not impose a housing mix condition. Presumably this is because the Council did not suggest it but the Council now potentially misses out on the mix it requires to provide more moderately sized homes. It further points to a lack of Cat A schemes delivering the housing mix required by the Local Plan (have you had an opportunity to find out if the Council holds any data on Cat A housing mix provision?). In turn, it suggests that our housing mix provision should be afforded further weight in the decision making process.

I would welcome your thoughts on the principle of the proposed development against PV1, PV2 and H18 in light of the recent appeal decisions. If it would help to meet to discuss this, along with other matters to be addressed in your committee report, I would be happy to come to your offices before you go on leave.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 07 November 2019 16:24
To: 'Caroline Ford' <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

For a scheme of 40 dwellings comprising of 26 market homes and 14 affordable homes, we're considering the following mix:

Market

- 6 x 4-bedroomed homes;
- 18 x 3-bedroomed homes; and,
- 2 x 2-bedroomed homes.

This mix is based on the Council's need for more moderately sized homes, as referred to in the Planning Statement, which would be more affordable to those on average incomes and would also result in downsizing homes coming up for sale.

Affordable

- 4 x 1-bedroomed units;
- 6 x 2-bedroomed units; and,
- 4 x 3-bedroomed units.

This affordables mix is as per the mix requested by Strategic Housing in its response dated 21/10/2019.

Looking at it in percentage terms, as per the SHMA table in the preamble to BSC4, the proposed mix is as follows:

	1-bed	2-bed	3-bed	4-bed
Market	0%	8%	69%	23%
Affordable	29%	43%	28%	0%
All dwellings	10%	20%	55%	15%

This mix performs well against the SHMA table, which is extracted below:

	1-bed	2-bed	3-bed	4-bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

I would welcome your comments on the proposed mix.

For me, it demonstrates a commitment to providing the mix of housing that is required in Cherwell, with an over provision of moderately sized family homes, and this represents a benefit that weighs heavily in favour of the application proposals.

I'd also be interested to know if the Council has undertaken an assessment of the mix of housing that has been delivered/has consent in the Category A villages and Adderbury? IS there a particular officer in the policy department that I can speak to about this?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI

Planning Manager



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0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons

Sent: 05 November 2019 16:58

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Ok, thanks Caroline, I'll come back to you on this during the week

Matthew

Matthew Symons BA MPlan MRTPI

Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
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From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 05 November 2019 15:25

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

All we really have to go on is policy BSC4 and the SHMA table in the pre-wording to this policy. This suggests a predominant mix of 2/3 bedrooms overall. I am happy for you to propose a mix taking this into account for wider discussion.

Kind regards

Caroline

Caroline Ford BA. (Hons) MA MRTPI

Principal Planning Officer – Major Projects Planning Team

Development Management Division

Place and Growth Directorate

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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 05 November 2019 12:06

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Ok, lucky you!

What sort of mix do you think might be welcomed? Do you want to consult policy and come back to me or do you want us to put a mix to you that you can discuss with policy. Which would work best for you?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 05 November 2019 11:49

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

No, it would normally be a matter that I would deal with, probably in consultation with planning policy in regard to the market housing mix. Affordable housing is dealt with by a housing team which normally would specify a mix to meet that particular need.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 05 November 2019 11:06

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Does the Council have an Officer that deals with Housing Mix?

You'll have seen that our Planning Statement confirms that we would agree to a condition relating to housing mix, in compliance with policy BSC4.

We've obviously seen that there is an issue in terms of the locally widening gap in the ratio of housing prices to earnings and that the Council is looking for more moderately sized homes. Our illustrative layout shows we can do this, but I'd like to have a chat with the appropriate Officer about this, to see what sort of mix may be welcomed.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 05 November 2019 10:53
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Would the Recreation and Leisure Team deal with Green Space provision in terms of supply deficits?

You'll have seen that our Planning Statement points to the Council's evidence base highlighting a shortage in Green Infrastructure provision in Adderbury and the Rural North. I'd like to find out more about this and was wondering who I should contact at the Council?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 04 November 2019 16:38
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

In terms of the footway, I think this will be a matter that I will query with OCC – I understand where the Parish are coming from but if it is required to be adoptable then it may need to be provided to a certain standard and width. The other issue is one of accessibility for pushchairs and individuals with disabilities.

In terms of traffic calming along Berry Hill Road – I don't have any further information but the County Council might – again I will query that.

In terms of a contribution to a community facility, I don't appear to have had a response from my colleagues in the Recreation and Leisure Team so I think I need to chase this. In the previous refused scheme (17/02394/OUT), one of the listed Heads of Terms was for a contribution towards helping the local community hall accommodate an increase in capacity and our Planning Obligations SPD does state that new residential developments of 10 or more dwellings are to contribute towards the provision or expansion of new community facilities so I would say it is likely we would seek a contribution from the development towards community hall facilities. I will speak to our Recreation and Leisure Team to seek their view.

This advice is of course provided without prejudice, but I trust it is helpful nevertheless.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 04 November 2019 14:46
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look at the Parish Council's consultation response this afternoon.

I note that they welcome the provision of the footway along Berry Hill Road. The PC suggests it should be fairly narrow and in keeping with the area. Are you happy with the footway as proposed?

The PC also refers to a possible traffic calming scheme along Berry Hill Road. Do you have access to any further information on this?

What are your thoughts on the PC request for a contribution to the community facility off Milton Road?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 11:50
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your confirmation, I will update our records on this basis.

I have emailed Adam Littler this morning on the drainage issue to explain the situation so hopefully he will be in touch soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 31 October 2019 11:47
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Yes, I can confirm that we agree to an EoT until 31/12/2019.

To keep you updated on drainage, our consultant has confirmed this morning that he has not heard from OCC as yet.

Thanks,

Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 10:12
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your email and the attachments. I will review and put these all onto the file.

We have been discussing internally and we think it would be sensible to delay the consideration of the application until the December 2019 planning committee to give the Council time to consider the conclusions reached in the Tappers Farm, Bodicote decision particularly given the timing of the receipt of this decision and this will also give the opportunity to resolve the drainage issue potentially before we go to committee.

So, your agreement to a further extension of time would be appreciated – can you confirm by return that you agree an extension of time until the 31 December 2019?

At the moment, we are looking at when the December planning committee will be rearranged to (its scheduled date now being the date of the General Election – 12/12/2019!) so, once that has been formally rearranged, I will confirm when the committee will take place.

I trust this is of assistance. Please accept this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 30 October 2019 15:55
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

In my email to you on Monday, I said that I would be able to get the illustrative layout amended so that the pedestrian link is obvious. I have attached the updated Illustrative Layout and Wider Context Plan.

You will see that I have taken the opportunity to also update the plans so that they show the preliminary drainage strategy. This in turn has allowed me to get our ecologist to update the Biodiversity Calculator. I know we said that would not be necessary, but you will see that it does confirm a net gain, so I thought it would be helpful.

The attached access plan simply shows more context. The access proposals have not changed but it just helps to make the proposals a little clearer which I thought may help.

As I mentioned in my email to you of 09/10/19, I was waiting for the Bodicote decision before finalising the Planning Statement. As you'll probably know, that was issued this morning, so I have spent today doing the Planning Statement for you. It is attached and I'd be happy to chat any aspects of it through with you.

To keep you updated on drainage, our consultant sent the attached email to the OCC Officer, but as yet, he has not had a response to my knowledge. I'm not sure if there is anything you can do to get them talking? Simon is trying to get it resolved for you this week, so you can hopefully confirm that drainage has been dealt with in your report.

Are you still intending to take the application to the November Committee? If it would help, particularly with drainage matters ongoing and the Bodicote decision only coming out today, we would be happy to agree to a further extension of time so that it could go to the December meeting?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 29 October 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew,

The Drainage Officer at OCC is Adam Littler – I am afraid I don't have a phone number for him but his email address is adam.littler@oxfordshire.gov.uk

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 29 October 2019 09:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I've cc'd our drainage consultant, Simon Gough, who'd like to liaise directly with the OCC Officer. Please could you let Simon have the Officer's details so that he can get in touch with him/her asap?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 28 October 2019 10:25
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Hopefully you got my out of office from Friday.

I've been through the OCC comments this morning and have sent them on to our drainage consultant. I've asked him to consider the comments and to let me know if he'd be happy to liaise with the LLFA officer directly. I imagine he will be.

On the highways comments, I'm obviously pleased that there are no objections and that they state that the new footway along Berry Hill Road "will clearly be of benefit to residents of the existing properties along Berry Hill Road in reaching the village centre safely and directly" and that they welcome the new ped refuge on the A4260.

There is no mention of the proposed bus stops on the A4260 and I wondered if you could ask them to comment on these? I assume they will be seen as a benefit too given the 106 request for money to pump prime services along the A4260.

I note the comments about the pedestrian connectivity from the western part of the site. We had shown a pedestrian link on the illustrative plan but I acknowledge that can be made clearer. I will get that done for you.

On the PROW, OCC confirm that this is also welcomed *“especially if the trigger can be advanced”*. Do you know what they’re thinking of and why an advanced trigger would be more beneficial?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 25 October 2019 16:51
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: FW: Oxfordshire County Council’s response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Importance: High

Hi Matthew,

I have received the attached response from Oxfordshire County Council. The main reason for forwarding is due to the continuing drainage objection. They have asked that the attached proforma be completed and returned – could that be actioned please? If it is easier for your Drainage consultant to speak to the Officer directly, then I’m happy to see if I can facilitate that.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>
Sent: 24 October 2019 15:38
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>
Cc: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>; Cllr Arash Ali Fatemian

<ArashAli.Fatemian@Oxfordshire.gov.uk>; DavidFlavin <david.flavin@oxfordshire.gov.uk>

Subject: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Importance: High

Dear Caroline

Please find attached Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

If you have any further queries please send an email to planningconsultations@oxfordshire.gov.uk and a member of Major Planning Applications Team will get back to you as soon as possible.

Thank you.

Regards

Dan

Daniel Tritton

Major Planning Applications Officer

Planning Process Team

Oxfordshire County Council

County Hall | Oxford | OX1 1ND

Tel: 07776 997045



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Matthew Symons

From: Matthew Symons
Sent: 29 November 2019 12:47
To: 'Caroline Ford'
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Attachments: Berry Hill Housing Mix Comparison Tables.docx

Hi Caroline,

Following on from our below exchange, we have done some work to look at whether approvals in Adderbury have responded to the SHMA mix.

I have attached a word document which provides you with two tables. They are bit busy, but are relatively straightforward to follow.

As you will see, the approvals in Adderbury have not responded positively to the identified SHMA mix. There has been:

- An under provision of 1-bed units (market and affordable);
- An under provision of 2-bed market units;
- An over-provision of 2-bed affordable units;
- An under-provision of 2-bed units overall (market and affordable);
- A significant under provision of 3-bed market units;
- A significant under provision of 3-bed affordable units;
- A significant under provision of 3-bed units overall;
- A significant over-provision of 4-bed market units;
- An adequate provision of 4-bed affordable units;
- A significant over-provision of 4-bed units overall; and,
- A significant over-provision of 5-bed market units.

As such, the dwellings that have been approved in Adderbury to date have failed to adequately address the Council's need for more moderately sized homes, as referred to in the Planning Statement, which would be more affordable to those on average incomes and would also result in downsizing homes coming up for sale.

For me, this demonstrates that further weight should be afforded to the benefit associated with the mix we are proposing.

We have not looked at the wider Category A villages as yet, but it would seem likely that the approved mix across all villages has not responded to the identified need.

I would welcome the LPAs thoughts on this matter. Perhaps we could have a chat when you are back? I am also happy to come to your offices to have a catch up meeting next month, in advance of your Report deadline, if that would help.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Matthew Symons

Sent: 08 November 2019 09:37

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I can confirm that we agree to the to the rental units being social rented units.

Yes, we can do a parameters plan, no problem with that. I'll ask our architects do one, it'll probably be next week now but I'll ask for it to be done asap.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 07 November 2019 16:40

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for this. I will come back to you on this separately.

Can I ask – are you prepared to agree to the delivery of the rental units as part of the affordable housing provision to be social rented units?

Also, just thinking about the plans we have available – would you be prepared to prepare a parameter plan to show where the land uses are proposed (i.e. residential development in the south of the site and open space to the north as indicated), to enable control over the type of development proposed? This request is of course made without prejudice to any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division

Place and Growth Directorate
 Cherwell District Council
 Tel: 01295 221823
 Email: caroline.ford@cherwell-dc.gov.uk
 Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 07 November 2019 16:24
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Oxfordshire County Council’s response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

For a scheme of 40 dwellings comprising of 26 market homes and 14 affordable homes, we’re considering the following mix:

Market

- 6 x 4-bedroomed homes;
- 18 x 3-bedroomed homes; and,
- 2 x 2-bedroomed homes.

This mix is based on the Council’s need for more moderately sized homes, as referred to in the Planning Statement, which would be more affordable to those on average incomes and would also result in downsizing homes coming up for sale.

Affordable

- 4 x 1-bedroomed units;
- 6 x 2-bedroomed units; and,
- 4 x 3-bedroomed units.

This affordables mix is as per the mix requested by Strategic Housing in its response dated 21/10/2019.

Looking at it in percentage terms, as per the SHMA table in the preamble to BSC4, the proposed mix is as follows:

	1-bed	2-bed	3-bed	4-bed
Market	0%	8%	69%	23%
Affordable	29%	43%	28%	0%
All dwellings	10%	20%	55%	15%

This mix performs well against the SHMA table, which is extracted below:

	1-bed	2-bed	3-bed	4-bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

I would welcome your comments on the proposed mix.

For me, it demonstrates a commitment to providing the mix of housing that is required in Cherwell, with an over provision of moderately sized family homes, and this represents a benefit that weighs heavily in favour of the application proposals.

I'd also be interested to know if the Council has undertaken an assessment of the mix of housing that has been delivered/has consent in the Category A villages and Adderbury? IS there a particular officer in the policy department that I can speak to about this?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 05 November 2019 16:58
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Ok, thanks Caroline, I'll come back to you on this during the week

Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 15:25
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

All we really have to go on is policy BSC4 and the SHMA table in the pre-wording to this policy. This suggests a predominant mix of 2/3 bedrooms overall. I am happy for you to propose a mix taking this into account for wider discussion.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 November 2019 12:06
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Ok, lucky you!

What sort of mix do you think might be welcomed? Do you want to consult policy and come back to me or do you want us to put a mix to you that you can discuss with policy. Which would work best for you?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 11:49
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

No, it would normally be a matter that I would deal with, probably in consultation with planning policy in regard to the market housing mix. Affordable housing is dealt with by a housing team which normally would specify a mix to meet that particular need.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division

Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 November 2019 11:06
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Does the Council have an Officer that deals with Housing Mix?

You'll have seen that our Planning Statement confirms that we would agree to a condition relating to housing mix, in compliance with policy BSC4.

We've obviously seen that there is an issue in terms of the locally widening gap in the ratio of housing prices to earnings and that the Council is looking for more moderately sized homes. Our illustrative layout shows we can do this, but I'd like to have a chat with the appropriate Officer about this, to see what sort of mix may be welcomed.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 05 November 2019 10:53
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Would the Recreation and Leisure Team deal with Green Space provision in terms of supply deficits?

You'll have seen that our Planning Statement points to the Council's evidence base highlighting a shortage in Green Infrastructure provision in Adderbury and the Rural North. I'd like to find out more about this and was wondering who I should contact at the Council?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 04 November 2019 16:38
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

In terms of the footway, I think this will be a matter that I will query with OCC – I understand where the Parish are coming from but if it is required to be adoptable then it may need to be provided to a certain standard and width. The other issue is one of accessibility for pushchairs and individuals with disabilities.

In terms of traffic calming along Berry Hill Road – I don't have any further information but the County Council might – again I will query that.

In terms of a contribution to a community facility, I don't appear to have had a response from my colleagues in the Recreation and Leisure Team so I think I need to chase this. In the previous refused scheme (17/02394/OUT), one of the listed Heads of Terms was for a contribution towards helping the local community hall accommodate an increase in capacity and our Planning Obligations SPD does state that new residential developments of 10 or more dwellings are to contribute towards the provision or expansion of new community facilities so I would say it is likely we would seek a contribution from the development towards community hall facilities. I will speak to our Recreation and Leisure Team to seek their view.

This advice is of course provided without prejudice, but I trust it is helpful nevertheless.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 04 November 2019 14:46
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look at the Parish Council's consultation response this afternoon.

I note that they welcome the provision of the footway along Berry Hill Road. The PC suggests it should be fairly narrow and in keeping with the area. Are you happy with the footway as proposed?

The PC also refers to a possible traffic calming scheme along Berry Hill Road. Do you have access to any further information on this?

What are your thoughts on the PC request for a contribution to the community facility off Milton Road?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 31 October 2019 11:50

To: Matthew Symons <matthew.symons@hsland.co.uk>

Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your confirmation, I will update our records on this basis.

I have emailed Adam Littler this morning on the drainage issue to explain the situation so hopefully he will be in touch soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 31 October 2019 11:47
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Yes, I can confirm that we agree to an EoT until 31/12/2019.

To keep you updated on drainage, our consultant has confirmed this morning that he has not heard from OCC as yet.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 10:12
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your email and the attachments. I will review and put these all onto the file.

We have been discussing internally and we think it would be sensible to delay the consideration of the application until the December 2019 planning committee to give the Council time to consider the conclusions reached in the Tappers Farm, Bodicote decision particularly given the timing of the receipt of this decision and this will also give the opportunity to resolve the drainage issue potentially before we go to committee.

So, your agreement to a further extension of time would be appreciated – can you confirm by return that you agree an extension of time until the 31 December 2019?

At the moment, we are looking at when the December planning committee will be rearranged to (its scheduled date now being the date of the General Election – 12/12/2019!) so, once that has been formally rearranged, I will confirm when the committee will take place.

I trust this is of assistance. Please accept this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 30 October 2019 15:55
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

In my email to you on Monday, I said that I would be able to get the illustrative layout amended so that the pedestrian link is obvious. I have attached the updated Illustrative Layout and Wider Context Plan.

You will see that I have taken the opportunity to also update the plans so that they show the preliminary drainage strategy. This in turn has allowed me to get our ecologist to update the Biodiversity Calculator. I know we said that would not be necessary, but you will see that it does confirm a net gain, so I thought it would be helpful.

The attached access plan simply shows more context. The access proposals have not changed but it just helps to make the proposals a little clearer which I thought may help.

As I mentioned in my email to you of 09/10/19, I was waiting for the Bodicote decision before finalising the Planning Statement. As you'll probably know, that was issued this morning, so I have spent today doing the Planning Statement for you. It is attached and I'd be happy to chat any aspects of it through with you.

To keep you updated on drainage, our consultant sent the attached email to the OCC Officer, but as yet, he has not had a response to my knowledge. I'm not sure if there is anything you can do to get them talking? Simon is trying to get it resolved for you this week, so you can hopefully confirm that drainage has been dealt with in your report.

Are you still intending to take the application to the November Committee? If it would help, particularly with drainage matters ongoing and the Bodicote decision only coming out today, we would be happy to agree to a further extension of time so that it could go to the December meeting?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 29 October 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew,

The Drainage Officer at OCC is Adam Littler – I am afraid I don't have a phone number for him but his email address is adam.littler@oxfordshire.gov.uk

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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Follow us on Twitter @Cherwellcouncil

From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 29 October 2019 09:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I've cc'd our drainage consultant, Simon Gough, who'd like to liaise directly with the OCC Officer. Please could you let Simon have the Officer's details so that he can get in touch with him/her asap?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 28 October 2019 10:25
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Hopefully you got my out of office from Friday.

I've been through the OCC comments this morning and have sent them on to our drainage consultant. I've asked him to consider the comments and to let me know if he'd be happy to liaise with the LLFA officer directly. I imagine he will be.

On the highways comments, I'm obviously pleased that there are no objections and that they state that the new footway along Berry Hill Road "*will clearly be of benefit to residents of the existing properties along Berry Hill Road in reaching the village centre safely and directly*" and that they welcome the new ped refuge on the A4260.

There is no mention of the proposed bus stops on the A4260 and I wondered if you could ask them to comment on these? I assume they will be seen as a benefit too given the 106 request for money to pump prime services along the A4260.

I note the comments about the pedestrian connectivity from the western part of the site. We had shown a pedestrian link on the illustrative plan but I acknowledge that can be made clearer. I will get that done for you.

On the PROW, OCC confirm that this is also welcomed "*especially if the trigger can be advanced*". Do you know what they're thinking of and why an advanced trigger would be more beneficial?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 25 October 2019 16:51

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Importance: High

Hi Matthew,

I have received the attached response from Oxfordshire County Council. The main reason for forwarding is due to the continuing drainage objection. They have asked that the attached proforma be completed and returned – could that be actioned please? If it is easier for your Drainage consultant to speak to the Officer directly, then I'm happy to see if I can facilitate that.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>
Sent: 24 October 2019 15:38
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>
Cc: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>; Cllr Arash Ali Fatemian <ArashAli.Fatemian@Oxfordshire.gov.uk>; David Flavin <david.flavin@oxfordshire.gov.uk>
Subject: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury
Importance: High

Dear Caroline

Please find attached Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

If you have any further queries please send an email to planningconsultations@oxfordshire.gov.uk and a member of Major Planning Applications Team will get back to you as soon as possible.

Thank you.

Regards

Dan

Daniel Tritton
Major Planning Applications Officer
Planning Process Team
Oxfordshire County Council
County Hall | Oxford | OX1 1ND
Tel: 07776 997045



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Matthew Symons

From: Matthew Symons
Sent: 06 January 2020 16:52
To: Caroline Ford
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look through the 2019 AMR and appendices this afternoon.

Given your Report deadline is fast approaching, I thought it would be worth setting out points I consider to be of relevance to the application proposals as the 'Report of Assistant Director' confirms that "*upon approval, the information contained in the AMR will be used ... in decision making on planning applications*" (para. 2.4).

AMR 2019

Deliverable housing land supply

As you will know, the AMR states that the Council presently only has a 4.6 year supply for 2019-2024. The previous AMR expected a supply of 5.2 years for this period. The supply has fallen significantly from 5.4 years for 2017 – 2022. And that trend continues with the AMR 2019 stating that the supply reduces further to a 4.4 years for 2020 – 2025.

A 4.6 or 4.4 year supply would represent a serious and significant shortfall. The contribution that the site makes towards the provision of housing has subsequently gained further weight.

The 2019 AMR makes reference to the Written Ministerial Statement and this is a material consideration. You will recall that I referred to the potential for reduced weight to be applied to the WMS in my email of 09/10/2019. I appreciate that the Report on the AMR makes reference to two appeal decisions with regard the WMS, but 3200335 was issued in February 2019 and appeal 3188694 was issued in December 2018; this was in advance of the announcement regarding the slippage to the joint statutory spatial plan timetable.

Affordable Housing

The Planning Statement referred to a serious shortfall of affordable housing. The previous AMR confirmed that 1674 affordable homes had been provided between 2011/812 and 2017/18 against a requirement of 2849. The 2019 AMR states that 507 affordable homes were completed during 2018/19. There remains a serious shortfall.

Policy Villages 2

As you have previously told me, we will see how the LPA intends to deal with this policy when the Committee Report is published. It is of note that the AMR confirms that the 750 homes are yet to be delivered with only 271 completions as at March 2019. As we confirmed in our Planning Statement, the site off Berry Hill Road is deliverable and can make a valuable early contribution to the policy requirement without adversely impacting the wider Local Plan strategy.

Employment

In reading the AMR 2019, I noticed the reference to the Banbury Business Park (BBP) and I don't recall us discussing this previously. It is evidently a business park of some size, which is expected to grow as a result of the Local Plan allocation. The BBP is only 3km from the centre of the site. It is therefore easily accessible by cycle and this adds to the locational sustainability of the application site, as referred to in the Planning Statement.

To have two employment areas, BPP and Twyford Mill, within such close proximity of a site within the Rural Area, accessible by means other than the motor vehicle (walking/cycling), is an unusual occurrence which weighs in favour of the proposals.

Infrastructure Delivery Plan Update 2019

During the application process we have discussed the benefit of the on-site POS over-provision due to the existing deficiencies in the area. The IDP Update reconfirms these deficiencies. It refers to the requirement for 6.38ha of amenity open space in the Rural Area with priority in Adderbury, Bloxham and Bodicote, Cropredy and Sifford wards.

It also refers to the requirement for a football pitch off Milton Road and we have discussed the funding gap for this facility, which the application proposals can make a valuable contribution towards.

2019 Brownfield Land Register

During our discussions on the aforementioned funding gap, I highlighted the lack of developable sites in Adderbury which could contribute towards the Milton Road scheme. The BLR confirms that there are no BL sites within Adderbury, meaning the release of greenfield land is necessary in this regard.

The BLR also demonstrates that greenfield land will likely need to be released to respond to the locally widening gap in the ratio of house prices to earnings. This is particularly the case for Adderbury where there are no BL sites shown on the register and the recently developed sites have not had to provide a housing mix that complies with the Local Plan policy meaning there has been a lack of moderately sized homes.

I hope this summary of my thoughts on the 2019 AMR is helpful.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 06 January 2020 14:11
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Ok, thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 06 January 2020 14:10
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Not at the moment. I have drafted the report and it is with Senior Officers for checking. I haven't heard anything yet but will do over the next day or so I would have thought. I will let you know if anything comes up following their review.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 06 January 2020 14:08
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Ok, thanks.

Are there any other loose ends that you'd like to tie up before you finalise your report?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 06 January 2020 10:47
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew, I will put this onto the file and make sure my report refers to this.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 06 January 2020 09:25
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

How's this?

Thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 03 January 2020 15:48
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Hope you had a good break.

Our architect is working on the PP for you and I'll get it to you asap. Is there anything else you need from me before the Report is published?

I have today seen the Agenda Pack Report for the draft AMR and note that the Council now does not have a 5-year supply of deliverable housing land. I will look at the draft AMR next week.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 23 December 2019 11:47
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

I have been reviewing the parameter plan whilst writing my report and looking again at Consultation responses and realised that it doesn't include anything relating to the listed building and the potential views that are described as being achievable. I think it ought to include that because that would be an important parameter that we would wish to achieve if the application were approved and we were discussing reserved matters.

Please could you consider and let me know your thoughts?

I look forward to hearing from you but must stress this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 19 December 2019 15:13
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Yes please

Thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 19 December 2019 15:10
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Yes, this was more along the lines of what I was thinking. Would you like me to accept this version of the plan?

I must stress this advice is, as ever, provided without prejudice to any formal decision the Local Planning Authority may make.

Thanks
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 19 December 2019 14:59
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've attached a revised PP. is this what you were looking for?

Thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Matthew Symons
Sent: 17 December 2019 09:35
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Yeah, that works for me, speak then. I'll be on the mobile.

Thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 17 December 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew, I have planning committee tomorrow afternoon at 4pm so how about first thing on Thursday morning? Say 9:30am?

Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 17 December 2019 09:33
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning,

Waiting until tomorrow is no problem, but I have a meeting at 11. It's in Wigan so will probably take up most of my morning. Would later in the afternoon be ok? Say, after 3?

Thanks

Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 17 December 2019 09:26
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

I have just looked at your email and there are a few things I need to look at before I speak to you – can you bear with me and I will call you tomorrow? Say around 11am?

Thanks
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 16 December 2019 12:47
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

No problem. Yes, those times should be fine.

Thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 16 December 2019 12:08
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Yes, apologies I didn't come back to you last week – I am around to speak tomorrow between 9 and 10 and then 11 and 12 so can give you a call at some point if that works for you?

Hope you feel better soon!

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 16 December 2019 10:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Thanks for this. I will discuss with our ecological consultant asap.

I was off sick Wed – Fri last week, so am playing catch up. I'm doing some work from home today so I don't spread germs around the office. I'm hoping to be back in tomorrow. Perhaps we could have a catch up then, when you're free?

Thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 10 December 2019 17:25
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Apologies for the delay.

The Council's Executive have endorsed papers that were presented to them at their October meeting regarding guidance to be used around biodiversity net gain matters amongst others as well as their endorsement to seek a minimum of 10% biodiversity net gain through the planning process – this is the link to the Executive meeting papers and minutes: <http://svc-sql-modg-01:9070/ieListDocuments.aspx?Cid=115&Mid=3246> Where possible, we are seeking a meaningful net gain of a minimum of a 10% gain.

I will come back to you on your other email tomorrow or Friday (I am on election duty on Thursday).

Kind regards

Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 09 December 2019 11:46
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I picked the attached response up last week and am due to go through it with our ecological consultant today/tomorrow. In the meantime, would you be able to confirm the Council's position on the suggested 10% gain?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI

Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 05 December 2019 14:48
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Yeah, no problem,

Thanks
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 December 2019 14:47
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

I am working on a committee report which is a priority at the moment. I will come back to you next week on this if that is ok.

Many thanks,
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 December 2019 14:45

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Sorry to chase, and I appreciate you'll be catching up on things after your holiday. Have you had a chance to look at the draft Parameters plan?

Also, would you be able to come back to me on the below email this week? I'm keen to get the LPAs views on this point.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons

Sent: 29 November 2019 12:47

To: 'Caroline Ford' <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Following on from our below exchange, we have done some work to look at whether approvals in Adderbury have responded to the SHMA mix.

I have attached a word document which provides you with two tables. They are bit busy, but are relatively straightforward to follow.

As you will see, the approvals in Adderbury have not responded positively to the identified SHMA mix. There has been:

- An under provision of 1-bed units (market and affordable);
- An under provision of 2-bed market units;
- An over-provision of 2-bed affordable units;
- An under-provision of 2-bed units overall (market and affordable);
- A significant under provision of 3-bed market units;
- A significant under provision of 3-bed affordable units;
- A significant under provision of 3-bed units overall;
- A significant over-provision of 4-bed market units;
- An adequate provision of 4-bed affordable units;
- A significant over-provision of 4-bed units overall; and,
- A significant over-provision of 5-bed market units.

As such, the dwellings that have been approved in Adderbury to date have failed to adequately address the Council's need for more moderately sized homes, as referred to in the Planning Statement, which would be more affordable to those on average incomes and would also result in downsizing homes coming up for sale.

For me, this demonstrates that further weight should be afforded to the benefit associated with the mix we are proposing.

We have not looked at the wider Category A villages as yet, but it would seem likely that the approved mix across all villages has not responded to the identified need.

I would welcome the LPAs thoughts on this matter. Perhaps we could have a chat when you are back? I am also happy to come to your offices to have a catch up meeting next month, in advance of your Report deadline, if that would help.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
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From: Matthew Symons
Sent: 08 November 2019 09:37
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I can confirm that we agree to the to the rental units being social rented units.

Yes, we can do a parameters plan, no problem with that. I'll ask our architects do one, it'll probably be next week now but I'll ask for it to be done asap.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 07 November 2019 16:40
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for this. I will come back to you on this separately.

Can I ask – are you prepared to agree to the delivery of the rental units as part of the affordable housing provision to be social rented units?

Also, just thinking about the plans we have available – would you be prepared to prepare a parameter plan to show where the land uses are proposed (i.e. residential development in the south of the site and open space to the north as indicated), to enable control over the type of development proposed? This request is of course made without prejudice to any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 07 November 2019 16:24
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: FW: Oxfordshire County Council’s response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

For a scheme of 40 dwellings comprising of 26 market homes and 14 affordable homes, we’re considering the following mix:

Market

- 6 x 4-bedroomed homes;
- 18 x 3-bedroomed homes; and,
- 2 x 2-bedroomed homes.

This mix is based on the Council’s need for more moderately sized homes, as referred to in the Planning Statement, which would be more affordable to those on average incomes and would also result in downsizing homes coming up for sale.

Affordable

- 4 x 1-bedroomed units;
- 6 x 2-bedroomed units; and,
- 4 x 3-bedroomed units.

This affordables mix is as per the mix requested by Strategic Housing in its response dated 21/10/2019.

Looking at it in percentage terms, as per the SHMA table in the preamble to BSC4, the proposed mix is as follows:

	1-bed	2-bed	3-bed	4-bed
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Market	0%	8%	69%	23%
Affordable	29%	43%	28%	0%
All dwellings	10%	20%	55%	15%

This mix performs well against the SHMA table, which is extracted below:

	1-bed	2-bed	3-bed	4-bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

I would welcome your comments on the proposed mix.

For me, it demonstrates a commitment to providing the mix of housing that is required in Cherwell, with an over provision of moderately sized family homes, and this represents a benefit that weighs heavily in favour of the application proposals.

I'd also be interested to know if the Council has undertaken an assessment of the mix of housing that has been delivered/has consent in the Category A villages and Adderbury? IS there a particular officer in the policy department that I can speak to about this?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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From: Matthew Symons

Sent: 05 November 2019 16:58

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Ok, thanks Caroline, I'll come back to you on this during the week

Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 15:25
To: Matthew Symons <matthew.symons@hsland.co.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

All we really have to go on is policy BSC4 and the SHMA table in the pre-wording to this policy. This suggests a predominant mix of 2/3 bedrooms overall. I am happy for you to propose a mix taking this into account for wider discussion.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 05 November 2019 12:06
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Ok, lucky you!

What sort of mix do you think might be welcomed? Do you want to consult policy and come back to me or do you want us to put a mix to you that you can discuss with policy. Which would work best for you?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 05 November 2019 11:49

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

No, it would normally be a matter that I would deal with, probably in consultation with planning policy in regard to the market housing mix. Affordable housing is dealt with by a housing team which normally would specify a mix to meet that particular need.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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From: Matthew Symons <matthew.symons@hsland.co.uk>

Sent: 05 November 2019 11:06

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Does the Council have an Officer that deals with Housing Mix?

You'll have seen that our Planning Statement confirms that we would agree to a condition relating to housing mix, in compliance with policy BSC4.

We've obviously seen that there is an issue in terms of the locally widening gap in the ratio of housing prices to earnings and that the Council is looking for more moderately sized homes. Our illustrative layout shows we can do this, but I'd like to have a chat with the appropriate Officer about this, to see what sort of mix may be welcomed.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons

Sent: 05 November 2019 10:53

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Would the Recreation and Leisure Team deal with Green Space provision in terms of supply deficits?

You'll have seen that our Planning Statement points to the Council's evidence base highlighting a shortage in Green Infrastructure provision in Adderbury and the Rural North. I'd like to find out more about this and was wondering who I should contact at the Council?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>

Sent: 04 November 2019 16:38

To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

In terms of the footway, I think this will be a matter that I will query with OCC – I understand where the Parish are coming from but if it is required to be adoptable then it may need to be provided to a certain standard and width. The other issue is one of accessibility for pushchairs and individuals with disabilities.

In terms of traffic calming along Berry Hill Road – I don't have any further information but the County Council might – again I will query that.

In terms of a contribution to a community facility, I don't appear to have had a response from my colleagues in the Recreation and Leisure Team so I think I need to chase this. In the previous refused scheme (17/02394/OUT), one of the listed Heads of Terms was for a contribution towards helping the local community hall accommodate an increase in capacity and our Planning Obligations SPD does state that new residential developments of 10 or more dwellings are to contribute towards the provision or expansion of new community facilities so I would say it is likely we would seek a contribution from the development towards community hall facilities. I will speak to our Recreation and Leisure Team to seek their view.

This advice is of course provided without prejudice, but I trust it is helpful nevertheless.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
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Web: www.cherwell.gov.uk

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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 04 November 2019 14:46
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

I've had a look at the Parish Council's consultation response this afternoon.

I note that they welcome the provision of the footway along Berry Hill Road. The PC suggests it should be fairly narrow and in keeping with the area. Are you happy with the footway as proposed?

The PC also refers to a possible traffic calming scheme along Berry Hill Road. Do you have access to any further information on this?

What are your thoughts on the PC request for a contribution to the community facility off Milton Road?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 11:50
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your confirmation, I will update our records on this basis.

I have emailed Adam Littler this morning on the drainage issue to explain the situation so hopefully he will be in touch soon.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 31 October 2019 11:47
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

Yes, I can confirm that we agree to an EoT until 31/12/2019.

To keep you updated on drainage, our consultant has confirmed this morning that he has not heard from OCC as yet.

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 31 October 2019 10:12
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Alex Keen <Alex.Keen@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Matthew,

Thank you for your email and the attachments. I will review and put these all onto the file.

We have been discussing internally and we think it would be sensible to delay the consideration of the application until the December 2019 planning committee to give the Council time to consider the conclusions reached in the Tappers Farm, Bodicote decision particularly given the timing of the receipt of this decision and this will also give the opportunity to resolve the drainage issue potentially before we go to committee.

So, your agreement to a further extension of time would be appreciated – can you confirm by return that you agree an extension of time until the 31 December 2019?

At the moment, we are looking at when the December planning committee will be rearranged to (its scheduled date now being the date of the General Election – 12/12/2019!) so, once that has been formally rearranged, I will confirm when the committee will take place.

I trust this is of assistance. Please accept this advice does not prejudice any formal decision the Local Planning Authority may make.

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 30 October 2019 15:55
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Hi Caroline,

In my email to you on Monday, I said that I would be able to get the illustrative layout amended so that the pedestrian link is obvious. I have attached the updated Illustrative Layout and Wider Context Plan.

You will see that I have taken the opportunity to also update the plans so that they show the preliminary drainage strategy. This in turn has allowed me to get our ecologist to update the Biodiversity Calculator. I know we said that would not be necessary, but you will see that it does confirm a net gain, so I thought it would be helpful.

The attached access plan simply shows more context. The access proposals have not changed but it just helps to make the proposals a little clearer which I thought may help.

As I mentioned in my email to you of 09/10/19, I was waiting for the Bodicote decision before finalising the Planning Statement. As you'll probably know, that was issued this morning, so I have spent today doing the Planning Statement for you. It is attached and I'd be happy to chat any aspects of it through with you.

To keep you updated on drainage, our consultant sent the attached email to the OCC Officer, but as yet, he has not had a response to my knowledge. I'm not sure if there is anything you can do to get them talking? Simon is trying to get it resolved for you this week, so you can hopefully confirm that drainage has been dealt with in your report.

Are you still intending to take the application to the November Committee? If it would help, particularly with drainage matters ongoing and the Bodicote decision only coming out today, we would be happy to agree to a further extension of time so that it could go to the December meeting?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



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0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 29 October 2019 09:34
To: Matthew Symons <matthew.symons@hsland.co.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Thanks Matthew,

The Drainage Officer at OCC is Adam Littler – I am afraid I don't have a phone number for him but his email address is adam.littler@oxfordshire.gov.uk

Kind regards
Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
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From: Matthew Symons <matthew.symons@hsland.co.uk>
Sent: 29 October 2019 09:21
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Cc: Simon Gough <simon.gough@ironsidefarrar.com>
Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

I've cc'd our drainage consultant, Simon Gough, who'd like to liaise directly with the OCC Officer. Please could you let Simon have the Officer's details so that he can get in touch with him/her asap?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Matthew Symons
Sent: 28 October 2019 10:25
To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Subject: RE: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Morning Caroline,

Hopefully you got my out of office from Friday.

I've been through the OCC comments this morning and have sent them on to our drainage consultant. I've asked him to consider the comments and to let me know if he'd be happy to liaise with the LLFA officer directly. I imagine he will be.

On the highways comments, I'm obviously pleased that there are no objections and that they state that the new footway along Berry Hill Road "*will clearly be of benefit to residents of the existing properties along Berry Hill Road in reaching the village centre safely and directly*" and that they welcome the new ped refuge on the A4260.

There is no mention of the proposed bus stops on the A4260 and I wondered if you could ask them to comment on these? I assume they will be seen as a benefit too given the 106 request for money to pump prime services along the A4260.

I note the comments about the pedestrian connectivity from the western part of the site. We had shown a pedestrian link on the illustrative plan but I acknowledge that can be made clearer. I will get that done for you.

On the PROW, OCC confirm that this is also welcomed "*especially if the trigger can be advanced*". Do you know what they're thinking of and why an advanced trigger would be more beneficial?

Thanks,
Matthew

Matthew Symons BA MPlan MRTPI
Planning Manager



On behalf of Hollins Strategic Land | Suite 4 | 1 King Street | Manchester | M2 6AW
0161 300 6509 | 07827 669141 | matthew.symons@hsland.co.uk | www.hsland.co.uk

From: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>
Sent: 25 October 2019 16:51
To: Matthew Symons <matthew.symons@hsland.co.uk>

Subject: FW: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Importance: High

Hi Matthew,

I have received the attached response from Oxfordshire County Council. The main reason for forwarding is due to the continuing drainage objection. They have asked that the attached proforma be completed and returned – could that be actioned please? If it is easier for your Drainage consultant to speak to the Officer directly, then I'm happy to see if I can facilitate that.

Kind regards

Caroline

Caroline Ford BA. (Hons) MA MRTPI
Principal Planning Officer – Major Projects Planning Team
Development Management Division
Place and Growth Directorate
Cherwell District Council
Tel: 01295 221823
Email: caroline.ford@cherwell-dc.gov.uk
Web: www.cherwell.gov.uk

Find us on Facebook www.facebook.com/cherwelldistrictcouncil

Follow us on Twitter @Cherwellcouncil

From: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>

Sent: 24 October 2019 15:38

To: Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>; Planning <Planning@Cherwell-DC.gov.uk>

Cc: Planning Consultations - E&E <PlanningConsultations@Oxfordshire.gov.uk>; Cllr Arash Ali Fatemian <ArashAli.Fatemian@Oxfordshire.gov.uk>; David Flavin <david.flavin@oxfordshire.gov.uk>

Subject: Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

Importance: High

Dear Caroline

Please find attached Oxfordshire County Council's response to 19/00963/OUT-2 Last House Adjoining And North Of Berry Hill Road, Adderbury

If you have any further queries please send an email to planningconsultations@oxfordshire.gov.uk and a member of Major Planning Applications Team will get back to you as soon as possible.

Thank you.

Regards

Dan

Daniel Tritton
Major Planning Applications Officer
Planning Process Team



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Appendix 7

Illustrative Views

Chimneys have been detailed to reflect the local character utilising brick masonry construction, rectangular form and located on the Ridgeline.

Outward views and filtered and framed.

Dormer windows are a common feature found in the surrounding context which has been utilised within the proposals. Dormers are detailed at or below half-way up the roof slope with the ridge of the dormer below the main ridge of the house.

The layout of the masterplan ensures the built form frames views towards the Church of St Mary the Virgin. Views into Adderbury towards the Church are reinforced where possible as per figure 4.10 of the design guide.

Many of the proposed secondary routes have no formal footways, with buildings directly abutting the highway and verges in place of footways. The lack of formal footways adds to the rural quality of many of these lanes.



Sydenham Close, Adderbury



Sydenham Close, Adderbury



Drawing Title: Secondary Street View
 Drawing Number: UG1697A - URB - UD - XX - XX - SK - (90) - 004
 Project: Berry Hill Road, Adderbury

Revision: A
 Scale: NTS
 Date: 08.01.2020

Landmark properties that punctuate key vistas have bespoke treatment through architectural detailing and ornamentation, slightly larger scale and distinctive architectural style or form.

Traditional building forms that are prominent in Adderbury have been used to inform the proposals. These forms have been grouped together to form a continuous street frontage accommodating a range of different building sizes to create an interesting street scape.



Sydenham Close, Adderbury



Adderbury Fields, Milton Road, Adderbury



The layout of the masterplan ensures the built form frames views towards the Church of St Mary the Virgin. Views into Adderbury towards the Church are reinforced where possible as per design guide.

Porch detailing is constant with what can be found in Adderbury, utilising flat and simple gabled porches in proportion with the building façade.

Boundary treatments provide key structural features which incorporate walls of varying heights to frame views and create a strong sense of enclosure. A mix of high and low stone walls are used around key focal properties and to define front gardens space along the main street.



Drawing Title: Entrance View
 Drawing Number: UG1697A - URB - UD - XX - XX - SK - (90) - 002
 Project: Berry Hill Road, Adderbury

Revision: A
 Scale: NTS
 Date: 08.01.2020

Appendix 8

Historic England's Consultation Response



Ms Caroline Ford
Cherwell District Council
Planning, Housing & Economy
Bodicote House, Bodicote
Banbury
Oxfordshire
OX15 4AA

Direct Dial: 0207 973 3700

Our ref: P01080315

6 November 2019

Dear Ms Ford

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**OS PARCEL 9100 ADJOINING AND EAST OF LAST HOUSE ADJOINING AND
NORTH OF BERRY, HILL ROAD, ADDERBURY
Application No. 19/00963/OUT**

Thank you for your letter of 11 June 2019 regarding the above application for planning permission. On the basis of the information available to date, we offer the following advice to assist your authority in determining the application.

Historic England Advice

As set out in our original comments, we consider that views of St Mary's church from surrounding public vantage points, including roads and footpaths, are an important part of the significance of the church. The church spire was designed to be seen from some distance in the landscape as well as at closer quarters. This visibility reflects the social importance of religion in the middle ages and the manner in which communities used the highly prominent architectural church spire to mark their presence in the landscape.

This proposal reduces the number of dwellings that outline permission is being sought for to 40.

As with earlier versions of this scheme, indicative layout and supporting information acknowledges and establishes the importance of views of the church from Berry Hill Road, which is welcomed and we also acknowledge that allowing public access to proposed green space in the north of the site would enable new, clear views of the church, which would allow for a better appreciation of this building within the landscape. However, the reduction in dwelling numbers and amended layout do not fully address our concerns regarding this application. The amended masterplan



4TH FLOOR, CANNON BRIDGE HOUSE, 25 DOWGATE HILL, LONDON EC4R 2YA

Telephone 020 7973 3700
HistoricEngland.org.uk





suggests 1 channelled view of the church from the access point to the western end of the proposed estate (pedestrian) and along the estate road but the separation gap between dwellings appears too close to ensure that these views are clear. Furthermore, the views are over landscaped areas or front gardens, which would potentially be planted with trees or filled with paraphernalia, and provides little certainty of views being maintained over the long term. Along the eastern side of the development, however, the indicative plan shows fewer houses and greater scope for maintained views towards St Mary's church, which is welcomed.

This proposal's indicative layout show adjustments which could result in improved views of the church from Berry Hill Road and that views from within the site could be enhanced through increased public accessibility. However, we recommend that in order to minimise the harm to the significance of the church the layout of the scheme could be further improved, to provide a sufficiently broad and permanent view from Berry Hill Road towards St Mary's at the western end of the development.

Any harm to a listed building must have clear and convincing justification as set out at paragraph 194 of the National Planning Policy Framework and paragraph 196 requires this harm to be weighed against the public benefits of the application. With further refinements needed to the layout of the scheme we remain of the opinion that the harm to St Mary's church and the historic landscape is not justified because this outline scheme does not provide definitive information on the key matter of building layout and landscaping. This may be a matter that the Council is content can be handled through reserved matters.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 194 and 196 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

Yours sincerely



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Historic England



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Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any information held by the organisation can be requested for release under this legislation.

Appendix 9
Committee Report

Case Officer: Caroline Ford

Applicant: Hollins Strategic Land LLP

Proposal: Resubmission of application 17/02394/OUT – Outline application for permission for up to 40 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road (all matters reserved other than access)

Ward: Adderbury, Bloxham and Bodicote

Councillors: Councillor Bishop, Councillor Heath and Councillor McHugh

Reason for Referral: Major development

Expiry Date: 31 January 2020

Committee Date: 16 January 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: REFUSE PERMISSION

Proposal

The application seeks permission for a residential development of up to 40 dwellings. The application is made in outline with all matters reserved for later approval apart from access, permission for which is sought at this stage.

Consultations

The following consultees have raised **objections** to the application:

- Adderbury Parish Council, CDC Planning Policy, CDC Landscape

The following consultees have raised **no objections** to the application:

- OCC Highways, OCC Drainage, OCC Education, OCC Archaeology, Thames Water

The following consultees have raised comments/ concerns:

- CDC Ecology, CDC Arboriculture, CDC Waste and Recycling, CDC Building Control, CDC Housing, CDC Recreation and Leisure, CDC Environmental Protection, Historic England, Thames Valley Police

A total of 58 letters of objection have been received.

Planning Policy and Constraints

The site sits outside the Adderbury Settlement boundary as defined by Policy AD1 of the Adderbury Neighbourhood Plan and it has a number of recorded site constraints including that the land has some potential for naturally occurring contamination, ecology and archaeology and public rights of way run within and surrounding the site. In addition, there are heritage constraints including the Adderbury Conservation area to the north and views towards the Grade I listed Church of St Mary.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan (which includes the Adderbury Neighbourhood Plan 2014-2031) and

other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issues arising from the application details are:

- Planning History
- Principle of development
- Landscape and Visual Impact
- Design and layout
- Heritage impact
- Housing mix/ affordable housing
- Residential amenity
- Transport and sustainability of the site
- Flood risk and drainage
- Trees, landscaping and open space – cover benefit of open space provision
- Ecology impact
- Environmental matters
- Sustainability and energy efficiency
- Planning Obligations

The report looks into the key planning issues in detail, and Officers conclude that the proposal is unacceptable for the following reasons:

1. Unnecessary and unacceptable housing development beyond the built-up limits of the village where there is no need for further housing and which is therefore undesirable, unsustainable development. The site is also considered to be distant from local services and facilities such that future occupiers would be highly reliant on the private car for day to day needs.
2. The impact of the development due to its poorly integrated relationship with existing built development beyond the Adderbury Settlement Boundary as defined by the Adderbury Neighbourhood Plan 2014-2031 and its impact on the local landscape character which would cause harm to the rural setting of the village and the character and appearance of the area. The proposal would also cause less than substantial harm to the setting of the Church of St Mary and the harm would not be outweighed by public benefits.
3. The absence of the completion of a satisfactory S106 agreement to secure necessary infrastructure to mitigate the impacts of the development.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is to the south of the village of Adderbury to the north side of Berry Hill Road, close to the A4095 but separated from it by a field and a public right of way. The land extends to 4ha in area and is currently agricultural land surrounded by field hedgerows and trees. To the eastern side of the site is a stable and haybarn and part of the land is currently used for associated equestrian purposes. To the south and east of the site are agricultural fields, to the west is residential development in the form of a ribbon of detached houses set back from Berry Hill Road and to the north is further agricultural land with a sewerage treatment works close to the northern boundary of the site.

2. CONSTRAINTS

- 2.1. In terms of recorded site constraints, the site has some potential for naturally occurring contamination, there are ecological records nearby and a public right of way runs along the northern edge of the site (and to the eastern side but outside of the site). In terms of heritage assets, the Adderbury Conservation Area boundary is approximately 180m to the north of the site, there are views available from Berry Hill Road towards the Grade I listed Church of St Mary and the site has some potential for archaeological interest. Otherwise, there are naturally occurring constraints including the topography of the land, which slopes to the north and the field boundaries of hedgerows/ trees.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks outline planning permission for a residential development of up to 40 dwellings (the scheme has been amended whilst the application has been with the Council, which will be explained in the appraisal section of the report). All matters are reserved for later approval apart from access, which requires consideration now. The application is accompanied by a range of information, including technical assessments and an indicative layout to demonstrate that the development applied for can be accommodated.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
02/01009/F	Erection of stable and hay barn and a manège and track to existing access	Application permitted
05/01468/F	1 no. bungalow with associated access and re-site existing stables	Application refused
06/00712/OUT	OUTLINE application for 5 No. detached dwellings, two terraces of 6 No. dwellings for affordable housing. New access, screened parking and amenity area	Application Refused Appeal Dismissed
17/02394/OUT	Outline planning permission for up to 55 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road	Application Refused Appeal Withdrawn

- 4.2. Application 06/00712/OUT was the subject of a planning appeal which was subsequently dismissed. The reasons for the appeal being dismissed were predominantly due to the Inspector finding that the development would have a significant adverse impact on the character and appearance of the area and would conflict with policies which aim to control residential development within the countryside and that the proposed houses would be provided in an unsustainable location. More detailed reasoning from this appeal decision is referred to where relevant in the following appraisal.
- 4.3. An appeal was lodged against the refused application 17/02394/OUT which was due to be heard at a Public Inquiry. The Council had begun some early work to prepare

its case but the applicant withdrew the planning appeal and submitted this application. When it was originally submitted, it proposed the same development and was supported by the same information as the refused application 17/02394/OUT, but following discussion, the applicant indicated that they wished to amend the application to attempt to overcome the reasons for refusal of 17/02394/OUT. The appraisal for this scheme will assess whether the reasons for refusal have been overcome.

5. PRE-APPLICATION DISCUSSIONS

5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **07/11/2019**, although comments received after this date and before finalising this report have also been taken into account.

6.2. A total of 58 letters have been received in objection to the proposal (this includes comments from households to both the original and amended proposal so multiple responses from the same household). A letter from West Adderbury Residents' Association has also been submitted. The comments raised by third parties are summarised as follows:

- Impact on character and appearance of area: The site is beyond the built-up limits of the settlement of Adderbury outside the residential settlement boundary as per the adopted Adderbury Neighbourhood Plan and would damage the landscape. The land is elevated overlooking the centre of the village. The proposal does not comply with Policy ESD13 of the Cherwell Local Plan.
- The village is struggling to maintain a sense of community taking into account other new developments. The village feels fragmented in terms of east and west. Green spaces within and between settlements are essential to retain the character of villages. Further urbanisation will destroy the villages rural atmosphere enjoyed by villages and visitors and would change the nature of West Adderbury. The development would be out of keeping with the character of Berry Hill Road and would affect the amenity of the adjoining properties.
- Previous developments have affected the character of the village and this is the last remaining uninterrupted view of the church and basin of the village.
- Principle of development: The site was rejected in the 2014 Strategic Housing Land Availability assessment and the 2017 Housing and Economic Land Availability Assessment. Cherwell District Council has a five-year housing land supply and so there is no justification for committing development on unallocated land.
- Historically planning permission has been refused on the site and dismissed at appeal.
- Sustainability: It is in an unsustainable location. It is divorced from the centre of the village and the facilities the village has to offer and residents will be

reliant on the car. The school is not in walking distance and is at capacity. Other facilities in the village are far from the site. The site has limited access to the village centre as the footpaths referred to are not well used and overgrown and are unsuitable for cycling or pushchairs.

- The village facilities have reduced with the closure of the village shop.
- Local bus services have reduced.
- Traffic & transport: There will be a significant increase in traffic including an increase in traffic movements exiting Berry Hill Road onto the A4260. There have been a number of accidents at this junction. Increased traffic would result in increased disturbance and pollution.
- Concerns over the conclusions of the transport statement compared to traffic surveys completed on behalf of the Parish Council.
- A new pathway is shown in a highly dangerous position taking into account traffic entering the village from both directions. The proposed crossing point in Horn Hill Road is close to the junction of three-way traffic and a blind corner.
- The footway at 2m wide would visually dominate and urbanise the well maintained lawns. The position of the crossing at the Horn Hill Road end of the village is in a dangerous place with limited visibility and this is in the conservation area and adjacent to listed buildings and would impact negatively.
- Heritage: Views are available towards the historic St Mary's Church and Conservation area and this should be preserved.
- Archaeology: The site has some archaeological potential and so field evaluations should be undertaken.

Other matters raised:

- Flats must be the answer to housing.
- Concerned about the noise and disturbance the building work would cause.
- The school has struggled with space and has inadequate parking.
- There is an increased risk of flooding.
- Development will be detrimental to local wildlife.
- How does this proposal respond to climate change matters?
- The land is identified as Grade 2 agricultural land and a gasometer was removed so some pollution may be expected.
- Concern regarding the potential for the increase in crime.

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. ADDERBURY PARISH COUNCIL: **objects** on the following grounds:

- There is no requirement for further development in the rural areas such as Adderbury and CDC has a 5.6 year housing land supply.
- The site is outside the village built up area and is contrary to CDC policies and Policy AD1 of the Adderbury Neighbourhood Plan.
- The proposal is an overdevelopment of the site.
- Development would detract from important views of the Church and the original and historic centre of the village.
- It would be detrimental to the amenity value of a number of footpaths and bridleways which cross this part of the parish.
- The proposed design does not reflect the character of the linear layout of existing dwelling along Berry Hill Road (subject of Adderbury Neighbourhood Plan policy AD16).
- The application could set a precedent.
- If CDC is minded to approve the proposal, there should be provision for community benefit and a list of requests is made. However, the following specific points are made:
 - The new footpaths along Horn Hill Road are welcomed but residents should be consulted and it should be narrow and in keeping with the area.
 - The Parish Council has plans for traffic calming on Berry Hill Road and S106 funding for this would be welcomed.
 - S106 contributions towards the Parish Council project on the Milton Road is sought.

CONSULTEES

7.3. CDC PLANNING POLICY (two responses received, summarised as follows):
Objection:

- Adderbury is a category A village, one of the more sustainable villages in the District.
- Policy Villages 2 provides for a total of 750 homes to be delivered at the Category A village on new sites of 10 or more dwellings.
- The proposal would assist in meeting Policy Villages 2 housing requirements and could contribute to the provision of affordable housing.

- The Policy Team's initial comments were made in the context of the 2018 Annual Monitoring Report. The conclusions of the Policy Team's most recent monitoring work are now reported in the 2019 Annual Monitoring Report, approved by Members at their Executive meeting on the 06 January 2020, the main relevant conclusions of which are reported in the Officer's appraisal of this application.
- The Secretary of State for Ministry of Housing, Communities and Local Government issues a written statement on 12 September 2018 containing a temporary change to housing land supply policies as they apply in Oxfordshire. The Oxfordshire Authorities will only need to demonstrate a 3 year housing land supply and not 5 years so that the authorities can focus their efforts on the Joint Statutory Spatial Plan.
- The site was considered in the Housing and Economic Land Availability Assessment and was concluded as being unsuitable.
- Adderbury is a historic village and development is required by Policy ESD15 to complement and enhance the character of its context. The advice of the design and conservation team should be sought.
- The site falls within the Adderbury Neighbourhood Plan area. The Plan is now part of the statutory Development Plan and has been formally made by the Council in July 2018.
- The site lies outside of the settlement boundary. Policy AD1 does not support development outside the settlement boundary unless the proposals can demonstrate they can enhance or at least not harm local landscape character.
- Adderbury is a sustainable village and policy villages 2 does make provision for some development to take place in such settlements. However, the HELAA suggests that this is an unsuitable site for development. There is no pressing need for additional land to be released and the merits of providing additional housing needs to be considered alongside issues such as the loss of open countryside, the impact on the existing settlement pattern and the impact on heritage assets and landscape.

7.4. CDC LANDSCAPE (response to original scheme):

- Disappointed that the Design and Access Statement does not include principles that inform the detailed landscape design. The play area should be located within the development so that it is overlooked.
- Comments provided to the various viewpoints submitted, some of which are considered to under-estimate the effects.
- Whilst the development has limited visibility in the wider landscape, there are many other reasons why it is undesirable:
 - The site is surrounded by open countryside apart from one dwelling adjacent at one corner. Last House and the dwelling opposite mark the end of the built up area of Adderbury. As you turn off Oxford Road, it is not clear where the village of Adderbury starts. The site is an important green open space on the edge of the settlement that makes a significant contribution to the character and appearance of Adderbury.

- The proposed development is out on a limb visually and intrudes into open countryside.
 - The existing settlement pattern along Berry Hill Road is one of low density large detached houses with long drives and large gardens. This development does not follow that pattern and is out of character with it. The urban form will not integrate into the existing settlement pattern.
 - The site allows an attractive view of the church which would mostly be lost; it would only be available as a fleeting glimpse from Berry Hill Road.
 - The hedge along Berry Hill Road is a weak screen being thin at the base, gappy and leggy. It is like a line of weak trees which would require works that would make it less effective as a screen. Reinforcing this would be difficult as planting in the shade of other trees is not effective. Sections will be removed for visibility splays and provision of a footpath link. The remainder is likely to be reduced in height, weakening the screen.
 - The development would result in Adderbury village starting as soon as you turn off Oxford Road which would negatively affect the setting of the village.
- LAP and LEAP play areas required to be provided on site with detail provided as to their specification and the revenue cost of ongoing management and maintenance. Also required are commuted sum costs towards ongoing management of the public open space area and balancing ponds.

7.5. CDC LANDSCAPE (response to amended scheme):

- There is little evidence of the difference that the reduction in number of dwellings would make.
- The LVIA states that 'surrounding vegetation... provides substantial separation of the site from its context and in particular the village of Adderbury'. It is considered this is not desirable and does not support the application.
- There is not a substantial tree belt along Berry Hill Road. The evidence shows it is a gappy hedge.
- Not convinced that the slight possibility of the church spire being possibly more visible in the latest proposal is sufficient to reduce the effect of the development.

7.6. CDC ECOLOGY (response to amended scheme):

- The surveys carried out are fine, however should permission be granted, additional surveys would be required in certain conditions. These are mostly outlined in the Ecological Appraisal and can be conditioned with a note to ensure adherence to the recommendations in the Addendum Ecological note 2019. A mitigation strategy for swallows should also be put in place.

- The biodiversity impact assessment shows that approximately 4% net gain could be achieved on site with the current proposed layout, although there is a query regarding whether a moderate condition could be feasible where it is adjacent to the amenity grassland and publicly accessible. CDC has recently agreed to seek to achieve a minimum of 10% in biodiversity net gain. It is considered that more needs to be achieved in the final scheme for the level of net gain to be acceptable and there may be a need for offsetting.
 - Biodiversity enhancements should be included within a Biodiversity Enhancement Scheme or as part of a LEMP. At least 40 bat bricks or bird boxes and swift/ sparrow bricks should be included throughout the development (with regard to most appropriate locations/ clustering). In addition, other enhancements are suggested which would contribute to a net gain. A lighting strategy would be required.
- 7.7. CDC ARBORICULTURE: (response to original scheme): There are a number of trees around the edge of the site and a significant tree on adjacent land to the western boundary. The trees to the north and west are of high value, those to the south and east are of moderate value and those to the south and east form a screen to the proposed development. The trees should be retained and an Arboricultural Method Statement is required to show how the trees will be protected for the duration of the construction activity on site.
- 7.8. CDC ARBORICULTURE (response to amended scheme): The high category trees have been considered and are a suitable distance from the proposed development. The position of properties and associated hard standing should be considered in relation to the root protection areas and future conflict with buildings and gardens.
- 7.9. CDC RECREATION AND LEISURE: Contributions towards offsite outdoor sports and towards community halls are sought towards the Parish Council led project off Milton Road. A contribution is also sought towards offsite indoor sports towards the expansion of/ improvements to Spiceball Leisure Centre in Banbury.
- 7.10. CDC ENVIRONMENTAL PROTECTION (response to original scheme):
- Noise: A Construction Environment Management Plan would be required.
 - Contaminated Land: The phase 1 report submitted states that a further intrusive investigation is required. Conditions should be used to secure this.
 - Air Quality: A detailed air quality impact assessment should be submitted. In addition a condition to require ducting to allow for the future installation of electrical vehicle charging infrastructure should be included.
 - Odour and Light: No comments
- 7.11. CDC ENVIRONMENTAL PROTECTION (response to amended scheme):
- Same response as recorded above.
- 7.12. CDC STRATEGIC HOUSING (response to original scheme): There is a requirement for 35% affordable housing units, 70% for social/ affordable rent and the remainder for shared ownership. Guidance is provided regarding the design, clustering, building and space standards, car parking levels and the need for agreement to be reached regarding the Registered Provider who would take on the units.

- 7.13. CDC STRATEGIC HOUSING (response to amended scheme): As required by Policy BSC3, 35% affordable housing should be provided. These should be split between 70% social rent units and 30% shared ownership units. This would best meet local needs which includes a need for smaller units as well as for rented units to be delivered at social rent level. Guidance is also provided regarding the design, clustering, building and space standards, car parking levels and the need for agreement to be reached regarding the Registered Provider who would take on the units.
- 7.14. CDC BUILDING CONTROL (response to original scheme): A Building Regulations application will be required. A site investigation report should be submitted to determine foundation design and presence of ground contamination, drainage design etc. Consultation with the Fire and Rescue service is advised for access and facilities for fire fighting vehicles.
- 7.15. CDC BUILDING CONTROL (response to amended scheme): No comments.
- 7.16. CDC WASTE AND RECYCLING: The developer will need to refer to the CDC Planning and Waste Management Design Advice regarding the minimum size needed per dwelling for storage of waste and recycling.
- 7.17. OCC HIGHWAYS (response to original scheme): Objection on the basis that the previously agreed access arrangement has not been submitted with the application. S106 contributions were listed and conditions recommended. Concerns were also raised with regard to the consistency of the information contained within the TS regarding general access arrangements. Otherwise, the key points as reported in response to the amended scheme were provided.
- 7.18. OCC HIGHWAYS (response to amended scheme): No objection subject to conditions and S106 obligations. The key points can be summarised as:
- The primary means of vehicular access is acceptable but the suggested reduction in speed limit to 30mph to cover the entirety of Berry Hill Road to the junction with the A4260 Oxford Road is necessary (subject to a TRO).
 - The proposed footway along the northern side of Berry Hill Road will be of benefit to residents of the existing properties along Berry Hill Road and the new crossing point with a pedestrian refuge to cross the A4260 is welcomed.
 - A pedestrian link should be provided between the western side of the site to Berry Hill Road to improve accessibility.
 - The two new bus stops proposed along the A4260 Oxford Road will improve the accessibility of the site by non-car modes and this is welcomed.
 - The analysis of accidents is considered still in date despite the fact that there have been known more recent fatal accidents on the local network from the time the survey was undertaken. This recent accident has been given due consideration.
 - Improvements to the public right of way is sought via a S106 contribution. Also welcomed is the integration of the site with the surrounding/ connecting green infrastructure network.
 - A travel plan may be required

- S106 contributions sought and justification for each is provided (this is expanded upon in the Officer appraisal. A set of planning conditions are also recommended.
- 7.19. OCC DRAINAGE (response to original scheme): Objection on the basis that insufficient evidence was provided to enable full technical drainage/ flooding/ SUDs assessment.
- 7.20. OCC DRAINAGE (response to amended scheme): Objection as previous comments relating to the proposal have not been adequately addressed and there still exists a lack of drainage, flood risk, SUDs information to enable a full technical assessment and audit of the proposal.
- 7.21. OCC DRAINAGE (response to additional information provided): No objection subject to conditions. Full detailed design is required but this can be sought through the imposition of planning conditions.
- 7.22. OCC EDUCATION (response to original scheme): No objection subject to S106 contributions towards nursery and primary and secondary school education. Justification for the requested contributions is provided.
- 7.23. OCC EDUCATION (response to amended scheme): The application would need to contribute towards the need for additional nursery, primary and secondary school places. The amendment in the scale of the application reduces the number of dwellings, and hence pupil generation and would result in changes to the level of contributions required. Revised contributions are set out.
- 7.24. OCC ARCHAEOLOGY (response to original scheme): No objection subject to conditions due to the site being in an area of archaeological interest.
- 7.25. HISTORIC ENGLAND (response to original scheme): Original advice to 17/02394/OUT still stands.
- 7.26. HISTORIC ENGLAND (response to amended scheme): Concerns regarding the application on heritage grounds:
- As set out in original comments, views of St. Mary's Church from surrounding public vantage points including roads and footpaths are an important part of the significance of the church. The church spire was designed to be seen from some distance in the landscape as well as at closer quarters. This visibility reflects the social importance of religion in the middle ages and the manner in which communities used the highly prominent architectural church spire to mark their presence in the landscape.
 - The indicative layout and supporting information for the reduced scheme for up to 40 dwellings acknowledges and establishes the importance of views of the church from Berry Hill Road which is welcome and it is acknowledged that allowing public access to the proposed green space to the north of the site would enable new, clear views of the church which would enable better appreciation of the building within the landscape.
 - The reduction in dwelling number and the amended layout do not fully address concerns regarding the application. The amended masterplan suggests one channelled view of the church from the access point to the western end of the proposed estate and along the road but the separation gap between dwellings appears too close to ensure that the views are clear. In addition, views are over landscaped areas or front gardens which could be

planted or filled with paraphernalia and provides little certainty of views being maintained over the long term. The Eastern side of the site displays fewer houses and greater scope for maintained views towards the church which is welcomed.

- The indicative layout shows adjustments which could result in improved views of the church from Berry Hill Road and that views from within the site could be enhanced. However, to minimise the harm to the significance of the church, the layout could be further improved to provide a sufficiently broad and permanent view from Berry Hill Road towards the church at the western end of the development.
- As further refinements are required to the layout of the scheme, Historic England remain of the opinion that the harm to St Mary's Church and the historic landscape is not justified because the outline scheme does not provide definitive information on the key matter of building layout and landscaping. The Council may be content that this can be handled through reserved matters.

7.27. THAMES VALLEY POLICE (response to original scheme): consider that there are some significant aspects of the design and layout to be problematic in crime prevention design terms and the design and access statement does not address crime and disorder. The concerns related to the excessive permeability of the layout, the number of parking courts and in relation to the design of public open spaces and play areas including the use of planting that reduce the surveillance of the play area. Further guidance regarding what a future scheme would need to consider is also provided.

7.28. THAMES VALLEY POLICE (response to amended scheme): Pleased to see the original layout has been revised and that the parking courts have been removed which is a significant improvement. Some of the perimeter blocks shown in the new layout are rather small, which creates unnecessary permeability and means for boundary treatments to private rear gardens are expose to the public realm which makes them more vulnerable to burglary attempts. Previous advice provided regarding the number of paths leading to the public right of way have not been addressed.

7.29. THAMES WATER:

- No objection with regard to foul water sewerage network infrastructure capacity.
- No objection with regard to surface water as the application indicates that surface water will not be discharged to the public network. If this changes, then further consideration will be required.
- TW have identified an inability of the existing water network infrastructure to accommodate the needs of this development. A condition should be imposed relating to this matter.

8. RELEVANT PLANNING POLICY AND GUIDANCE

8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient Use of Land
- BSC3 – Affordable Housing
- BSC4 – Housing Mix
- BSC8 – Securing Health and Wellbeing
- BSC9 – Public Services and Utilities
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD5 – Renewable Energy
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 - The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Policy Villages 1 – Village Categorisation
- Policy Villages 2 – Distributing Growth across the Rural Areas
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18 – New Dwellings in the Countryside
- C8 – Sporadic development in the open countryside
- C27 – Development in Villages to respect historic settlement pattern
- C28 – Layout, design and external appearance of new development
- C30 – Design control
- C33 – Protection of important gaps of undeveloped land

- 8.3. Under Section 38 of the Planning and Compulsory Purchase Act 2004, a Neighbourhood Plan that has been approved at referendum also forms part of the statutory development plan for the area. In this case, the application site falls within the Adderbury Neighbourhood Plan area and the following Policies of the Neighbourhood Plan are considered relevant:

- AD1 – Adderbury Settlement Boundary
- AD2 – Green Infrastructure
- AD16 – Managing Design in Berry Hill Road and St. Mary’s Road

- 8.4. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- Cherwell Residential Design Guide SPD (July 2018)
- Housing and Economic Land Availability Assessment (February 2018)
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Planning History
- Principle of development
- Landscape and Visual Impact
- Design and layout
- Heritage impact
- Housing mix/ affordable housing
- Residential amenity
- Transport and sustainability of the site
- Flood risk and drainage
- Trees, landscaping and open space
- Ecology impact
- Environmental matters
- Sustainability and energy efficiency
- Planning Obligations

Planning History

9.2. Section 4 above considers the planning history of the site which, in brief demonstrates that the Local Planning Authority (“LPA”) has been consistent in its approach to the consideration of development on the site. The 2006 application was also dismissed at appeal and the conclusions of the Inspector will be referred to where relevant in this appraisal.

9.3. The 2017 application (17/02394/OUT) was refused for 5 reasons as follows:

- 1 The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury as well as Cherwell District Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable development which would undermine the housing strategy and prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan Part 1. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
- 2 The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Draft Adderbury Neighbourhood Plan Referendum version - 2014 - 2031) causing significant urbanisation and its visual impact on the rural character and appearance of the locality, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the Church of St Mary and the harm stemming from the proposals are not considered to be outweighed by any public benefits. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Draft Adderbury Neighbourhood Plan Referendum version - 2014 - 2031 and Government guidance contained within the National Planning Policy Framework.
- 3 The Design and Access Statement and indicative layout submitted as part of the application fails to provide sufficient acceptable detail in respect of the design principles set as a basis for the future detailed consideration of the development proposed. The Local Planning Authority is therefore unable to determine whether the development proposed could be satisfactorily accommodated on the site in a manner that would respect its context, enhance the built environment and properly respond to local distinctiveness. The proposal therefore fails to accord with the requirements of Policy ESD15 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C27, C28 and C30 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.
- 4 The submitted Drainage Strategy does not provide sufficient certainty to demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems can be appropriately accommodated to deal with the sustainable discharge of surface water. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.

5 In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan (2011-2031) Part 1 and the advice within the National Planning Policy Framework.

9.4. The applicant withdrew their appeal related to the application refused by the Council in 2018 and submitted this application at the same time which originally sought permission for the same development refused (i.e. for 55 dwellings). However, the applicant wished to attempt to narrow down/ overcome the reasons for refusal and in light of this, amended their application down to be a scheme for 40 dwellings. It is this that is now for consideration and it is the amended scheme that will be considered through this appraisal.

Principle of Development

9.5. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

9.6. The Development Plan for Cherwell includes the Cherwell Local Plan 2011-2031 (adopted in July 2015), the saved policies of the Cherwell Local Plan 1996 and a number of adopted Neighbourhood Plans. Relevant to the consideration of this application is the Adderbury Neighbourhood Plan 2014-2031 (“ANP”), which was ‘made’ on the 16 July 2018 following a referendum held on the 21 June 2018. It therefore forms part of the Development Plan and is material in the consideration of planning applications in the Parish of Adderbury.

9.7. The site is not allocated for development in any adopted or emerging policy document forming part of the Development Plan and is not previously developed other than the current stables. The site sits outside the built-up limits of the village beyond the defined Adderbury Settlement Boundary as set out in the Adderbury Neighbourhood Plan 2014 – 2031.

Policy Context

The Development Plan

9.8. The Cherwell Local Plan 2011-2031 seeks to allocate sufficient land to meet District Wide Housing needs. The overall housing strategy is to focus housing growth at the towns of Banbury and Bicester and one strategic site (Heyford) outside of these towns. Policy ESD1 identifies that in mitigating the impact of development within the district on climate change, growth will be distributed to the most sustainable locations as defined in the Plan and to deliver development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars.

9.9. The application site is outside the built up limits of Adderbury, and saved Policy H18 of the Cherwell Local Plan 1996 restricts development outside the built-up limits of settlements except in a number of circumstances; none of which are applicable to this current application. The proposals therefore conflict with Policy H18.

- 9.10. However, in recognising that there is a need within the rural areas to meet local and Cherwell wide housing needs, the Cherwell Local Plan 2011-2031 at Policy BSC1 allocates 2,350 homes for the 'Rest of the District'. Of these, 1,600 homes are allocated by Policy Villages 5 at Former RAF Upper Heyford leaving 750 homes identified for development elsewhere. Policy Villages 2 provides for these 750 homes to be delivered at Category A villages.
- 9.11. Category A villages are identified under Policy Villages 1 of the Cherwell Local Plan Part 1. Policy Villages 1 provides a categorisation of the District's villages to ensure that unplanned, small scale development within villages is directed towards those villages that are best able to accommodate limited growth. Category A villages are those identified as being the most sustainable in the hierarchy of villages in the District.
- 9.12. Adderbury is classified as a category A village by Policy Villages 1. The current proposal does not, however, comply with the type of development identified as being appropriate under Policy Villages 1 due to the site being outside the built up limits of the village (and outside the settlement boundary as defined by Policy AD1 of the ANP) and not representing minor development, being over 10 dwellings.
- 9.13. Policy Villages 2 identifies the Category A villages as being where planned development to meet District housing requirements to help meet local needs should be directed, subject to a detailed assessment as to the proportionate impact of development proposed upon the settlement in question (given the category A settlements vary in size and sustainability) and an assessment of the suitability of the specific site proposed. Policy Villages 2 is therefore the appropriate policy against which to assess this proposal.
- 9.14. The intention of this approach is to protect and enhance the services, facilities, landscapes and the natural and historic built environments of the villages and rural areas whilst recognising the need for some development. Policy Villages 2 advises that these sites would be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of applications for planning permission. A number of criteria are listed and particular regard must be had to these criteria when considering sites, whether through plan making or the planning application process.
- 9.15. The ANP has been made since the previous application for development on this site was refused. It includes policies that are material to the consideration of this application forming part of the Development Plan. The key policy in respect to considering the principle of the development is Policy AD1, which allocates the Adderbury Settlement Boundary which is defined on the policies map. The policy states that *'development proposals will not be supported outside the Adderbury Settlement Boundary unless it is demonstrated they will enhance, or at least not harm, local landscape character. New isolated homes in the countryside will not be supported except in special circumstances described in paragraph 55 of the Framework. Proposals for the provision of affordable housing on rural exception sites immediately adjacent to the Adderbury Settlement Boundary will be supported where they meet an identified local need and relate well to the built form of the existing settlement'*.
- 9.16. There are no allocations for new housing sites through the ANP. In the supporting text to Policy AD1, reference is made to the scale of recently completed housing schemes and of the schemes that will be built out over the coming years and it explains that the District Council does not consider it desirable or necessary for any additional major contribution from Adderbury to meeting the needs of Local Plan Policy Villages 2 in the plan period by way of new greenfield development on the

edge of the village. The ANP does, however, confirm that in the event of the District's housing supply strategy having to change before the end of the plan period, then its implications will be considered by the Parish and District Councils and the ANP may be reviewed to plan for that eventuality.

- 9.17. In the Examiner's report of the Neighbourhood Plan, the Examiner, in respect of Policy AD1, concluded that the policy is in general conformity with the strategic Policies of the Adopted Cherwell Local Plan Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies. He also concluded that it seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The Examiner did not require the Plan to allocate further sites for housing development and he also noted the number of new dwellings already permitted in Adderbury acknowledging that the contribution from these sites amounts to a significant boost to the supply of housing. He also noted that there was further potential for additional dwellings to be provided on infill plots or through the redevelopment of sites within the proposed settlement boundary as the Neighbourhood Plan does not place a limit on the number of homes that can be provided within the settlement boundary. On this issue, he concluded that Policy AD1 would not lead to the Neighbourhood Plan promoting less development than set out in the Local Plan.

National Policy

- 9.18. The National Planning Policy Framework confirms that there is a presumption in favour of sustainable development. For decision making this means approving proposals that accord with the development plan without delay. The Framework advises that there are three dimensions to Sustainable Development; economic, social and environmental. With regard to housing, the Framework supports the need to boost significantly the supply of housing to meet the full, objectively assessed need for housing. It requires LPAs to identify and update annually a supply of specific, deliverable sites sufficient to provide five years' worth of housing against the housing requirements, with an additional buffer of 5% to ensure choice and competition in the market for land. The Council's 2019 Annual Monitoring Report (AMR), which was approved by Members at the Executive meeting on the 6 January 2020 confirms that the District can demonstrate a 4.6 year housing land supply (for the current period 2019-2024) with a 5% buffer and a 4.4 year housing land supply for the next 5 year period (2020-2025).
- 9.19. In the circumstances that a LPA cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer), there is a presumption in favour of sustainable development and the circumstances at paragraph 11d of the NPPF are engaged. This sets out that the development plan's housing strategy policies must be considered to be out of date which means development should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- 9.20. However, in respect of the Oxfordshire Authorities, there is a Written Ministerial Statement ("WMS") made in September 2018 concerning the Housing and Growth Deal which is a significant material consideration. The WMS grants the Oxfordshire Authorities flexibility on maintaining a five year housing land supply. This sets out the requirement for a three year supply of deliverable housing sites (with the appropriate buffer) from the date it was made (12/09/2018) until the adoption of the Joint Statutory Spatial Plan in each area, providing the timescales in the Housing and Growth Deal are adhered to.

9.21. In this case, it is clear that the tilted balance set out by Paragraph 11d is not engaged because the Housing Supply requirement for the District should be taken to be three years in accordance with the WMS (appeal decisions in South Oxfordshire have reached this conclusion). Any conflict with the ANP and whether it would significantly and demonstrably outweigh the benefits of the development will be considered through this appraisal, however it is clear that in this case, the three-year housing land supply position should be adopted.

Monitoring and recent appeal decisions

9.22. The Council's most recent AMR (December 2019) sets out that 953 dwellings have been identified for meeting the Policy Villages 2 requirement which are sites with either planning permission or a resolution to approve and are identified developable sites. This is made up of 582 dwellings either complete or under construction, 333 dwellings with planning permission and 38 dwellings that are considered developable (this 38 is made up of two sites – one with a resolution for approval and one for which the planning permission has lapsed).

9.23. Between 1 April 2014 and 31 March 2019, there were a total of 271 net housing completions. As reported above, there are a further 311 dwellings under construction, and it is reasonable to assume that these dwellings will be completed.

9.24. In recognition that not all sites will necessarily be developed or will not necessarily deliver the full number of dwellings granted, a 10% non-implementation rate has been applied to sites with permission but on which development has not yet started. This reduces the 333 dwellings reported in paragraph 9.16 to 300 dwellings. This would give the number of dwellings identified under Policy Villages 2 either complete, under construction, with planning permission or developable as 920 dwellings. There was also a further resolution for approval granted for a site at Fritwell at the December 2019 planning committee for 28 dwellings, which would also be additional to the 920 dwellings.

9.25. Five appeal decisions have been received over the past year which have considered the application of Policy Villages 2. These are for sites at Launton, Ambrosden, Bodicote, Sibford Ferris and Weston on the Green. The first four were allowed, and the numbers approved at those four sites are included within the figures reported in the December 2019. The key conclusions resulting from the Launton, Bodicote and Sibford Ferris appeals can be summarised as:

- The Policy Villages 2 number of 750 dwellings has not been 'delivered' yet.
- The number of 750 has development management significance in terms of the Local Plan strategy.
- Not all dwellings approved might be delivered (hence the Council's inclusion of a 10% non-implementation rate in the most recent AMR)
- The number of dwellings proposed must be considered as to whether that number would undermine the strategy of the Local Plan
- There is no spatial strategy to the distribution of the 750 houses allocated in the rural areas under Policy Villages 2 beyond distribution to the Category A villages.
- Assessment of the sustainability of the settlement in question is required, and indeed this has been a primary consideration in all of the appeals relating to major housing development at Category A villages, with appeals

at Finmere, Fringford and Weston on the Green having been dismissed, in each case the sustainability of the settlement being a key issue.

Assessment

- 9.26. Adderbury is one of the largest category A villages in the District in terms of size and it is one of the more sustainable in terms of the range of facilities it provides as well as the transport connections available. The village has been subject to a number of large developments approved since 31 March 2014 (3 sites for 120 dwellings); however, a further 65 dwellings were approved in January 2014 giving an overall total of 185 dwellings in the village either under construction or recently completed. The 120 dwellings approved under Policy Villages 2 (i.e. since 31 March 2014) represents 16% of the 750 dwellings and it is for this reason that the Adderbury Neighbourhood Plan does not allocate a further site for development at the village.
- 9.27. The 750 dwellings allocated by Policy Villages 2 have not yet been delivered, and it is acknowledged that in any event this number cannot be considered a ceiling. However, the number does have significance in terms of the spatial strategy of the Local Plan in directing the majority of growth to the towns of Banbury and Bicester whilst limiting growth in the rural areas. There will come a point at which harm will have been caused e.g. through a material exceedance of 750 dwellings delivered under Policy Villages 2, acknowledging that the pipeline of permissions as noted at para 9.24 will, in practice mean a significant exceedance. Whilst Inspectors have confirmed that Policy Villages 2 does not provide a spatial strategy for the distribution of the 750 dwellings allocated at Category A villages, the policy applies to all 24 villages identified by Policy Villages 1 and concentrating a large proportion of the number of new dwellings in a few larger villages would conflict with the spatial strategy of the Local Plan as a whole, which seeks to ensure a sustainable, planned and balanced approach to the distribution of housing in the rural areas.
- 9.28. As has been concluded, the Policies in the Neighbourhood Plan and the Development Plan for the supply of housing can be considered up to date. The provision of 40 additional dwellings in Adderbury would conflict with the spatial strategy for the provision of dwellings in the rural areas given that the village has already accommodated a large proportion of the overall 750 dwellings (16%) (albeit of the 920 dwellings reported in the AMR, the percentage would be 13%) and no further need for development in the village has been identified through the recently adopted Neighbourhood Plan.
- 9.29. Regardless of the conclusion reached in respect of the number of dwellings allocated by Policy Villages 2, Officers consider that the impact of a residential development on this site as will be assessed in detail in the later appraisal means that the site is unacceptable in principle.
- 9.30. It is now necessary to consider those wider impacts of the development against the relevant policies of the Adderbury Neighbourhood Plan and the eleven criteria of Policy Villages 2 and other relevant policies of the Cherwell Local Plan Part 1. The conclusions as to whether the site is suitable, sustainable and acceptable in terms of its wider impacts should be balanced against the need for such development in the circumstances that the District can currently demonstrate over a 3 year housing land supply, the level of development Adderbury has already accommodated and the weight to be attached to the relevant policies of the Development Plan.

Landscape and Visual Impact

Policy Context

- 9.31. Policy ESD13 of the Cherwell Local Plan advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is expected not to cause visual intrusion into the open countryside, must be consistent with local character and must not harm the setting of settlements, buildings or structures. Policy Villages 2 requires that consideration be given to whether significant landscape impacts could be avoided and whether development would contribute in enhancing the built environment.
- 9.32. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. Policy C8 seeks to limit sporadic development beyond the built limits of settlements. Policy C27 expects that development proposals in villages will respect their historic settlement pattern.
- 9.33. As referred to above, Policy AD1 of the Adderbury Neighbourhood Plan – 2014 – 2031 provides for a settlement boundary, outside of which development will not be supported unless it is demonstrated that it will enhance or at least not harm, local landscape character. The supporting statement to Policy AD1 confirms that in respect of proposals located outside the boundary, the policy is to operate alongside Local Plan Policy ESD13 to ensure that they are compatible with the objective of that policy of protecting and enhancing the local landscape.
- 9.34. The NPPF highlights that the protection and enhancement of the natural, built and historic environment is part of the environmental role of sustainable development and one of the core planning principles also refers to recognising the intrinsic character and beauty of the countryside. The NPPF also emphasises the importance of development responding to character and history with good design being a key aspect of sustainable development.
- 9.35. The site has been considered through the Council's Housing and Economic Land Availability Assessment (February 2018). This concluded that the site is not suitable for development as *'The site adjoins the built-up limits of the village however the site is remote from the services and facilities. The site is considered to be unsuitable and there is a low density and linear development form on the northern side of the road at this gateway to the village. More intensive development in this location would be detrimental to the character of the village and represent a significant intrusion into the countryside (harming its character and appearance). Development would harm the setting of the church. The topography of the north western part of the site also makes development challenging'*.
- 9.36. In addition, and as referred to above, there has been a previous appeal on this site, which dismissed a scheme for residential development (06/00712/OUT). This was a smaller scheme, but the Appeal Inspector's conclusions in respect to the site and its character are material to the consideration of this application. In particular, the Inspector concluded that the appeal site represents a particularly pleasant part of the open countryside and which makes a significant contribution to the character and appearance of this part of Adderbury. It was also identified that the appeal site allows an attractive view of the village church. The development proposed was found to be harmful to the character and appearance of the area and would result in an unsustainable development.
- 9.37. The application sits within the Oxfordshire Landscape Type 'Upstanding Village Farmlands', which is characterised by its undulating landform, well defined geometric pattern of medium sized fields enclosed by prominent hedgerows and with a strong settlement pattern of compact, nucleated villages of varying sizes with little dispersal in the wider countryside.

Assessment

- 9.38. In its amended, reduced form, the area proposed for built development is a reduced area provided to the south of the site with the northern land retained as public open space. The buildings would also be retained to the west of the access route rather than on both sides. A revised addendum LVA is provided with the amended proposal scheme. The LVA addendum confirms that the conclusions of the original LVA addendum remain valid and that the significance of the landscape effects is not changed as not significant impacts overall other than to two viewpoints where a greater impact would be felt by users of public footpaths.
- 9.39. The LVA has been reviewed by the Council's Landscape Officer who continues to raise some concern regarding the landscape effects and continues to consider the development to be unsuitable. Nevertheless, it is agreed that the wider landscape impacts would be limited but that there would be localised impacts, which should be considered further.
- 9.40. The main core of Adderbury is to the north of the application site and, as explained in the Adderbury Conservation Area Appraisal, the historic character of the village has an east-west axis with a strong linear structure defined by strong building lines. It describes that the series of linear streets are linked by winding lanes. Berry Hill Road runs to the south of the application site, with residential properties fronting it and which sit directly to the west of the application site. The properties on either side of Berry Hill Road are predominately large detached units, set back from the roadside, with wide verges giving a low density, linear, ribbon form of development.
- 9.41. The site itself sits adjacent to 'Last House' at the eastern end of Berry Hill Road. The land is greenfield and other than a small area of stabling, it is open and retains a strong rural character. The site is visually part of the open countryside and is an important open space at the edge of the village in contributing to the rural setting of the village as was identified by the Inspector who dismissed the appeal in 2007 for development on the site. A number of public rights of way run within proximity of the site and clear views of the site can be gained by users who would appreciate the rural setting of the village.
- 9.42. The proposed development would involve a large-scale development on the land. The indicative layout demonstrates dwellings fronting towards Berry Hill Road (albeit set behind the existing hedgerow) with the remaining proposed dwellings arranged extending northwards on the site. The proposal is in a reduced form to that previously considered and refused but it remains a block of development resulting in a large cul de sac which is distinctly different to the prevailing pattern of development along Berry Hill Road. The northern most part of the site and a strip to the east of the proposed access road are proposed to remain open and be left undeveloped as public open space. The development would be accessed by a formal access road positioned at the existing access point which would loop round to provide access to all proposed dwellings. The supporting information suggests that the retention of the existing boundary hedgerows would allow the development to be accommodated without causing unacceptable impacts. The southern hedgerow is not substantial and allows views through onto the land and views towards the village beyond. It also finds that *'the surrounding vegetation on three sides as well as the woodland and hedgerows, including that along the elevated former railway, provide substantial separation of the site from its context, and in particular the village of Adderbury'*. The recognition in the LVA as to substantial separation is acknowledged and agreed; this emphasises Officer concerns as to the unsuitability of the site in terms of its impact upon the character of the locality.

9.43. The site is considered to be an important part of the open countryside and was acknowledged by the previous Planning Inspector in 2007. Development on the site would result in the loss of this rural character (which continues along Berry Hill Road given the low density of development and its spacious character) and change the setting of the village extending development towards the A4260. Any development on the site would intrude into the open countryside and be harmful to the rural setting of the village. Development would conflict with the settlement pattern in this part of Adderbury with this being a bolt on estate, which would conflict with the linear arrangement of dwellings along Berry Hill Road. In the previous appeal decision on the site (06/00712/OUT), which proposed a linear row of dwellings and then two rows of houses perpendicular to the road, the Inspector identified that the proposal would have an orientation unlike any other development within the area. It was concluded that such an arrangement would be at odds with the prevailing development pattern. The current proposal is a significantly more in-depth development than the 2007 appeal scheme. The urban form proposed would not therefore integrate into the existing settlement pattern and would represent a significant intrusion into the countryside. It would result in significant urbanisation and be prominent in views from Berry Hill Road and from nearby public rights of way. Whilst the Landscape Strategy in the LVIA identifies the retention and enhancement of the site boundaries, this would aid in screening development behind a tree belt. This is not considered to be sufficient to overcome unacceptable development and in itself, would further emphasise the difference between the application site and the rest of the development along Berry Hill Road, which is not set behind a screen.

Conclusion

9.44. The proposed development would result in a significant urbanisation of an important open rural field adjacent to the edge of Adderbury, visually intruding into the landscape and which would be harmful to the localised landscape, character and rural setting of the village. It would also conflict with the local prevailing settlement pattern. Given the conclusion reached, the proposed development would conflict with Policy AD1 of the Adderbury Neighbourhood Plan 2014 – 2031, Policies ESD13 and Villages 2 of the Cherwell Local Plan Part 1, Policies C8, C27 and C28 of the Cherwell Local Plan 1996 and advice in the NPPF which seeks to protect the intrinsic character of the countryside.

Design and Layout

Policy Context

9.45. Policy ESD15 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high quality design meeting high design standards and complementing any nearby heritage assets. The National Planning Policy Framework is clear that good design is a key aspect of sustainable development.

Assessment

9.46. The application is in outline with all matters reserved except for access. The application is accompanied by an indicative layout and a design and access statement (DAS). It is expected that an indicative layout and DAS would demonstrate that the development proposed can be appropriately accommodated and which sets appropriate design principles so that future detailed proposals that meet high design standards can be achieved.

- 9.47. The submitted DAS is the same as that submitted pursuant to the originally refused scheme. In respect of that, Officers acknowledged that whilst the DAS sets some appropriate overarching principles, its basis for future proposals was to take reference from the nearby modern development. Concern was raised taking into account guidance in the Council's Residential Design Guide which seeks to ensure that new development responds to the traditional settlement pattern and character of a village. This includes the use of continuous building forms along principle routes and adjacent to areas of the public open space, the use of traditional building materials and detailing and form that respond to the local vernacular.
- 9.48. The submitted heritage assessment identifies that in the Adderbury Conservation Area, there is a limited palette of building materials, and the use of local ironstone for many buildings creates a sense of architectural and visual harmony within the conservation area. It also identifies the strong linear structure of the village.
- 9.49. The indicative layout has reduced the level of development proposed to 40 dwellings. This indicates a greater number of linked dwellings and has attempted to demonstrate some vernacular detailing; however, it does remain the case that the proposal represents a suburban form of development that appears as a bolt on cul de sac on the edge of the village which conflicts with the settlement pattern in this area of the village. This issue further demonstrates that the site is unsuitable for development of the form proposed in principle due to the impact upon local character and the setting of the village as it is difficult to see in what alternative form 40 dwellings could be accommodated on the site.
- 9.50. In relation to the previous proposal, Officers considered that the submitted information in the DAS and the indicative layout would not provide sufficient certainty or an acceptable basis to enable a future detailed scheme to be achieved. This led to a detailed reason for refusal being recommended, which related to this matter. Whilst there are some concerns still present including the position of the play area which is not incorporated into the development so that it is overlooked, the layout of roads that create short cul de sacs which reduce the legibility of the site and the indication of certain design features, it is considered that these matters are detailed matters which could be negotiated at a later stage if a reserved matters application were to be made (i.e. if the site benefitted from outline permission).
- 9.51. A parameter plan has been discussed with the applicant, which demonstrates vistas that would need to be created to enable views to the listed building (to be discussed below). It would be important for this plan to be conditioned approved should the application be considered acceptable to set a basis for the future negotiation of detailed proposals.
- 9.52. Access is a matter for approval as part of this application. The site access is proposed to the eastern side of the southern boundary of the site in the same position as the access to the current stable uses. Officers have some concern that this position is distant from the current edge of the village which further emphasises the impact of urbanisation by development being positioned on this land. It is also questioned whether an appropriate frontage to the development could be achieved taking into account the current indicative layout.

Conclusion

- 9.53. As explained, the nature of a development for 40 dwellings in this location is considered to be unacceptable in principle in respect to the impact upon settlement pattern and character of the village and its rural setting. Officers are not convinced that a future scheme of this scale could be appropriately accommodated that is both

locally distinctive and in keeping with the character of this area of the village or that would enhance the built environment. The indicative layout reinforces this view.

- 9.54. Nevertheless, this concern relates to the principle of a development of this scale in this particular location taking into account the localised impact and settlement pattern. If a development of this scale were accepted on this site in principle, then detailed concerns Officers hold in respect to specific matters such as house types and layout, road layouts and house type detailing could be matters that are negotiated through a reserved matters scheme. On this basis, Officers have not recommended that previous reason for refusal 3 be re-imposed as concerns relating to the principle of development on the site and its impact upon local character, landscape, the setting of the village and the local settlement pattern are covered by recommended reasons for refusal one and two.
- 9.55. Officers consider that the proposal conflicts with Policies ESD15 and Villages 2 of the Cherwell Local Plan Part 1, Saved Policies C27, C28 and C30 of the adopted Cherwell Local Plan 1996 and Government Guidance in the NPPF.

Heritage Impact

Legislative and Policy Context

- 9.56. Section 16 of the NPPF sets out Planning Guidance relating to the historic environment including archaeology. The development would be expected to preserve the significance of designated heritage assets within proximity. It is also provided at paragraph 192 that Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness. The NPPF sets out the tests to be applied where harm to heritage assets is identified.
- 9.57. Policy ESD15 of the Cherwell Local Plan 2011-2031 also refers to heritage assets expecting development to conserve, sustain and enhance designated and non-designated heritage assets. One of the criteria of Policy Villages 2 requires consideration as to whether development would avoid significant adverse impact on heritage. Policy C33 of the Cherwell Local Plan 1996 states that the Council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value.
- 9.58. In addition, there is a legal requirement, under S66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 for a Local Planning Authority to have regard to the desirability of preserving a listed building or its setting. S72 of the same Act requires that within a conservation area, the development of land or buildings shall preserve or enhance the character and appearance of that area.

Assessment

- 9.59. The site is not within the conservation area and there are no heritage assets on the site itself. The Adderbury Conservation Area sits to the north and west of the site. Adderbury also has a number of listed buildings and most of these are too far away from the site to be impacted. However, the Grade I listed Church of St Mary is to the north of the site and there are views from the south towards the church both from the site and the surrounding road and footpath networks. In the previous appeal on the site (06/00712/OUT), the Inspector identified that the appeal site allows an

attractive view of the village church and it was concluded that the siting of the proposed dwellings would result in the loss of an important view towards the church.

- 9.60. The application is accompanied by a Heritage Statement which concludes that the site does not make a contribution to the significance of the listed church as the site has no historic or visual relationship with the asset and whilst there are views of the church spire, these are not clearly visible from Berry Hill Road as the substantial boundary distorts the view. Indeed, it is considered that the views of the church from the south would be improved as the provision of open space with a play area would provide access to views of the church and its spire which are not currently accessible to members of the public. With regard to the conservation area, the assessment does not identify any unacceptable impacts.
- 9.61. There are views available from Berry Hill Road towards the village and the spire of the Church of St Mary. Historic England continue to advise that views of the Church of St Mary from surrounding public vantage points, including roads and footpaths, are an important part of the significance of the church as a historic landscape feature. The church spire was designed to be seen from some distance in the landscape as well as at closer quarters. This visibility reflects the social importance of religion in the middle ages and the manner in which communities used the highly prominent architectural church spire to mark their presence in the landscape.
- 9.62. Development on the site would, by its nature, obscure and change the rural setting of views of the church from the south and Berry Hill Road. This would cause harm albeit less than substantial harm. The NPPF requires that where less than substantial harm is identified to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal.
- 9.63. In addition to the Heritage Statement, a plan is provided demonstrating how long views to the Church of St Mary from Berry Hill Road could be provided as well as the achievement of new, publicly accessible views from the proposed area of open space. A parameter plan has also been discussed with the applicant which is provided, to ensure that the views proposed to be created would be a clear parameter should outline permission be granted. Whilst Historic England welcome the establishment of views of the church, they do raise concern regarding the likely separation gap between dwellings (which on the indicative plan appears too close to ensure that the views are clear) and that views over landscaped areas or front gardens could be planted with trees or filled with paraphernalia such that it is uncertain that views in the long term would be maintained. It is accepted by Historic England that the reduced scheme has lessened the impact to a degree, particularly due to the proposal not to include residential development to the east of the access road.
- 9.64. The detailed concerns of Historic England are based upon an indicative plan and therefore are matters that could be negotiated at the reserved matters stage (and they provide some recommendations that could also be taken into account such as the need for the layout to be improved to provide a sufficiently broad and permanent view towards the church at the western end of the development).
- 9.65. Whilst the negotiation of a detailed scheme could improve and allow for views through the development towards the church and provide open space for more publicly accessible views to be gained, this does not overcome the overriding concern that the rural setting of the church from the south would be interrupted and that the new views to be created would be funnelled through a housing development rather than across a rural field towards the village and the church. Given the concerns raised by Officers relating to the impact of the development upon the local landscape and character of the village as well as there not being an overriding need

for such a development, it is considered that there are not public benefits that would outweigh the harm to the setting of the listed building and that its setting would not therefore be preserved.

- 9.66. The application proposes to provide a footway west along Berry Hill Road to link into the village network close to the junction with Horn Hill Road. There has been some concern raised that this proposal would be harmful to the character of the conservation area in this location and to the setting of nearby listed buildings due to the urbanisation this would involve. An application from 2015 for development of 5 houses to the south of Little Shotover and East of Cherry Cottage on Horn Hill Road (15/01384/OUT), concluded in the Officer report that the change in order to access that site would have a detrimental urbanising impact on the rural character and appearance of this area of the village which is recognised as an important green space and as a gateway to the historic village in the conservation area appraisal. In dismissing a planning appeal for this scheme, the Inspector identified the change in the informal rural character of the access and its likely increased prominence which was found to be detrimental to the character and appearance of the conservation area at this important gateway. In this case, it is possible that should development have been concluded to be acceptable on this site, the position of the footway could have been negotiated in respect of its position and how it connects into the surrounding highway network or, if there were no alternative, whether there would be a more sympathetic finish available that could maintain character. As such, whilst the concern is noted and Officers agree that in its current form there would be some detrimental impact to this part of the conservation area, this matter does not warrant its own reason for refusal as it is a matter that could be negotiated as to an appropriate alternative.
- 9.67. The County Archaeologist has provided a response to this application which differs from that to the previous application. The advice now is that the site has archaeological potential and as such, conditions are recommended to require further archaeological work to be completed prior to development commencing. This changed response is due to new information that has been added to the Historic Environment Record. New aerial photographic survey data has identified a large circular enclosure within the proposed development area which is likely to be prehistoric in date and has only just become known about. As such, archaeology is now a constraint but it is a matter that could be dealt with via the imposition of conditions if the application were recommended for approval.

Conclusion

- 9.68. Based upon the assessment above, Officers consider that there would be harm to the setting of the grade I listed Church of St Mary as a heritage asset. Whilst the current scheme, compared to that previously refused has been reduced to a degree, there would still remain harm. This harm is less than substantial but would not be outweighed by a public benefit. The proposal would therefore not preserve or enhance the setting of the designated heritage asset and the land is an important undeveloped gap in maintaining the proper rural setting for the listed building. As such, the proposal would conflict with Policies ESD15 and Villages 2 of the Cherwell Local Plan Part 1, Saved Policy C33 of the Cherwell Local Plan 1996 and Government Guidance in the NPPF.

Housing Mix/ Affordable Housing

- 9.69. The NPPF advises that in order to create sustainable, inclusive and mixed communities, Local Planning Authorities should plan for a mix of housing, reflect local demand and set policies for meeting affordable housing need. Policy BSC4 of the Local Plan requires new residential development to provide a mix of homes in

the interests of meeting housing need and creating socially mixed and inclusive communities. Policy BSC3 requires development within locations such as at Adderbury to provide 35% affordable housing on site and provides detail on the mix that should be sought between affordable/ social rent and shared ownership.

- 9.70. The applicant has carried out some work through the processing of the application to propose a mix for the market dwellings. Their proposed mix has taken into account the Oxfordshire SHMA findings, reported in the preamble to Policy BSC3 with a predominant mix in favour of three bedroomed homes. This, they consider demonstrates a commitment to providing the mix of housing that is required in the District with an over-provision of moderately sized family homes representing a benefit that weighs heavily in favour of the development. They have then carried out further work to compare their proposed mix with other recent developments in the village. From this, it is concluded that other approvals in Adderbury have not responded positively to the identified SHMA mix and have therefore not adequately addressed the need for moderately sized homes, which should add further weight in favour of this proposal.
- 9.71. In respect to affordable housing, the applicant proposes 35% affordable housing in line with the requirements of Policy BSC3 and has proposed a mix. The Strategic Housing team usually specify a mix that they consider would best meet local need. In this case, the requested mix includes the required rental properties to be for social rent, for which there is a high need in the District due to reasons of affordability. The applicant has agreed to the rental units being social rented units.
- 9.72. The proposal to include market and affordable housing and to include a mix of unit sizes which respond positively to the required sizes of housing within the District, evidence for which is set out in the Oxfordshire SHMA is a benefit of the proposal. Affordable rent properties as social rented units is also a benefit that carries some weight in favour of the development as it contributes towards the socially sustainable nature of the site. However, that weight can only be attributed moderate weight in the planning balance because the proposal meets the requirements of planning policy. Whilst the scheme could provide a more appropriate mix than other developments have, this matter would have to be weighed in the overall planning balance against the identified harms.

Effect on Neighbour amenity

- 9.73. Policy ESD15 advises of the need for new development to consider the amenity of both existing and future development and this reflects the Core Principle of the Framework, which confirms the need for a good standard of amenity for all existing and future occupants of land and buildings to be secured.
- 9.74. Given the land adjoins only one dwelling (Last House) on Berry Hill Road, care would be required in the future design of a scheme in order to ensure that the residential amenity of this property would not be harmed. Given the size of the site, it is highly likely that a scheme could be accommodated without causing undue harm to the amenity of this property and any others that might be impacted.

Highway safety and sustainability of the site

Policy Context

- 9.75. The National Planning Policy Framework is clear that transport policies have an important role to play in facilitating sustainable development with encouragement provided to sustainable modes of transport to reduce reliance on the private car. It is also clear that applications should be accompanied by a Transport statement if it

would generate significant amounts of movement. This is reflected in Policy SLE4 of the Local Plan. Policy SLE4 and Villages 2, both emphasise the need for consideration to be given to whether safe and suitable access can be achieved.

Assessment

- 9.76. The application is accompanied by a Transport Statement and an addendum has been prepared to respond to the amended scheme of 40 dwellings. The Highway Authority have raised no objections to the proposed development on key matters such as the main access arrangements (vehicular and pedestrian/ cycle) and the proposal to include new bus stops on the A4260. No concerns are raised with regard to transport movements and their impact upon the local highway network.
- 9.77. Detailed matters raised by the Local Highway Authority (LHA) could be controlled and secured by planning condition/ S106 agreement as necessary. This includes the provision of a link at the western side of the southern boundary of the site (which is indicated on the provided parameter plan and the indicative masterplan) and the securing of footway links to the west and east along Berry Hill Road and highway improvements, including the provision of bus stops on the A4260 (the width of the proposed footway on Berry Hill Road is currently being queried as a narrower route is proposed to respond to the Parish Council's request but this has not yet been agreed by the LHA). In addition, requirements around the main point of access as well as the imposition of conditions and other S106 requirements (seeking contributions towards other matters such as improvements to rights of way which will be explained below), could also be secured.
- 9.78. The provision of new links would be important in encouraging the use of sustainable modes of transport. The site is relatively distant from the core of the village where the facilities and services are provided. The LHA has not raised any such concern of this nature but Officers agree with the Inspector for 06/00712/OUT that the site is poorly located and would therefore lead to an increase in car borne commuting even with the proposed transport improvements to increase pedestrian/ cycle accessibility. This would compromise the principles of sustainable development. The LHA has sought contributions towards transport improvements and these would have been pursued should this site have been recommended for approval.
- 9.79. There are a number of public rights of way that run within proximity and within the site. It is not expected that these would be adversely impacted providing they are protected during construction and the LHA has sought contributions for their improvement.

Conclusion

- 9.80. Whilst technical highway safety matters have been addressed such that the site can be safely accessed and its development would not result in a severe impact upon the highway network, the development site is not considered to be well-located to services and facilities. This would compromise the principles of sustainable development. There would therefore be conflict with Government guidance in the NPPF and Policies Villages 2 and SLE4 of the Cherwell Local Plan Part 1 in this regard.

Flood Risk and Drainage

- 9.81. A flood risk assessment and drainage management strategy is submitted with the application in line with the requirements of Policy ESD6 of the Local Plan and the Framework, given the site extends to over 1ha in area and is predominantly in Flood Zone 1. Policy ESD7 of the Local Plan requires the use of Sustainable Urban

Drainage Systems to manage surface water drainage systems. This is all with the aim to manage and reduce flood risk in the District.

- 9.82. Following the receipt of an objection to the original submission (which was unsurprising given the submitted information was the same as that received for the previously refused scheme for which an objection by OCC was made which resulted in reason for refusal 4), further discussion was undertaken directly between the applicant's Drainage Consultant and OCC resulting in an amended Drainage Strategy being submitted dated November 2019.
- 9.83. This has confirmed that infiltration testing has confirmed that the site is suitable for infiltration drainage techniques and that on this basis, the drainage layout will include soakaways for each house, permeable surfacing, and the inclusion of swales and a basin to intercept overland flows in extreme events. OCC have considered this and confirmed that they raise no objections subject to the imposition of conditions to ensure full detailed designs are provided.
- 9.84. On the basis that the FRA concludes that the site is unlikely to be affected by flood risk and that development could therefore be appropriately accommodated without raising the risk of flooding and that OCC are now satisfied that a suitable drainage solution can be achieved as testing has confirmed that infiltration drainage techniques are achievable, it is considered that there is no reason to re-impose reason for refusal 4. It is considered that the applicant has satisfactorily addressed this reason for refusal and that a suitable drainage arrangement could be achieved.

Trees, Landscaping and Open Space

- 9.85. Policy ESD10 of the Local Plan refers to the protection and enhancement of ecology and the natural environment. It requires the protection of trees amongst other ecological requirements. Policy ESD13 also encourages the protection of trees and retention of landscape features. Policy BSC11 sets out the Council's requirements for local outdoor space provision and play space.
- 9.86. In respect of the existing trees and hedgerows, these form the field boundaries of the site. An Arboricultural report has been submitted with the application and this concluded that no significant trees would require removal to facilitate the new access arrangement. Otherwise, the report suggests the need for management and enhancement of the southern hedgerow to improve the hedgerows quality and long term value. The report also identifies the root protection area of trees and has not identified any indirect negative impacts to trees by way of providing the development proposed. The report identifies the need for tree protection and an Arboricultural Method Statement.
- 9.87. The Arboricultural report also advises that the site provides an opportunity to undertake new tree planting throughout the site as part of a soft landscaping scheme. Landscaping is a matter reserved for later approval, however it is clear to see how this can be achieved as the whole of the northern part of the site is set aside as public open space. The incorporation of street trees within the built up area would need careful consideration given the need for views towards the listed church to be provided.
- 9.88. Policy BSC11 requires the provision of approximately 0.26ha of open space for a development of the scale proposed. The site provides a large area of open space to the north which would significantly exceed this requirement. The applicant has looked at the Council's Open Space studies and has noted that this demonstrates a shortfall in green spaces and play areas across the rural north of the District. It is their view that on this basis, the overprovision of green space on their site should

attract weight in favour of the development. This is particularly on the basis that it will enhance the green infrastructure network, would provide a children's play area, would provide seating facing north to create a space with views towards the Church and provide enhancements to the public right of way network. A discussion has been requested with the Landscape Officer regarding the composition of the open space to ensure that it responds as positively as it can to the identified shortfall.

- 9.89. The provision of a large area of open space is beneficial. Its contribution towards general green/ amenity space provision is noted, however in this case, the reason this area has been left aside rather than proposed for development is due to site constraints (i.e. topography) and the need to provide areas for sustainable drainage. The overprovision of open space, whilst carrying some weight in favour of the development is not considered to override the unacceptable impacts of the development in this case. The provision of open space is a normal requirement related to development and, whilst there are some benefits to this, this attracts minor weight in the planning balance.
- 9.90. Policy AD2 of the Adderbury Neighbourhood Plan provides for a Green Infrastructure Network around and within the village. This comprises a variety of green infrastructure assets including amongst others, footpaths and bridleways. The policies maps identify the public rights of way to the east and north of the site as sitting within the green infrastructure network. The policy requires that the value and integrity of the network is maintained and enhanced. It is accepted that this proposal would comply with Policy AD2 by maintaining the existing routes, contributing to their enhancement and by the provision of open space adjacent to (albeit changing that from farmland, which in itself is not harming those routes).
- 9.91. In respect of play space, the site is required to provide a Local Area of Play as required by Policy BSC11 now that the proposal is for only 40 dwellings. This is currently shown within the area of open space but the location has been raised as a concern by the Landscape Officer. As the layout provided is indicative only, the play facility can be changed in the future as it is not fixed (other than by way of the proposed parameter plan), albeit if it were moved into the area of the site shown for built development, then this may impact upon the number of units that could be provided.
- 9.92. The site does not exceed the threshold for the onsite provision of formal outdoor sports facilities or for allotments. There is a requirement for contributions towards offsite sports facilities.

Ecology Impact

Legislative context

- 9.93. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.94. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.

- 9.95. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.96. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.97. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.98. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 9.99. Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.100. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst

others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

- 9.101. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.102. Policy ESD11 is concerned with Conservation Target Areas (CTAs), and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.103. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.104. The Planning Practice Guidance dated 2014 post dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.105. In this case, an Ecological Appraisal and Biodiversity Impact Assessment has been carried out, with an updated walkover of the site in 2019. The site comprises largely semi improved and improved grassland which will largely be lost under the proposals with a couple of additional habitats proposed to be created. The reports also identified that the site has some ecological value for amphibians, bats and birds and identifies mitigation requirements including the need for updated survey work.
- 9.106. The Council's Ecologist has confirmed that the surveys carried out to date are fine and should permission be granted; additional survey work would be required in certain conditions as set out in the Ecological Appraisal. This could be conditioned to ensure the necessary safeguards and mitigation measures are carried out.
- 9.107. The Biodiversity Impact Assessment has demonstrated that a net gain for biodiversity could be achieved of around 4% with the current proposed layout but this is reliant on some of the semi-improved grassland being fenced off to achieve a moderate condition. Other amenity grassland would not necessarily be fenced off and so its condition is queried. In any event, the Council's Ecologist considers that a greater level of net gain needs to be achieved including to seek a minimum of 10% in biodiversity net gain as has been agreed by the Council's Executive and that offsetting should not be ruled out. Either way, the achievement of net gain needs to be balanced against other matters, including the provision of useable open space. In this case it is not considered necessary to include a reason for refusal relating to the lack of achievement of a net gain for biodiversity because Policy ESD10 does not set a required level and the applicant has demonstrated that a net gain can be achieved. In addition, it is possible that a greater net gain than 4% could be achieved if a detailed scheme were being considered.

- 9.108. Biodiversity enhancements are suggested for the site within the Ecological Appraisal and a planning condition could be used to secure a scheme for their provision in line with advice regarding the level of provision required. The requirement for a lighting strategy could also be the subject of a planning condition.

Conclusion

- 9.109. Officers are satisfied, on the basis of the advice from the Council's Ecologist that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged. Should the application have been recommended for approval, planning conditions would have been required to ensure the impacts were controlled.

Environmental Matters

- 9.110. The application is accompanied by a contaminated land desk study. This identifies that there is a low to moderate risk for ground gas and contamination across the site and that there may be a need for remedial action. Intrusive investigation is recommended to further assess potential risks. Given this conclusion, planning conditions could be recommended to require further contaminated land assessment and to secure appropriate mitigation if this application were to be recommended for approval and this is recommended by the Council's Environmental Protection Team.
- 9.111. The Environmental Protection Team have recommended a condition to request an air quality impact assessment and to ensure the provision of infrastructure to allow for the future installation of electric vehicle charging infrastructure. A Construction Environment Management Plan is also requested. Based on this, it is considered that any environmental risks can be adequately controlled through the provision of additional information that could be requested via planning conditions.
- 9.112. A Utility Statement has been submitted confirming that the utilities infrastructure within the vicinity of the site appears to be capable of supporting new mains and services to serve the proposed residential development. There is existing electric, gas, water and telecoms services immediately adjoining the site and these should have sufficient capacity to serve the development and the proposal should not place any undue stress on the delivery of these services to the wider community.

Sustainability and Energy Efficiency

- 9.113. The Cherwell Local Plan includes a number of energy policies in order to seek development which mitigates and adapts to the future predicted climate change. This relates to locating development in sustainable locations as well as seeking to reduce energy use, making use of renewable energy and sustainable construction techniques as well as achieving reductions in water use. Mitigating and adapting to climate change in order to move to a low carbon economy is a key part of the environmental role of sustainable development set out in the Framework.
- 9.114. The application is not accompanied by a Sustainability or Energy Statement but sustainability is important with regard to how development adapts to future climate change. This is a matter that it is considered could be addressed by the imposition of a planning condition if the application were to be recommended for approval.

Planning Obligations

9.115. Notwithstanding the Officer's recommendation of refusal, should Members resolve to approve the application, a S106 Legal agreement would be required to be entered into to secure mitigation resulting from the impact of the development both on and off site. This would ensure that the requirements of Policy INF1 of the Local Plan can be met, which seeks to ensure that the impacts of development upon infrastructure including transport, education, health, social and community facilities can be mitigated. This includes the provision of affordable housing. The Authority is also required to ensure that any contributions sought meet the following legislative tests, set out at Regulation 122 of the Community Infrastructure Regulations 2011 (as amended):

- Necessary to make the development acceptable in planning terms;
- Directly relate to the development; and
- Fairly and reasonable related in scale and kind to the development

9.116. The following are sought through this application but Officers have not entered into negotiations with the applicant in respect of these matters due to the recommendation:

- Affordable housing – 35% overall, with the split of 70% social rent and 30% intermediate together with arrangements for its provision
- Play provision in the form of a LAP and arrangements for its long term management and maintenance.
- Open space provisions to include the laying out and regulation of such areas and arrangements for the long term management and maintenance including the provision of commuted sums towards surface water drainage features, public open space and hedgerows.
- Contribution towards the enhancement of public transport services serving the site to pump prime bus services on the A4260.
- Contribution towards the provision of two sets of bus stop pole and premium route standard flags and a bus shelter, plus a commuted sum for long term maintenance.
- Contribution towards access mitigation measures on local public rights of way to the east and north of the site (Footpaths 13, 6, 5 and 24 and bridleway 9). This would fund surface improvement, signing and furniture along the routes.
- Administration costs towards a Traffic Regulation Order to enable the relocation of the existing 30mph speed signage from its current location to a point further east close to the junction with the A4260 to bring the entire Berry Hill Road to 30mph.
- An obligation to enter into a S278 Agreement prior to the commencement of the development.
- Contribution towards Nursery and Primary education to be used towards expanding nursery and primary provision at Christopher Rawlins CE (VA) Primary School.

- Contribution towards Secondary education to be used towards expanding secondary provision at The Warriner School.
- Contribution towards offsite outdoor sports towards the development of sports pitches and changing facilities off Milton Road in Adderbury
- Contribution towards off-site indoor sports towards the expansion of/ improvements at Spiceball Leisure Centre in Banbury (which will serve the new residents)
- Contribution towards the development of community hall facilities off Milton Rd in Adderbury
- Likely contribution towards the improvement of local primary medical care facilities. This matter will need to be checked with the CCG as they have not responded to this planning application but a request was made with respect to the previous application 17/02394/OUT.
- The requirement for an apprenticeship and skills training plan to secure apprenticeships.
- Contributions towards waste and recycling bins

Justification for the requested planning obligations and full details of contributions are available on the file.

9.117. Adderbury Parish Council has prepared a list of requests to secure community benefit. These matters would need to be considered against the statutory tests for the request of planning obligations as set out at paragraph 9.107.

9.118. The applicant has entered into some discussion with the Council's Recreation and Leisure Team regarding the requested contributions towards the new leisure facilities proposed on the Milton Road in Adderbury to gain an understanding of how this project is likely to be funded. As it stands the Parish Council intend to use S106 contributions and external grants to fund the project; however, they have not secured all of the contributions at this stage and so there is currently a funding gap. The applicant's view is that their contribution towards this project would be of significant benefit to the recreation scheme off Milton Road and therefore to the residents of Adderbury. Their view is that, if this scheme were approved, the leisure proposals would be more likely to come forward and therefore enhance the sustainability of the village.

9.119. The application's contributions to the leisure project on the Milton Road in Adderbury would contribute to the project but this would be a proportionate contribution based on the number of new dwellings and would not fill the funding gap. It can only therefore be attributed neutral weight in the planning balance as it is a contribution required to make the development acceptable. In any event, a planning obligation must meet the tests set out at paragraph 9.107 and whilst it must be sought to make the development acceptable in planning terms, this must be balanced against any other impacts of the development. In this case, it is not considered that the requested contributions would outweigh the unacceptable impacts identified.

9.120. Given that there is no legal agreement in place to secure the above referenced matters (notwithstanding the applicant may be prepared to enter into such an agreement), it is necessary for a refusal reason to be imposed as there is no

certainty that the infrastructure necessary to make the development acceptable in planning terms will be secured.

Human Rights and Equalities

9.121. The Human Rights Act 1998 (“HRA”) sets out fundamental freedoms which have been laid out by the European Convention on Human Rights (“ECHR”). In making any decisions, Cherwell District Council (“the Council”) should have due regard to and take into account any implications that may arise under the HRA. As a public authority, it is unlawful for the Council to act in a manner which is incompatible with the ECHR.

9.122. The rights under the ECHR which the Council views as being the most likely to affect planning matters are: Article 6 (the right to a fair trial); Article 8 (right to respect for private and family life); Article 14 (prohibition of discrimination); and Article 1 of the First Protocol (protection of property).

Article 6

9.123. Officers have considered these matters and have resolved that, whilst there are potential rights in play, these will not be affected by the application due to the application being publicised by way of neighbour letter, site notice and in the local press giving affected third parties the opportunity to comment on the application and their views taken into account when considering the application. In this case any comments/concerns raised by third parties are listed above and have been taken into account in assessing the application. In addition, third parties will be invited to the public meeting of the Planning Committee and have the opportunity to speak. Furthermore should a third party be concerned about the way the application was decided they could complain to the Local Government Ombudsman or if they question the lawfulness of a decision can appeal to the Courts for Judicial Review of the application.

Article 8 and Article 1 of the First Protocol

9.124. Officers have considered the duties under both Article 8 and Article 1 of the First Protocol and have resolved that the application does respect the private and family life of neighbours and does not fail to protect the neighbours’ property.

Duty under The Equalities Act 2010

9.125. S149 of the Equalities Act 2010 (“EA”) sets out what is known as the Public Sector Equality Duty (“PSED”). Under the PSED, the Council, as a public authority, must have due regard to the need to, inter alia, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and has to foster good relations between persons who share a relevant protected characteristic and persons who so not share it. The protected characteristics to which the PSED refers are: (a) age; (b) disability; (c) gender reassignment; (d) pregnancy and maternity; (e) race; (f) religion or belief; (g) sex; (h) sexual orientation.

9.126. Officers have considered the application and resolved that none of the protected characteristics is affected or potentially affected by the application.

10. PLANNING BALANCE AND CONCLUSION

10.1. The overall purpose of the Planning system is to seek to achieve sustainable development as set out within the Framework. The three dimensions of sustainable

development must be considered, in order to balance the benefits against the harm in order to come to a decision on the acceptability of a scheme.

- 10.2. The proposed development would be located adjacent to a Category A settlement, however the village has already accommodated a significant proportion of the rural housing allowance and no further requirement for housing is identified through the Adderbury Neighbourhood Plan 2014-2031. In addition, the Local Planning Authority can currently demonstrate above a three year housing land supply; therefore there is no pressing need for further development. The site itself is positioned some distance from the main services and facilities within the village and therefore future occupiers are likely to be reliant on the private car, which conflicts with Government Guidance in the NPPF and Policies ESD1, BSC1, Villages 1 and Villages 2, which seek to guide rural housing development to locations which reduce the need to travel and reduce the impact on climate change.
- 10.3. The proposal would result in significant environmental harm in proposing development on an important open site on the edge of the village, outside of the Adderbury Settlement Boundary as defined by Policy AD1 of the Adderbury Neighbourhood Plan 2014-2031, intruding into the open countryside, causing urbanisation and being harmful to the rural setting of the village. The development would have a poorly integrated relationship with the prevailing character of Berry Hill Road by virtue of its scale and suburban character and this, combined with harm to the rural character of this part of the village would fail to reinforce local distinctiveness. This would be contrary to Policies AD1 of the Neighbourhood Plan, Policies ESD13, 15 and Villages 2 of the Cherwell Local Plan 2011-2031 and saved policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996.
- 10.4. The site affords positive views across the landscape towards the grade I listed Church of St Mary. The development of the site would change the rural setting of this part of the village and obscure views of the church. Whilst it is possible that some views could be achieved and negotiated through a reserved matters application, there would nevertheless be harm and there are not considered to be public benefits that would outweigh this less than substantial harm.
- 10.5. The development would however contribute affordable housing (including social rented units) and this as well as the construction of dwellings (of an appropriate mix in terms of dwelling size) would bring some economic and social benefits. The application site would also provide a large area of open space which could enable greater public views towards the listed church from the northern part of the site, which has some environmental benefits. The proposal could also make S106 contributions towards various local infrastructure albeit of a proportionate level arising to meet the needs of the development itself which could bring social benefits (however given there is no completed S106 in place there is no certainty of this at this point in time).
- 10.6. However, these benefits are not considered to outweigh the significant environmental harm identified. On this basis and combined with the reasons set out through this appraisal as well as the identified conflict with the policies of the Development Plan, Officers conclude that the proposal does not constitute sustainable development and recommend the application for refusal.

11. RECOMMENDATION

RECOMMENDATION - REFUSAL FOR THE REASONS SET OUT BELOW

- 1 The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of

dwellings already permitted in Adderbury, with no further development identified through the Adderbury Neighbourhood Plan 2014-2031, is considered to be unnecessary, undesirable and unsustainable development. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, BSC1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- 2 The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Adderbury Neighbourhood Plan 2014 - 2031) causing significant urbanisation and its visual impact on the rural character, appearance of the locality and local settlement pattern, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the setting of the Church of St Mary and the harm stemming from the proposals is not considered to be outweighed by any public benefits. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Adderbury Neighbourhood Plan - 2014 - 2031 and Government guidance contained within the National Planning Policy Framework.
- 3 In the absence of the completion of a satisfactory S106 Planning Agreement, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan (2011-2031) Part 1 and the advice within the National Planning Policy Framework.

CASE OFFICER: Caroline Ford

TEL: 01295 221823

Appendix 10
Decision Notice

NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

Name and Address of Agent/Applicant:

Hollins Strategic Land LLP
Mr Matthew Symons
Suite 4
1 King Street
Manchester
M2 6AW

Outline Planning Determination

Date Registered: 24th May 2019

Proposal: Resubmission of application 17/02394/OUT – Outline application for permission for up to 40 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road (all matters reserved other than access)

Location: OS Parcel 9100 Adjoining And East Of Last House Adjoining And North Of, Berry Hill Road, Adderbury

Parish(es): Adderbury

REFUSAL OF PERMISSION FOR DEVELOPMENT

The Cherwell District Council, as Local Planning Authority, hereby **REFUSES** to grant planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. **THE REASONS FOR REFUSAL ARE SET OUT IN THE ATTACHED SCHEDULE.**

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA



David Peckford
Assistant Director – Planning and
Development

Date of Decision: 20th January 2020

Checked by: Alex Keen

REASONS FOR REFUSAL

1. The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury, with no further development identified through the Adderbury Neighbourhood Plan 2014-2031, is considered to be unnecessary, undesirable and unsustainable development. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, BSC1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
2. The development proposed, by virtue of its poorly integrated relationship with existing built development, its extension beyond the built limits of the village (beyond the Adderbury Settlement Boundary as defined in the Adderbury Neighbourhood Plan 2014 - 2031) causing significant urbanisation and its visual impact on the rural character, appearance of the locality and local settlement pattern, would cause unacceptable harm to the character and appearance of the area and the rural setting of the village and would fail to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policies C8, C27, C28 and C33 of the Cherwell Local Plan 1996, Policy AD1 of the Adderbury Neighbourhood Plan - 2014 - 2031 and Government guidance contained within the National Planning Policy Framework.
3. In the absence of the completion of a satisfactory S106 Planning Agreement, the Local Planning Authority is not convinced that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of safeguarding public infrastructure, mitigating highway safety concerns, delivering mixed and balanced communities by the provision of affordable housing and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, BSC2, BSC9, BSC11 and ESD7 of the adopted Cherwell Local Plan (2011-2031) Part 1 and the advice within the National Planning Policy Framework.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>



NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

NOTES TO THE APPLICANT

REFUSAL OF PERMISSION

The Local Planning Authority has refused consent for the reasons set out in the schedule forming part of this notice of refusal. A further explanation of the reasons for the decision can be found in the planning officer's report, which can be viewed in Public Access via the council's web site.

If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection on our website, or at the District Council offices, Bodicote House, Bodicote, during normal office hours.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse the application, you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal, then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000.**

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission or approval for the proposed development, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses planning permission or approval for the development of land, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.

Appendix 11
Local Plan Part 1



Part 1 Adopted 20 July 2015

(incorporating Policy Bicester 13 re-adopted on 19 December 2016)

July 2015

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Explanatory Note

On 19 December 2016, Policy Bicester 13: Gavray Drive was re-adopted by Cherwell District Council. The re-adopted policy is identical to that originally adopted by the Council on 20 July 2015, other than the deletion of the words, 'That part of the site within the Conservation Target Area should be kept free from built development' from the third bullet point of the policy's key site specific design and place shaping principles.

Re-adoption of Policy Bicester 13 followed a Court Order dated 19 February 2016 which included the following requirements:

"1. Policy Bicester 13 adopted by the [Council] on 20th July 2015 be treated as not adopted and remitted to the [Secretary of State];

2. The [Secretary of State] appoint a planning inspector who recommends adoption of Policy Bicester 13 subject to a modification that deletes from the policy the words "That part of the site within the Conservation Target Area should be kept free from built development";

3. The [Council] adopt Policy Bicester 13 subject to the modification recommended by the planning inspector appointed by the [Secretary of State]..."

On 18 May 2016 an addendum to the Local Plan Inspector's report was received. The addendum stated, "Following the Order of the High Court of Justice No. CO/4622/2015, dated 19 February 2016, I recommend that, in relation to Policy Bicester 13 – Gavray Drive, Main Modification No. 91, page 130, the first sentence of the third bullet point under "Key Site Specific Design and Place Shaping Principles" which states – "That part of the site within the Conservation Target Area should be kept free of built development." be deleted in the interests of soundness, clarity and to facilitate implementation of the policy and allocation in the plan."

The Inspector stated "...I conclude that with the amendment to the schedule of main modifications recommended in this addendum report relating to Policy Bicester 13 the Cherwell Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework."

The Court Order and addendum to the Inspector's Report were considered by the Council on 19 December 2016. The amendment to Policy Bicester 13 has been incorporated in this re-published version of the Local Plan.

Foreword

This is the Local Plan for Cherwell District. A plan with a clear purpose.

This is a plan which looks to the future and sets out our proposals to support the local economy and our communities over the next few decades.

This is also an exciting and ambitious plan to help maintain our high standard of living whilst at the same time promoting Cherwell District as a place to work and live.

It is a plan with ambition and aspiration. From helping local companies to expand, supporting new education and jobs investment, and pursuing high technology innovation and investment; to creating dynamic town centres, promoting tourism and seeking improved connections on rail and road. It is a plan born in recession, but which makes provision for a successful prosperous future.

It is a plan that also seeks to provide opportunities in those few areas of social disadvantage that exist in the District; one that sets out to improve the quality of life for all.

It is a plan which seeks to ensure that growth is targeted in the most sustainable locations. Our strategy is to focus housing growth on Bicester and Banbury, to maximise the investment opportunities in our towns, and to ensure that the level of development at our villages respects the character and beauty of our rural areas while meeting local needs.

This is a plan which recognises the need for limits to housing growth while enabling growth in locations where integration with existing communities is possible.

We will ensure that what we approve for development, whether commercial premises or housing, is of the highest design and building standards.

This is a plan which demonstrates a respect for the past and which seeks to preserve and enhance what makes Cherwell District special; our dynamic market towns, the 60 Conservation Areas, our beautiful villages and wonderful landscape.

This is a balanced plan, a plan which provides a firm foundation for our future prosperity.

Councillor Barry Wood

Leader of the Council

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Executive Summary

i. This Local Plan is an important document for Cherwell District. Upon adoption it will set out broadly how the District will grow and change in the period up to 2031. The Local Plan must set out the long term spatial vision for the District and contain policies to help deliver that vision.



ii. This Executive Summary seeks to give an overview of the main policies in the Local Plan. It is important that the Plan is considered as a whole. There are three themes which link together; the economy we look to secure, the communities we build, and ensuring that the development required is sustainable. It is also crucial that the Plan's policies are read in detail to understand the strategy that the Council is putting forward.

iii. The Plan has been prepared following a detailed examination of the needs and challenges facing our towns, villages and rural areas. It provides a proactive, positive set of policies to help our places thrive, to deliver essential and longer term infrastructure and achieve development that will improve the quality of life in the District. It has a clear focus on addressing the difficulties of economic recession and building on Cherwell's strengths to achieve positive outcomes for both urban and rural areas.

iv. We are seeking to achieve sustainable economic growth. We wish to draw in investment tailored to the current and future needs of the District and to Cherwell's social and economic position in Oxfordshire and the south-east Midlands. We are aiming to create jobs; to significantly boost housing supply in targeted, sustainable locations; to mitigate and adapt to climate change; to secure sustainable design; and to achieve net gains in biodiversity.

Structure of the Local Plan

v. The Local Plan is structured so that it sets out our priorities and policies clearly and separately for the whole of Cherwell, for Bicester, Banbury and Kidlington, and for our rural areas. It has five sections:

- Section A – 'Strategy for Development in Cherwell' considers Cherwell District as a whole. It includes a vision for the District, a spatial strategy and a series of key objectives.
- Section B – 'Policies for Development in Cherwell' sets out planning policies grouped around three themes:
 - theme One: Developing a Sustainable Local Economy
 - theme Two: Building Sustainable Communities
 - theme Three: Ensuring Sustainable Development.
- Section C – 'Policies for Cherwell's Places' looks at different places within the District: Bicester, Banbury, Kidlington and our villages and rural areas. For each area it outlines how the three themes will be delivered and

proposes strategic development sites for housing, employment and open space.

- Section D (and Appendix 8) – ‘The Infrastructure Delivery Plan’ shows what new infrastructure and key facilities the Local Plan will secure.
- Section E – ‘Monitoring and Delivery of the Local Plan’ sets out how delivery of the three policy themes, the objectives and strategic development sites of the Local Plan will be monitored and reviewed.

Vision, Strategy and Objectives

vi. Underpinning the Local Plan is a vision and a spatial strategy for Cherwell District. Our spatial strategy for how we manage the growth of the District can be summarised as:

- Focusing the bulk of the proposed growth in and around Bicester and Banbury.
- Limiting growth in our rural areas and directing it towards larger and more sustainable villages.
- Aiming to strictly control development in open countryside.

vii. There are then fifteen strategic objectives (see Section A ‘Strategy for Development in Cherwell’) and the policies which follow seek to meet these objectives.

The Policies in the Local Plan

viii. The Local Plan contains a large number of policies that will be important in shaping the future development of the District. A few of the key policies are set out in this section.

Developing a Sustainable Local Economy

ix. Securing the economic future of the District is the main priority of this Plan.

x. This is a Development Plan that has been developed in a recession. The Plan recognises the challenges for achieving growth and employment generating development and the impact on local business. The Local Plan will be an important tool in assisting growth and in ensuring that the District is resilient and can weather the current storm.

xi. The Local Plan seeks to ensure that there is a supply of employment land to meet the needs of the District for the plan period. Policy SLE 1: ‘Employment Development’ (Section B ‘Policies for Development in Cherwell’) seeks, as a general principle, to protect existing employment land and buildings. The Local Plan identifies nine strategic employment areas to meet employment needs over the plan period. These are:

Table 1: Strategic Employment Sites

Site	Employment Area (gross) (ha)	Policy no.	Section
Bicester			
North West Bicester Eco-Town	10	Bicester 1	C.2 'Bicester'
Graven Hill	26	Bicester 2	C.2 'Bicester'
Bicester Business Park	29.5	Bicester 4	C.2 'Bicester'
Bicester Gateway	18	Bicester 10	C.2 'Bicester'
Employment Land at North East Bicester	15	Bicester 11	C.2 'Bicester'
South East Bicester	40	Bicester 12	C.2 'Bicester'
Banbury			
Employment Land West of M40	35	Banbury 6	C.3 'Banbury'
Employment Land North East of Junction 11	13	Banbury 15	C.3 'Banbury'
Rural Areas			
Former RAF Upper Heyford	Approx 120,000 sq.metres	Villages 5	C.5 'Our Villages and Rural Areas'

Dynamic Town Centres

xii. The Local Plan seeks to direct retail and other town centre appropriate development to the two town centres in the District

(‘Policy SLE 2: Securing Dynamic Town Centres’). It also seeks to strengthen Kidlington Village Centre. The Plan sets the boundaries for the centres (‘Policies Bicester 5, Banbury 7, Kidlington 2’) and identifies the following strategic allocations in Bicester and Banbury:

Table 2: Proposed Strategic Town Centre Allocations

Site	Proposed Use	Area (ha)	Policy no.	Section
Bicester				

Site	Proposed Use	Area (ha)	Policy no.	Section
Bure Place Town Centre Redevelopment Phase 2	Shopping, leisure	4 (Phase 1 & 2)	Bicester 6	C.2 'Bicester'
Banbury				
Bolton Road Development Area	Retail/residential/mix	2	Banbury 8	C.3 'Banbury'
Spiceball Development Area	Refurbished Arts Centre, new library, public spaces, car parking, retail/mix	5	Banbury 9	C.3 'Banbury'

xiii. The Plan also has proposals for supporting tourism, improving transport connections and addressing the challenge of High Speed Rail.

Building Sustainable Communities

xiv. The Plan seeks to boost significantly the supply of housing and meet the objectively assessed need for Cherwell identified in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014 – some 1,140 dwellings per annum or a total of 22,800 from 2011 to 2031. Policy BSC 1 provides for 22,840 homes over the Plan period and sets the overall distribution of development across the District. Over the Plan period 10,129 homes are to be provided at Bicester, some 7,319 homes at Banbury and 5,392 homes in the rural areas including Kidlington. A further 2,707 homes are allocated at the North West Bicester Eco-Town (Bicester 1) but are not presently expected to be delivered until after 2031.

xv. Between 2011 and 2014, 1,106 homes were completed in Cherwell including 365 at Bicester, 213 at Banbury and 528 elsewhere. This leaves 21,734 of the planned housing requirement yet to provide.

xvi. The Local Plan’s housing strategy seeks to support the economic growth of the towns, meet housing needs across the District and further support the development of the approved, new settlement at Former RAF Upper Heyford. Growth at Bicester is aimed at supporting business investment and improving the range of services and facilities. It also responds to the under-delivery of housing at Bicester in recent years.

xvii. The Plan includes a housing trajectory (within Section E) showing when new and approved strategic sites are expected to be delivered and setting out allowances for non-strategic sites and small ‘windfall’ sites of less than 10 dwellings. The table below summarises the overall distribution of housing.

Table 3: Overall Distribution of Housing in the Local Plan

	2011-2031	2014-2031
Bicester	10,129	9,764

Banbury	7,319	7,106
Rest of Cherwell	5,392	4,864
Total	22,840	21,734

Locations for Community Growth:

Bicester and Banbury

xviii. Section C 'Policies for Cherwell's Places' of the Local Plan identifies the key strategic housing sites that will need to be developed to meet housing needs in addition to those already approved. The Plan includes strategic sites of 100 or more dwellings. It does not specifically identify all sites for new housing for the period up to 2031. Non-strategic sites will be identified through

the Local Plan Part 2, through the preparation of Neighbourhood Plans and through the determination of applications for planning permission.

xix. The strategic sites include an extensive eco-town development, the re-development of defence land, the bringing forward of smaller and larger scale greenfield urban extensions and town centre regeneration proposals.

xx. The Table below identifies the strategic sites included in the Plan. Additional approved sites are shown in the Housing Trajectory in Section E.

Table 4: Proposed Strategic Housing Allocations

Site	Total Number of Homes 2014-2031	Policy no.
Bicester		
North West Bicester (Eco-Town)	3,293 ⁽¹⁾	Bicester 1
Graven Hill	2,100	Bicester 2
South West Bicester Phase 2	726	Bicester 3
South East Bicester	1,500	Bicester 12
Gavray Drive	300	Bicester 13
Banbury		
Canalside	700	Banbury 1
Southam Road	600	Banbury 2
West of Bretch Hill	400	Banbury 3

Site	Total Number of Homes 2014-2031	Policy no.
Bankside Phase 2	600	Banbury 4
North of Hanwell Fields	544	Banbury 5
Bolton Road	200	Banbury 8
South of Salt Way - West	150	Banbury 16
South of Salt Way - East	1,345	Banbury 17
Drayton Lodge Farm	250	Banbury 18
Higham Way	150	Banbury 19
<p>⁽¹⁾ The total allocation for North West Bicester eco-development is 6,000. It is expected that 3,293 homes could be delivered by 2031.</p>		

The Villages and Rural Areas

xxi. Former RAF Upper Heyford is proposed as a strategic site for a new settlement in the rural areas. Elsewhere in the rural areas (including Kidlington) a substantial amount of housing has been completed or approved in recent years. However, some further development is required to help meet housing needs identified in the 2014 Strategic Housing Market Assessment (SHMA) and to assist the vitality of Cherwell’s many villages.

xxii. Policy Villages I identifies the most sustainable villages (Category A) and their 'satellite' villages where minor development within built-up limits will, in principle, be supported (typically a site of less than 10 dwellings). Development within less sustainable villages (Category C) will be restricted to infilling and conversions. The Housing Trajectory in Section E provides a small site 'windfall' allowance for such proposals.

xxiii. Policy Villages 2 provides for a further 750 homes to be provided at the Category A villages. This will principally involve the identification of sites of 10 or more dwellings within or outside the built-up limits of those villages. This is in addition to sites already approved across the rural areas as shown in the Housing Trajectory. Sites will be identified in the Local Plan Part 2, through the preparation of Neighbourhood Plans and through the determination of applications for planning permission. The policy is supported by the latest Strategic Housing Land Availability Assessment (SHLAA).

Affordable Housing

xxiv. Affordable housing is housing for affordable rent / social rent or 'intermediate' housing such as shared ownership. 'Policy BSC 3: Affordable Housing' (Section B 'Policies for Development in Cherwell') sets out the approach for meeting affordable housing requirements. It provides percentage requirements for different parts of the District and minimum thresholds at which affordable housing will be required.

Table 5: Affordable Housing Policy as set out in Policy BSC3

	Requirement	Qualifying Threshold
Banbury and Bicester	30%	11 homes
Kidlington	35%	11 homes
Rural Areas	35%	11 homes

xxv. In meeting the need for affordable housing in rural areas, the Local Plan supports the use of 'rural exception sites' in appropriate cases. These are sites specifically identified for affordable housing in rural communities and which would not normally be permitted for housing. The Council's approach is set out in Policy Villages 3 in Section C.

Ensuring Sustainable Development

xxvi. The Local Plan contains a wide number of other strategic policies that will help build sustainable communities and ensure sustainable development. Some examples include:-

Table 6: Supporting Strategic Policies

Subject	Policies	Section
Climate Change, Energy, Sustainable Construction and Flooding	ESD 1 - ESD 7	B.3 'Theme Three: Policies for Ensuring Sustainable Development'
Water Resources, Ecology and Biodiversity, Landscape	ESD 8 - ESD 13	B.3 'Theme Three: Policies for Ensuring Sustainable Development'
Green Belt	ESD 14	B.3 'Theme Three: Policies for Ensuring Sustainable Development'
The Built and Historic Environment	ESD 15	B.3 'Theme Three: Policies for Ensuring Sustainable Development'
Green Infrastructure	ESD 17	B.3 'Theme Three: Policies for Ensuring Sustainable Development'
Effective and Efficient Use of Land	BSC 2	B.2 'Theme Two: Policies for Building Sustainable Communities'
The Mix of Housing	BSC 4	B.2 'Theme Two: Policies for Building Sustainable Communities'
Travelling Communities	BSC 6	B.2 'Theme Two: Policies for Building Sustainable Communities'

Subject	Policies	Section
Meeting Education Needs	BSC 7	B.2 'Theme Two: Policies for Building Sustainable Communities'
Providing Sport, Recreation and Community Facilities	BSC 10 - BSC 12	B.2 'Theme Two: Policies for Building Sustainable Communities'
Meeting the Needs for Cemeteries in Bicester and Banbury	Bicester 9, Banbury 13	C.2 'Bicester', C.3 'Banbury'

Ensuring Delivery

xxvii. The Local Plan needs to be viable and deliverable and create the context for development management decisions to be taken in a positive way, for high quality development to be achieved on the ground and for enabling applications for sustainable development to be approved where possible.

xxviii. The Infrastructure Delivery Plan (IDP) provides confidence that critical infrastructure can be provided, that the Plan’s development strategy is deliverable, and that the necessary social, physical and green infrastructure can be secured to support the planned development. The Local Plan includes provision for a range of key infrastructure such as schools, strategic highway improvements, and ‘green’ infrastructure. The IDP identifies costs attributable to the proposed levels of growth, requirements of each type of growth, and consider how and when infrastructure should be provided having regard to the phasing of development and possible funding opportunities.

xxix. The Plan also includes a monitoring framework (Section E ‘Monitoring and Delivery of the Local Plan’) to ensure that Local Plan policies are being implemented and are achieving their aims.

Introduction to the Local Plan

1.1 This is the Local Plan for the Cherwell District.



1.2 The Local Plan is the key document which will guide the changing use of land in the District and define the purpose to which it is put in the future. It has three central **themes**:

- theme One: Policies for Developing a Sustainable Local Economy
- theme Two: Policies for Building Sustainable Communities
- theme Three: Policies for Ensuring Sustainable Development.

1.3 The Plan sets out the vision and strategy for the development of Cherwell through to 2031. It sets out why, where and how Cherwell will grow over the next 16 years.

1.4 It is a 'place shaping' document which defines where growth will occur and how our District will evolve, but which tightly focuses growth on our most sustainable locations.

1.5 It is a document that seeks to respond to a series of challenges which the District faces and to lock the key agencies into partnership for delivery over a long period of time.

1.6 The District faces some critical challenges over the next two decades including:

- remaining economically competitive
- ensuring housing growth only takes place in appropriate locations
- avoiding sprawl and ensuring growth avoids adverse environmental impacts
- ensuring the changing needs of the population are properly planned for
- reducing the high cost of energy use
- ensuring that infrastructure needs are met.

1.7 The Local Plan is not just a response to demand, but a powerful tool to meet those challenges, to shape growth in a planned way and so ensure a set of substantial gains over the long term for the benefit of the residents of the District.

1.8 By identifying key development areas for growth and change over the short, medium and long term, the Plan shows to residents and business the level and rate of growth and change likely in these areas over time. This will give business and residents certainty about the shape of their communities in the future.

1.9 The Plan centres on Bicester and Banbury as the most sustainable locations for growth. It is a plan which seeks to

strengthen the role of the towns as the centre of the local economy, set within a rural hinterland.

1.10 Maintaining and growing a successful economy requires growth as an inevitable outcome and brings with it many benefits, such as an increased labour force, economic development, increased investment, community development and infrastructure improvements.

1.11 Growth is a continuous process; an outcome of natural population increase (births and people living longer), patterns of migration, economic drivers and the changing needs of our community. District growth requires an effective strategy for its management, making the most of benefits and minimising potential negative outcomes.

1.12 Our Local Plan seeks to secure growth that is ‘balanced’ and ‘targeted’; growth that improves our places and the wider environment. In doing so, the Plan is clear on what we will support and what we will not.

1.13 The Plan is policy driven, with a number of transformational steps proposed to secure:

- a productive, high value economy
- an excellent transport system
- inclusive communities
- one community, not separate ones
- quality urban, rural and natural environments

- good quality design and masterplanning for new business and residential developments
- clear limits to growth for both Banbury and Bicester.

1.14 The Plan contains two sets of policies:

- policies for development, which apply across the entire District (Section B ‘Policies for Development in Cherwell’)
- policies for places, which focus development on a number of strategic locations (Section C ‘Policies for Cherwell’s Places’).

The Role of the Local Plan

1.15 The Local Plan is the document which sets the long term strategic ‘spatial vision’ for a local authority area. It contains the strategic spatial framework and policies to help deliver that vision.

1.16 The Local Plan was previously referred to as the ‘Core Strategy’, the central document of a ‘Local Development Framework’ containing other local planning policy documents and guidance.

1.17 New legislation (Localism Act 2011) and regulations enable Councils to reintroduce the term ‘Local Plan’ and have changed some of the plan-making procedures including the introduction of ‘Neighbourhood Planning’. A new ‘National Planning Policy Framework’ (NPPF) has also been produced sweeping away over 1,000 pages of guidance and allowing more scope for local interpretation of national policy. On the 6 March 2014 the Department of Communities

and Local Government (DCLG) launched the National Planning Practice Guidance (NPPG) web-based resource.

1.18 The Cherwell Local Plan takes into account these changes. It is a truly Local Plan which ensures that the NPPF's priorities are met but in a way that meets Cherwell's needs and challenges.

1.19 The Local Plan provides strategic planning policies and principles which support the wider economic priorities for Oxfordshire and the South East Midlands while also providing a foundation for local neighbourhoods to subsequently become involved in planning and shaping for their own areas should they so wish.

The Planning Context for the Local Plan

1.20 Although Cherwell District Council is the planning authority for Cherwell District, there is a framework of European and national legislation, national planning policy and guidance within which we must operate. The Local Plan is heavily influenced by this context.

1.21 Until 25 March 2013, the Local Plan was required to conform with a Regional Spatial Strategy (RSS) – the now revoked South East Plan. The RSS set a broad framework of policies for the whole South East region and, like the Local Plan, was prepared based on evidence, assessment of issues and options, public involvement and independent examination. Significantly, it identified how much new housing should be provided within each authority from 2006 to 2026. All Local Plans or Development Plan Documents within the South East region were required to conform to the RSS at the time of their preparation.

1.22 The South East Plan was therefore central to preparing the Local Plan up until the point of revocation. Conforming with the South East Plan's housing requirements was a key feature of both the Draft Core Strategy 2010 and the Proposed Submission Local Plan 2012 and the emerging South East Plan was important in shaping the Council's Options for Growth in 2008.

1.23 More recently it is the NPPF (published March 2012) and the NPPG (March 2014) that have guided completion of the Plan. The NPPF includes a presumption in favour of sustainable development, an emphasis on assessing needs locally, on working jointly with other authorities and on achieving economic growth. The Plan has been informed by the NPPF's twelve 'Core Planning Principles' including that planning be "...genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area...".

1.24 The influence of the NPPF and the revocation of the South East Plan can be seen in the Plan's clearer focus on delivering economic growth, in its more place specific objectives, in the identification of more strategic housing and employment sites to meet growth needs, and in the shaping of policies for a positive approach to development while protecting important local assets.

1.25 The priority for growth is at Bicester where there remains a need to maximise the benefits accruing from its location, including for high value and knowledge-based business; the Green Belt north of Oxford needs to be maintained; Banbury is a primary regional centre with an important role as a market town supporting its wider hinterland; and, there is a need to meet the local needs of our rural communities for small scale affordable housing, business and service

development having regard to the changes to the rural economy and the need to maintain services.

I.26 This Local Plan covers the period 1 April 2011 to 31 March 2031. This is to ensure that at least 15 years of housing supply can be provided post-adoption, as required by the National Planning Policy Framework, to provide flexibility in phasing the delivery of strategic development sites and to allow a longer period for infrastructure planning.

I.27 Any future review of the Plan will require the cooperation of all authorities in Oxfordshire to meet the County's total housing need arising from the need assessed in the 2014 SHMA. This will include catering for the housing needs of Oxford City. A strategic Green Belt boundaries review is one of a number of options to consider in meeting the County's overall housing needs. All local authorities in Oxfordshire are working jointly to take forward the conclusions of the new Oxfordshire SHMA and the outcome of this joint work may lead to a strategic Green Belt review.

The Structure of the Local Plan

I.28 This Local Plan is structured as follows:

Section A 'Strategy for Development in Cherwell':

I.29 This section considers the District as a whole and sets the context for the rest of the document. It includes the following:

- a vision and spatial strategy for Cherwell District up to 2031
- a series of key objectives which will set out how this vision and strategy are to be realised.

Section B 'Policies for Development in Cherwell':

I.30 This section details a series of planning policies which stem from the objectives described in Section A grouped under three themes:

- developing a Sustainable Local Economy
- building Sustainable Communities
- ensuring Sustainable Development.

Section C 'Policies for Cherwell's Places':

I.31 This section looks in detail at different parts of the District and sets out objectives and policies for these areas. It includes allocations of sites that the Council considers to be of strategic importance to delivering our overall development strategy for the District. This section includes:

- C.1 Introduction
- C.2 Bicester
- C.3 Banbury
- C.4 Kidlington
- C.5 Our Villages and Rural Areas.

Section D 'The Infrastructure Delivery Plan':

I.32 This section considers how the Local Plan will be delivered. It shows the key infrastructure that will be needed to support our communities over the next few years and how we can ensure that the infrastructure needed to support new development will be properly provided.

Section E 'Monitoring and Delivery of the Local Plan':

1.33 We need to make sure that we have proper systems in place to measure our success in achieving the objectives we have set in the Local Plan. This section shows how we propose to monitor this.

How the Local Plan has been Prepared

1.34 Producing our Local Plan has involved various stages of preparation and consultation, beginning in 2005. A number of documents have been produced, and these, together with other technical and background reports, have been referenced in Appendix 3 'Evidence Base'.

1.35 The emerging strategic issues for the Local Plan to focus on, and the options regarding how to tackle them, were presented in an Issues and Options Paper published for consultation between February and April 2006.

1.36 Consultees listed in the Council's Statement of Community Involvement, and other respondents to preliminary Plan correspondence, were invited to comment on the document. Representations received during this consultation can be viewed online.

1.37 We supplemented this early consultation with regular workshops held with Parish Councils, other expert organisations, and agents/developers. The regular workshops with Parish Councils introduced Parishes to the Local Plan, and provided a forum to explore potential policy approaches (initially focusing on village policy and the settlement hierarchy, and then issues such as employment and tourism, affordable housing, design, and village boundaries). Stakeholder workshops were also undertaken to inform the Sustainability

Appraisal – to 'test' certain options, making use of the local knowledge of experts and organisations in environmental, social and economic fields. Workshops were also held specifically on the 'Directions of Growth' – identifying the locations for development. Separate workshops were held for Parish Councils, 'experts' and agents/developers.

1.38 The evidence gained through these consultation exercises was intended to inform the next 'Preferred Options' stage. However the Regulations guiding the production of the Plans were amended in June 2008 and a specific 'Preferred Options' stage was removed.

1.39 The new Regulations and accompanying guidance instead focused on more continuous consultation and evidence gathering throughout the generation and consideration of options, to ensure that options pursued in the Local Plan are capable of being delivered. The Local Plan should be based on evaluation of the 'reasonable alternatives' and should be the most appropriate plan when considered against these alternatives. The new guidance emphasised the collection of a robust evidence base, which should be relevant to local characteristics and as up to date as practical.

1.40 Recognising the need for a thorough evidence base, and the importance of up to date stakeholder involvement, in Autumn 2008 we undertook further consultation on what at that time was termed the 'Core Strategy' and potential 'Options for Growth' for the District (consulting on broad areas around Banbury and Bicester that we considered to be 'reasonable alternatives' for growth, suitable for further investigation).

1.41 After this 'Options for Growth' consultation, the focus turned to gathering further evidence on a range of issues. We

commissioned a number of in-depth technical studies to provide the evidence needed to ensure the Local Plan is 'justified'.

1.42 In April 2008, two locations in Cherwell were shortlisted for consideration as eco-towns – a site near Weston-on-the-Green (known as 'Weston Otmoor') and North West Bicester. In July 2009 we received confirmation that North West Bicester had been identified as a potential eco-town location, with around 5,000 new homes to be provided over the lifetime of that development.

1.43 The timescale for the Local Plan has also been influenced by the preparation and adoption (in 2009) of the now revoked South East Plan.

1.44 In February 2010 we published the Draft Core Strategy and consulted upon it. The results of that consultation were used to further develop the Local Plan.

1.45 Following the election of a new Government in May 2010 major reform to the Planning system was introduced, including the Localism Act (2011), the revocation of the RSS, and the introduction of simpler planning guidance through the National Planning Policy Framework (NPPF) which places a greater emphasis on securing sustainable growth. This plan responds to these reforms.

1.46 The Council consulted upon the Proposed Submission Local Plan in August 2012, Proposed Changes to the Proposed Submission Local Plan in March 2013 and proposed modifications in August 2014. The responses received have informed the Local Plan at all stages.

Sustainability Appraisal

1.47 Sustainability Appraisal (SA) is required to be undertaken in the preparation of all Development Plan Documents. An SA report was produced for public consultation to accompany the Local Plan. The purpose of SA is to ensure that the Local Plan proposes sustainable development. It has informed the objectives and policies of the Local Plan.

The Local Plan and the Sustainable Community Strategy

1.48 The Local Plan is not the only document that considers the issues facing communities in Cherwell District into the future. The 'Cherwell Sustainable Community Strategy' (SCS) has also been prepared as the top level guiding document for the Cherwell area. The SCS sets an overall strategic direction and long-term (until 2030) vision for the economic, social and environmental well-being of the area. It will influence future policies and plans and it will be used to influence future funding.

1.49 There are important differences between the Local Plan and the SCS.

1.50 Unlike the Local Plan, the SCS is not prepared by the District Council but by the Cherwell Local Strategic Partnership of which the Council is a member.

1.51 The SCS considers a wide range of issues of importance to the community, many of which are not related to land-use planning. It therefore has a wider scope than the Local Plan. But while the processes of preparing the two documents are different, public engagement is central to both.

1.52 We have sought to ensure that the two documents are complementary. The SCS recognises the growth and development that

will take place in the District and considers the implications of this for Cherwell's communities. The Local Plan seeks to address the wider needs and aspirations of communities as expressed in the SCS.

1.53 The Cherwell Local Strategic Partnership published the draft SCS in July 2009, and carried out a public consultation on this document until October 2009. In November 2009, the Council adopted a revised SCS "Our District, Our Future".

1.54 The Council has sought to ensure that there is a strong link between the two documents, which can be seen in several ways:

- Both the proposed spatial vision for the Local Plan and its objectives draw from those prepared for the SCS.
- The level of growth and development that is anticipated in the District is fully reflected in the SCS, in particular through the "Future Challenges" section of that document.
- The four key "ambitions" within the SCS reflect the challenges posed by this growth. Within each of these are contained objectives, many of which are reflected in the policies of the Local Plan.

Duty to Cooperate

1.55 The Council has a legal 'Duty to Co-operate' with other local planning authorities and other prescribed bodies when it undertakes certain activities, including the preparation of Development Plan Documents, activities that can reasonably be considered to prepare the way for such preparation and activities that support such preparation so far as they relate

to a strategic matter. The reason is to maximise the effectiveness of those activities. The Council is required "to engage constructively, actively and on an on-going basis" in respect of the activities that are subject to the Duty.

1.56 The NPPF makes clear that the Duty particularly relates to the strategic priorities of Local Plans:

- the homes and jobs needed in the area
- the provision of retail, leisure and other commercial development
- the provision of infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat)
- the provision of health, security, community and cultural infrastructure and other local facilities
- climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment, including landscape.

1.57 Local planning authorities should:

- work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly co-ordinated and clearly reflected in individual Local Plans
- undertake joint working on areas of common interest for the mutual benefit of neighbouring authorities

- work together to meet development requirements which cannot wholly be met within their own areas
- consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans
- take account of different geographic areas, including travel-to-work areas, and ensure cooperation between County and District authorities on relevant issues
- work collaboratively to enable delivery of sustainable economic growth in consultation with Local Enterprise Partnerships and Local Nature Partnerships
- work collaboratively with private sector bodies, utility and infrastructure providers.

1.58 On-going and constructive engagement with neighbouring authorities and relevant organisations has taken place since work on the Local Plan began. The Council benefits from possessing a series of very well developed, interlocking relationships with neighbouring Councils and a particularly close engagement with Oxfordshire County Council and South Northamptonshire District Council. Through the various forums, regular debate and coordination takes place on strategic planning, growth strategies, transport and economic development issues facing the sub-region, County, and District, and in relation to its neighbours.

1.59 As the gateway to the Midlands, Cherwell looks beyond the County of Oxfordshire and has forged deep positive links with its neighbouring Councils of

Stratford-on-Avon, Aylesbury Vale and South Northamptonshire. The application of the Duty to Cooperate is leading to significant policy changes and agreements that are helping to locate the Cherwell Local Plan within its wider sub-regional context. This includes commitments to manage the growth impacts on the A41 with Aylesbury Vale District Council, cooperation on opportunities for securing coordinated investment in the High Performance Engineering Sector with Stratford-on-Avon Council and addressing congestion challenges on Junction 10 on the M40 with South Northamptonshire District Council. It also includes working with Oxfordshire County Council and Oxford City Council on the development of the Oxford Transport Strategy including improved connections to the A40 and A44 with West Oxfordshire Council and consideration of how best to address congestion and Air Quality on the A34 with South Oxfordshire and Vale of White Horse Councils.

1.60 The 'Duty to Cooperate Topic Paper' supports the Local Plan. Key areas of cooperation include:

- involvement in both the Oxfordshire Local Enterprise Partnership and the South East Midlands Local Enterprise Partnership
- joint working and collaboration through the Oxfordshire Spatial Planning and Infrastructure Partnership (SPIP) supported by the Oxfordshire Planning Policy Officers group (OPPO)
- involvement of the Local Strategic Partnership in developing the Local Plan
- development and maintenance of a county Local Investment Plan

- joint working and on-going liaison with Oxfordshire County Council on Local Plan issues and place-shaping
- joint working on Bicester and Banbury Masterplans, Kidlington Framework Masterplan, Gypsies and Traveller housing needs, flood risk and transport
- Parish and Town Council involvement in developing the Local Plan vision and aims
- close working with the Defence Infrastructure Organisation
- liaison with adjoining authorities and service providers
- liaison with Bicester Vision and Chambers of Commerce
- involvement in the Oxfordshire Green Infrastructure Strategy produced by the Oxfordshire Local Nature Partnership.

1.61 Such cooperation has helped shape the Local Plan, for example in understanding the growth needs of Bicester, the opportunities associated with strategic investment in the railways, the need for regeneration in central Banbury, strategic highway issues, the re-alignment of the national logistic needs of the military, and the environmental priorities for the future.

1.62 The Council will continue to work with neighbouring authorities and others on planning issues which cross administrative boundaries.

Other Policy Links and Additional Local Policy Guidance

1.63 The Local Plan draws on a number of other documents including:

- the Council's own strategies such as the Economic Development Strategy, Housing Strategy and Conservation and Urban Design Strategy
- specific evidence and studies commissioned for the preparation of the Local Plan
- an evolving Infrastructure Delivery Plan.

1.64 Together with the strategy, policies and guidance for strategic development areas in the Local Plan there will be other non-strategic policy and comprehensive guidance on the development that will be permitted in the District, what it should contain, how it should be designed, the matters that will need to be addressed and where it may be located.

1.65 The additional policy and guidance will include:

- A Local Plan Part 2 that consists of development management policies as well as identifying smaller (non-strategic) sites in the urban and rural areas and providing linkages to Neighbourhood Planning.
- Bolton Road Development Area SPD
- Banbury Canalside Development Area SPD
- Sustainable Buildings in Cherwell SPD
- Bicester Masterplan SPD

- Banbury Masterplan SPD
- Kidlington Masterplan SPD
- Developer Contributions SPD
- North West Bicester SPD.

What Does the Plan Do?

1.66 The detail of the Cherwell Local Plan is set out in the following sections. In summary, it:

- sets out clear ambitions for the District and the two towns in particular
- provides certainty for communities and developers as to what will /can be developed and where
- focuses growth at Bicester and to a lesser extent at Banbury
- seeks to strengthen Kidlington's economic role
- proposes sustainable levels of growth at the villages and has regard to the need to protect the character of our rural areas
- ensures that the main focus of the plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities
- creates a major platform to help deliver economic development in a recession
- strengthens the town centres at the heart of the District

- secures infrastructure such as new rail and road investment
- avoids the coalescence of towns and villages
- takes permissions and what has been constructed into account
- emphasises high environmental standards and design quality
- protects, enhances and realises the potential of the Oxford Canal
- promotes area renewal and regeneration in Banbury
- supports innovation such as Community Self Build
- addresses planning reforms.

1.67 We consider this to be a deliverable plan and one that will secure a sustainable economy for Cherwell over the next two decades.

Section A - Strategy for Development in Cherwell

A.1 A key role for the Local Plan is to set out the strategy for how Cherwell District will develop over the period to 2031. This strategy needs to be a “spatial strategy” – setting out how much the District will grow, broadly where this growth will take place and how the growth will be delivered.



A.2 Underpinning this strategy is a vision for our District. We need to understand what we want Cherwell District to be like in 2031. What values and principles will shape our planning decisions?

A.3 This vision should be distinctive to our local area, and it must be realistic and achievable. Importantly, it should relate to other vision statements made by Cherwell District Council and others. Local people need to be confident that the various public bodies responsible for planning the future growth of the District have the same overall vision for Cherwell District.

Cherwell in 2031

A.4 The purpose of a vision statement is to set out an image of the future that we are seeking to create. What type of place do we want Cherwell District to be in 2031? What values and principles should underpin our Local Plan?

A.5 In identifying these issues, we have reviewed national, regional and local strategies, policies, and priorities; we have examined information which helps us understand the 'health' of Cherwell's economy, its communities and its environment and which highlights its opportunities and constraints; and we have commissioned or produced new evidence on key topic areas such as flood risk, affordable housing and transport.

A.6 In defining our vision statement, we are mindful that other vision statements have already been prepared by other bodies and by the Council in earlier documents, and our statement must draw on these as appropriate. These include:

- the vision for Oxfordshire 2030, prepared by the Oxfordshire Partnership
- the vision for Cherwell District contained in the Sustainable Community Strategy and prepared by the Cherwell Local Strategic Partnership

- the draft vision for the LDF contained in the Issues & Options paper in 2006
- the draft vision for the Core Strategy in February 2010
- the draft vision for the Proposed Submission Local Plan August 2012 and Proposed Changes to the Proposed Submission Local Plan March 2013
- Oxfordshire Strategic Economic Plan
- South East Midlands Strategic Economic Plan.

A.7 In the light of these, our vision for Cherwell District is as follows:

Our Vision for Cherwell District

A.8 By 2031, Cherwell District will be an area where all residents enjoy a good quality of life. It will be more prosperous than it is today. Those who live and work here will be happier, healthier and feel safer.

A.9 For this to happen:

- We will develop a sustainable economy that is vibrant and diverse with good transport links and sound infrastructure, supported by excellent educational facilities. Our economy will grow to provide more diverse employment for our increasing population and reduce the need for our residents to travel outside the District for work.
- We will maintain and improve the vitality of our town centres as accessible economic, cultural and social hubs, offering improved leisure and shopping facilities as well as a diverse and vibrant evening economy.
- We will support a stronger, sustainable rural economy that is more diverse and not reliant entirely on agriculture. Our villages will be 'lived in' as well as 'slept in'.
- We will improve road, rail and public transport links and provide increased access to services and facilities to cater for the needs of the District. In particular, we will focus on measures aimed at managing road congestion, improving public transport and improving access to town centres and other shops and services.
- We will build sustainable communities by facing the challenges of a growing and an ageing population and ensuring that the settlements of Banbury, Bicester and Kidlington, along with the rural areas offer a high quality of life and meet the needs of all sections of the population.
- We will ensure that Cherwell can offer its communities a range and choice of good quality, market and affordable housing.
- We will ensure that by careful and timely investment in our social and physical infrastructure, people have convenient access to health, education, open space, sport and recreational activities when they need it. We will seek to address inequalities in health, and aim to maximise well-being. Poverty and social exclusion will be reduced.
- We will cherish protect and enhance our distinctive natural and built environment and our rich historic heritage. Cherwell will maintain its rural character where its landscapes, its vast

range of natural and built heritage and its market towns define its distinctiveness.

- We will protect our natural resources, embracing environmental technologies and adapting our behaviour to meet the global challenge of climate change. We will promote the use of alternative energy sources where appropriate and reduce the impact of development on the natural environment, including seeking to minimise flood risk.

The Spatial Strategy for Cherwell District

A.10 Implementing the vision for Cherwell District to 2031 will be through a spatial strategy which enables us to make decisions about the direction and nature of development.

A.11 Our spatial strategy for Cherwell District is as follows:

- Most of the growth in the District will be directed to locations within or immediately adjoining the main towns of Banbury and Bicester.
 - Bicester will continue to grow as the main location for development within the District within the context of wider drivers for growth.
 - Banbury will continue to grow, albeit to a lesser extent than Bicester, in accordance with its status as a market town with a rural hinterland.

- Away from the two towns, the major single location for growth will be at the former RAF Upper Heyford base which will deliver 2,361 homes.
- Kidlington's centre will be strengthened and its important economic role will be widened. Economic development will be supported close to the airport and nearby at Begbroke Science Park. There will be no strategic housing growth at Kidlington but other housing opportunities will be provided.
- Growth across the rest of the District will be much more limited and will focus on meeting local community and business needs. It will be directed towards the larger and more sustainable villages within the district which offer a wider range of services and are well connected to major urban areas, particularly by public transport.
- Development in the open countryside will be strictly controlled. In the south of the District, the Green Belt will be maintained, though a small scale local review of the Green Belt will be conducted to accommodate identified employment needs at Kidlington. In the north west of the District, the small area lying within the Cotswolds Area of Outstanding Natural Beauty will similarly be protected.

Getting There - Our Strategic Objectives

A.12 To achieve the vision we have set out to address the key issues that Cherwell faces, we have established a set of objectives for our themes of developing a sustainable local economy, building sustainable communities and ensuring sustainable development. These objectives steer our policy making for the

District as a whole. These have been formed through discussions with partners such as Oxfordshire County Council.

Challenges and Objectives for Developing a Sustainable Local Economy

A.13 Cherwell is a relatively prosperous area with some areas of deprivation. It has high levels of employment, high dependence on manufacturing, a relatively low skills and education base, and workplace earnings below the regional level. There remains a lack of diversity in the local economy. Between 1998 and 2008 the level of employment in manufacturing fell by 4% as growth in other sectors occurred, particularly in distribution, hotels and restaurants. High employment rates were maintained through this change but the recent economic downturn has been challenging.

A.14 Cherwell's key challenges to achieving a sustainable local economy are:

- the 'knowledge economy' needs to grow
- new employment sites are needed to meet modern business needs
- there is a need to make more efficient use of existing employment areas by prioritising the use of existing sites
- improving our urban centres and existing employment areas to retain and attract business
- there is a need to adapt to the changing rural economy and to provide more employment opportunities and potentially suitable employment sites in rural areas

- relatively large numbers of people in Cherwell are without qualifications and basic skills; the level of education and training needs to improve
- pockets of multiple deprivation in the District
- the average weekly wage is lower than the South East average
- the claimant count rose, particularly in Banbury, in 2009 as a result of the economic downturn. In 2012 it was about twice the level it was in 2008
- insufficient diversity in the local economy
- overdependence on a declining number of manufacturing jobs
- the need to respond to a growing and ageing population.

A.15 The central theme of our Economic Development Strategy (2011-2016) is the creation of 'economic resilience' by combining the resources of the private, social and public sector partners. The strategy seeks to continuously develop our local economy to ensure it remains internationally competitive, to enable the creation of jobs and prosperity now and for the future and to create a more diverse economy. It highlights the unique opportunity arising through the Bicester eco-town project and recognises that the development of 'green' infrastructure, skills and technology will allow Bicester and the wider District to become more attractive for innovative business investment and the creation of 'higher value' employment opportunities.

A.16 Leadership on developing a ‘Low Carbon’ economy will involve the development of ‘green technologies’ and ‘green knowledge’ around existing and new employers, sectors and clusters. The strategy seeks to support industry in developing alternative energy sources and maximising the opportunities within engineering and construction to develop practical solutions to mitigate the impact of climate change and secure competitive, green business practice. This includes increasing the capacity to design, build or upgrade existing infrastructure so that it does not contribute to climate change. It also means protecting the environment and enhancing bio-diversity which will help business investment and visitors.

A.17 The Sustainable Community Strategy emphasises the need to develop a diverse and resilient industrial base and an appropriately skilled workforce. It highlights the importance of supporting people in gaining the skills and flexibility to access local jobs and of attracting new businesses into the area which, in turn, will encourage our younger population to stay or return.

Our Strategic Objectives for Developing a Sustainable Local Economy

SO 1 To facilitate economic growth and employment and a more diverse local economy with an emphasis on attracting and developing higher technology industries.

SO 2 To support the diversification of Cherwell's rural economy.

SO 3 To help disadvantaged areas, support an increase in skills and innovation, improve the built environment and make Cherwell more attractive to business by supporting regeneration.

SO 4 To maintain and enhance the vitality, viability, distinctiveness and safety of Cherwell's urban centres.

SO 5 To encourage sustainable tourism.

Challenges and Objectives for Building Sustainable Communities

A.18 The Sustainable Community Strategy (SCS) states that communities within Cherwell are generally harmonious and healthy. People like where they live and have a strong allegiance to their town or village but are not necessarily attached to Cherwell as a whole. However, it emphasises that rapid population growth and development has diluted local identity and a sense of belonging.

A.19 The SCS highlights that support may particularly be needed by young people, older people, young families, people moving into the area from outside the UK and marginalised communities, for example people with disabilities or from black and minority ethnic backgrounds. It also points out that villages are being challenged by an erosion of the younger population, local employment and services. Housing is identified as a big concern for Cherwell, particularly the shortage of social / affordable housing. Concerns are also highlighted about secondary education, rural isolation and anti-social behaviour, especially in town centres.

A.20 Some of Cherwell's key economic issues are also wider community issues: the need to address multiple deprivation; relatively large numbers of people without qualifications and basic skills, and the need to respond to a growing and ageing population.

A.21 Cherwell's other key challenges to building sustainable communities are:

- the need to make market housing more affordable - Cherwell is the most affordable District for housing in Oxfordshire, but in 2009 median house prices were still over 78 times median earnings
- the need to provide more family housing for newly forming households in rural areas
- the Council has been successful in the prevention of homelessness but it remains important to ensure an adequate supply of new housing for vulnerable households
- the need to meet the requirements of a relatively young population, particularly those aged 0 to 15 in urban areas
- meeting the needs of an ageing population and those with special needs
- child well-being in Cherwell which is well below the other rural districts in Oxfordshire
- rates of claimants of health-related benefits in Cherwell are above the average for Oxfordshire but below the South East average with the exception of Attendance Allowance which is above the county and regional average.
- the need to improve educational attainment
- the level of adult obesity is above the levels in other Oxfordshire districts
- the percentage of Cherwell residents participating in sport and active recreation is below other rural Oxfordshire districts but above regional and national averages
- the need to consider the implications of low population growth (and potential depopulation) in Kidlington
- the need to protect and enhance the identity of Cherwell's towns and villages, to maintain or create a sense of belonging and improve social cohesion
- ensuring that the needs of a diverse Cherwell population are met, for example Cherwell has a relatively large Indian and Pakistani population compared to other rural districts in Oxfordshire
- a lack of affordable housing and the need to increase the proportion of the housing stock that comprises social housing.

A.22 The community priorities of the Sustainable Community Strategy include creating safe, strong and vibrant communities, reducing inequality and addressing deprivation and adapting to an ageing population. It aims for thriving communities where everyone, regardless of their personal circumstances, feels safe in their homes and welcome in their neighbourhoods, where older people are able to live independently and where younger people have skills, opportunities and high aspirations.

Our Strategic Objectives for Building Sustainable Communities

SO 6 To accommodate new development so that it maintains or enhances the local identity of Cherwell's settlements and the functions they perform.

SO 7 To meet the housing needs of all sections of Cherwell's communities, particularly the need to house an ageing

population and to meet the identified needs of Gypsies and Travellers and Travelling Showpeople, in a way that creates sustainable, inclusive and mixed communities.

SO 8 To improve the affordability of housing in Cherwell and to provide social rented and intermediate housing to meet identified needs whilst ensuring the viability of housing development and a reliable supply of new homes.

SO 9 To improve the availability of housing to newly forming households in rural areas.

SO 10 To provide sufficient accessible, good quality services, facilities and infrastructure including green infrastructure, to meet health, education, transport, open space, sport, recreation, cultural, social and other community needs, reducing social exclusion and poverty, addressing inequalities in health, and maximising well-being.

Challenges and Objectives for Ensuring Sustainable Development

A.23 Like many areas in the South East, Cherwell has seen rapid post-war development. In terms of population, Banbury is over twice the size it was in 1951. Bicester is seven times the size. The construction of the M40 motorway through the District in the early 1990s had an enormous impact on the economic attraction of Cherwell and on relieving traffic congestion, but has also brought negative change in terms of the amount of traffic that travels through the District and with regard to the impact on the landscape and on air quality.

A.24 A relatively high level of growth is expected to continue in Cherwell which places pressure on Cherwell's natural resources, on maintaining the quality of its

built and natural environment, on maintaining and enhancing its biodiversity, and on ensuring that Cherwell is an attractive place to live and work. Climate change and the need to manage resources such as water and waste more responsibly compound these long-standing existing environmental challenges and are creating new issues such as the need to reduce carbon dioxide emissions.

A.25 Cherwell's key challenges to ensuring sustainable development are:

- There is a need to maximise the opportunities to significantly cut carbon emissions. Although compared to other 'significant rural' districts, Cherwell has lower domestic carbon dioxide emissions per person, it has higher overall emissions per person due to more emissions from industrial and commercial activity.
- A need to consider the effects of development on air quality, including in relation to Air Quality Management Areas (AQMAs) in Cherwell, and how development proposals can contribute towards improvements.
- A need to ensure that contamination is addressed effectively on sites through re-development.
- There is a need to maximise opportunities for the use of renewable energy, efficient buildings and for using resources such as energy and water more efficiently.
- There is a need to reduce dependence on travel by car and to manage traffic congestion - between 1981 and 2001 the number of cars in Cherwell increased by over 34,700 (97%), over double the growth in households (46%);

residents in our rural areas are particularly dependent on their cars and congestion hotspots include Junction 9 of the M40, on the A34, in the centres of Banbury, Bicester and Kidlington at peak times and in villages with schools. Commuters in Cherwell travel relatively long distances to work.

- Maximise the opportunity to shift dependence from the car to sustainable modes of transport.
- Cherwell is ranked very poorly on a national measure of geographical accessibility of services.
- Water resources in Cherwell are limited and needs will continue to be met from outside the Cherwell catchment area.
- Cherwell's rivers have been consistently assessed as poorer in chemical quality than rivers in other districts in Oxfordshire.
- There is a need for a leap forward in sustainable design and construction in Cherwell.
- There is a need to improve the quality of our built up environments and urban areas, to ensure that new development maintains or increases their distinctiveness and to improve the functioning of our towns and villages.
- Cherwell's biodiversity needs to be protected and enhanced and measures need to be taken to ensure it is capable of adapting to a changing climate. There is need to support the management of existing woodlands and wildlife sites and to identify new wildlife sites. The reduction in nesting and roosting sites is a particular concern.
- A need to cherish, preserve and enhance our distinctive natural and built environment and our rich historic heritage including listed buildings and conservation areas. There is a need to improve the built up environments of our urban areas, to ensure that new development maintains or increases distinctiveness and improves the functioning of our town and villages.
- Cherwell households have the lowest access to natural green space across the whole of the South East; 72% of households meet none of the Accessible Green Space requirements - a reflection of the low number of country parks and areas of common land in the District.

A.26 Cherwell's Environmental Strategy for a Changing Climate (2008) highlights the common need to improve energy efficiency, reduce carbon emissions, encourage the take-up of low carbon and renewable energy technologies, and reduce the need to travel and provide good access to public and other sustainable modes of transport. It notes the need to conserve water, to minimise flood risk, and to be resilient to the impacts of climate change.

A.27 Minimising pollution, protecting and enhancing wildlife habitats, conserving cultural heritage and natural resources and minimising waste and maximising recycling are also highlighted as priority areas. These aims reflect the environmental objectives of the Sustainable Community Strategy.

Our Strategic Objectives for Ensuring Sustainable Development

SO 11 To incorporate the principles of sustainable development in mitigating and adapting to climate change impacts including

increasing local resource efficiency (particularly water efficiency), minimising carbon emissions, promoting decentralised and renewable or low carbon energy where appropriate and ensuring that the risk of flooding is not increased.

SO 12 To focus development in Cherwell's sustainable locations, making efficient and effective use of land, conserving and enhancing the countryside and landscape and the setting of its towns and villages.

SO 13 To reduce the dependency on the private car as a mode of travel, increase the attraction of and opportunities for travelling by public transport, cycle and on foot, and to ensure high standards of accessibility to services for people with impaired mobility.

SO 14 To create more sustainable communities by providing high quality, locally distinctive and well designed environments which increase the attractiveness of Cherwell's towns and villages as places to live and work and which contribute to the well-being of residents.

SO 15 To protect and enhance the historic and natural environment and Cherwell's core assets, including protecting and enhancing cultural heritage assets and archaeology, maximising opportunities for improving biodiversity and minimising pollution in urban and rural areas.

Presumption in Favour of Sustainable Development

A.28 The principles of 'sustainable development' are central to the planning system. The NPPF (paragraphs 11-16) sets out what is meant by the 'presumption in

favour of sustainable development' and recommends that Policies in the Local Plan should follow this presumption.

A.29 The Framework recognises that sustainable development is about change for the better. It is about positive growth, making economic, environmental and social progress for this and future generations. To achieve sustainable development, economic, social and environmental gains should be sought jointly. They are mutually dependent.

A.30 In line with Government policy advice, the Council has adopted a positive approach in seeking to meet the objectively assessed development needs of the District. The policies in the Local Plan provide a clear framework to guide development that creates positive, sustainable growth, therefore following the presumption in favour of sustainable development, enabling proposals that accord with the Plan objectives to be approved without delay. This policy is therefore at the heart of decision making when assessing planning applications.

A.31 There may be instances where the Plan is silent or in future years, policies become out of date. To enable the Council to continue to take a sustainably positive approach to decision making, the applicant will need to assist by submitting evidence to demonstrate how the benefits of the proposal outweigh any adverse impacts.

A.32 The challenge here is to reconcile the need to deliver sufficient jobs and homes, supported by appropriate infrastructure to meet Cherwell's needs, whilst conserving the natural and built environment, minimising the need to travel and addressing climate change.

Policy PSD 1: Presumption in Favour of Sustainable Development

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- **any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or**
- **specific policies in the Framework indicate that development should be restricted.**

Section B - Policies for Development in Cherwell

B.1 Theme One: Policies for Developing a Sustainable Local Economy

Introduction

B.1 This Plan aims to support sustainable economic growth in the District. Creating a broad ranging, diverse and resilient economy is also a key ambition of the Cherwell Sustainable Community Strategy.



B.2 Increasing the economic competitiveness of Cherwell District is fundamental to providing employment opportunities to reduce the level of out commuting as well as reducing traffic congestion in the District and in neighbouring Districts and so shifting to a more locally self sufficient, sustainable

economy. As the cost of travel continues to increase, making commuting less viable, it will be important to provide employment opportunities within the District. A broad balance will also need to be maintained between labour supply and jobs.

B.3 However, improving Cherwell's economic future requires more than providing land and infrastructure. It also requires consideration of how we manage and reduce the environmental impact of proposed development and to ensure it is of sufficient quality and in keeping with the landscape and existing urban character of the District.

B.4 Protecting the role and function of our existing town centres and employment areas, as well as enhancing our natural and built environment, will enable Cherwell to become as business-friendly as possible in support of jobs and prosperity. Improving our town centres will also encourage tourism.

B.5 By working with our private sector partners we will take advantage of the locational advantages the District enjoys, the high economic activity level, the skills available and the clusters of specialist activity such as advanced engineering. We will support jobs-led economic growth and commercial investment that helps move the District towards a globally-competitive, lower carbon/green economy.

B.6 As Bicester lies at the heart of the Oxford – Cambridge technology corridor, and as Banbury has a strong manufacturing base and close links to the Motorsport sector, we are looking to strengthen the District's profile with Performance Engineering and will support investment made in the District in premises for new technology innovation.

B.7 We will encourage investment in hi-tech industries at new sites in Bicester and support science and innovation at Kidlington to create a critical mass of high tech research investment in this part of the District. This will enable the resources of Oxford University's Begbroke Science Park to connect with local businesses, strengthening technology transfer to both nurture enterprise and draw investment into the District.

B.8 We will support limited new employment development in the rural areas to help strengthen the rural economy and increase employment opportunities throughout the District.

B.9 Our Economic Development Strategy (2011–2016) identified the following:

- levels of employment are relatively high but not everybody is benefiting
- we have increasingly relied upon public sector jobs which are set to reduce in number
- the skill base of the District needs to be widened
- there remain pockets of deprivation within our overall prosperity
- we have a diverse economy but often with 'lower value' activity similar to the south Midlands
- manufacturing is a particular strength but is often lower skilled locally
- the knowledge economy is growing, but not quickly enough.

B.10 Unemployment has increased in Cherwell, particularly in Banbury, since the start of the recession and employment in Cherwell grew more slowly than the national average in the same time period.

B.11 Even though unemployment is not high compared to other parts of the country, this needs to be addressed and is a focus of this Plan.

B.12 Cherwell has experienced lower growth than some surrounding areas including locations such as Milton Keynes and Warwick. This may be due to a shortage in skills in some areas. However nationally, in terms of competitiveness, it is ranked 62 out of 379 local authorities. Overall the levels of economic activity are high, with 82% of the working age population economically active.

B.13 41% of employment in the District is located in Banbury, 20% in Bicester, 14% in Kidlington and 25% in the rural areas. Upper Heyford is a former RAF base which has consent for over 1,000 dwellings (including the existing homes) but which also has just under 1,000 jobs already located within the existing buildings with more to come as part of the site's redevelopment. As such it is one of the larger employment locations within Cherwell and provides a good range of jobs and premises from engineering and scientific activities to specialist storage activities.

B.14 The population in Cherwell is highly skilled, however the levels of educational attainment are low in some areas. It will be important to ensure that the population is sufficiently skilled to attract companies and investment to Cherwell. We will support proposals to strengthen the skills base of the local economy through new facilities aiming to strengthen training and skills within the District. The planned investment in

education (e.g. the University Technology College at Bicester) and skills will drive business growth, enhance the economy and improve our quality of life in the long term. Projects such as Brighter Futures and the Bretch Hill Regeneration Area identified in this Plan (Policy Banbury 10) will assist in improving skills. There will also need to be: promotion of local training providers, an improvement of the relationships between companies and schools, colleges and the Universities and continuation of initiatives such as the Council's 'Job Club'. Existing partnerships such as Bicester Vision and the M40 Investment partnership should continue to make this their priority.

B.15 Cherwell has excellent transport links with the M40 and a number of railway lines running through the District, some of which have recently been upgraded or are the subject of planned investment. Bus services are also good in most areas of the District.

B.16 Cherwell has a high proportion of employment in industrial sectors, logistics and retail and these contribute towards the local economy; but in order to be globally competitive and create a lower carbon economy more jobs are needed in the knowledge based sector. Wages are also relatively low in Cherwell and despite living costs being lower than many places in the South East, this means that there is less disposable income available for spending in the local area. An increase in jobs in the knowledge based sector will help improve this. Jobs in manufacturing are also at greatest risk from overseas competition where operating costs are much lower.

B.17 Homeworking is increasing in the District but is slightly lower than the South East average. Superfast broadband provision will be sought as a standard item within new housing and commercial development to support home working and new enterprise

throughout the District, including in rural communities. We will support development proposals to enable working from home where appropriate. We will work with suppliers to encourage the provision of superfast broadband across the District. Home and flexible working reduces the need to travel, reducing travel impacts and congestion.

B.18 As with many similar areas, the age profile of Cherwell is projected to continue to become older. This is a trend that should be recognised as it may lead to a lack of labour supply. However a large proportion of the population is aged between 60 and 70. With the changes in retirement age, a reduction in pensions and the current economic climate it is likely that a significant proportion of people will continue to work into their late 60's and 70's. This group will need to be taken into account as a labour resource and it will be important that life long learning is provided so this group has the skills required to support the economic vision in this Plan.

B.19 Increasing labour supply could be achieved by allocating significantly more land for housing but this is likely to have significant and unacceptable environmental effects. Building the right type of housing, such as family housing, to maintain a working age population will however will be important.

B.20 Banbury is the most self contained settlement in Cherwell but there are over 3,000 more people leaving the District for work each day than entering it. The Council will attempt to 'reclaim' out-commuters and provide jobs for local people by providing opportunities in a wider range of employment sectors.

B.21 To assist in achieving growth Cherwell has to increase ‘capital in use’ and ‘total factor productivity’ collectively known as labour productivity. This means developing and growing its economy by improving skills to enable an increase in productive jobs with higher wages.

B.22 The provision of a sufficient number and variety of available employment sites and the formation of planning policies which allow employment generating development to come forward in sustainable locations is critical to enabling existing companies to grow and to provide for new company formation. Employment sites are also needed in order to respond to inward investment including the planned electrification of the railway, new routes and stations in the District.

B.23 The Council belongs to two Local Enterprise Partnerships (LEPs) (which are formed by local government and businesses) which will be important for securing funding and in the implementation of projects. In the Budget of 2011 the government announced it would create Enterprise Zones across the country which provide for tax incentives for businesses and ‘relaxed’ planning regulations. Enterprise Zones have been awarded to, and are being driven by, Local Enterprise Partnerships. There are currently no Enterprise Zones in the District but the Plan provides sufficient employment land and flexible policies to allow business to grow.

B.24 The NPPF (2012) promotes the role of planning in achieving sustainable economic growth, in building a strong, responsive and competitive economy, and by ensuring that sufficient land of the right type, and in the right places, is available to allow growth and innovation.

B.25 In 2006 the Council prepared an Employment Land Review (ELR). This study sought to assess the quantity, quality and viability of employment land across the District. It assessed employment land that was at that time currently available and the need for further employment land within the District over the period of the Local Plan.

B.26 The ELR concluded that the District had a stock of premises and land that provides a broad range of choice for investors. It recommended that some 89 hectares of available employment land be protected to provide a continuity of supply of sites.

B.27 The forecasting and scenario exercise in the 2012 ELR shows a net additional demand for between 52.6 and 87.2 hectares of employment land across Cherwell to 2026, with the medium growth scenario (seen as the most likely to occur) predicting a net additional demand of approximately 70 ha. Extending this to 2031 results in demand for approximately 85 hectares.

B.28 A further analysis of the economy of the District and the changes it is experiencing was conducted in 2012 (Cherwell Economic Analysis Study) and updated in 2014 in an addendum. Table 33 of the Oxfordshire SHMA sets out a projected growth in jobs of 1,155 per annum and 1,142 homes per annum under the ‘planned economic growth’ forecast. Table 34 shows a total of 23,091 jobs generated under this scenario. The SHMA Economic Forecasting report on page 40 considers the proportion of total jobs generated (including indirect jobs) that would require B use class employment land. It is estimated that only 12,700 jobs will be located on B Use class land in Cherwell (table 6.2). The Submission Local Plan (January 2014) identified land for approximately 15,000 jobs and the consultants show at paragraph 6.6 of the

SHMA Economic Forecasting Report that the forecast growth in the Economic Forecasting Report could be accommodated on land identified for development in Cherwell's Local Plan (January 2014). The addendum takes into account the new housing numbers for Cherwell set out in the Oxfordshire SHMA, on which this Plan is based, and the 'committed economic growth scenario' they relate to. It also reflects any other significant changes that have occurred since publication of the 2012 report and informs a consistent broad alignment of policies on jobs and housing for the Local Plan including in relation to sub-areas. The 2014 Economic Analysis Study addendum identifies a need for just over 100 hectares of employment land to 2031.

B.29 A number of the strategic objectives of this Local Plan focus on supporting the local economy and fostering economic growth. These include objectives to:

- facilitate economic growth and a more diverse economy with an emphasis on attracting higher technology industries
- support the diversification of Cherwell's rural economy
- help disadvantaged areas, improve the quality of the built environment and make Cherwell more attractive to business by supporting regeneration
- improve the local skills base.

B.30 The support for business and economic development that the Local Plan has adopted is based on a strategic direction that gives focus to our efforts. We are looking to secure:

- business-friendly and well-functioning towns

- an eco-innovation hub along the Oxford – Cambridge technology corridor
- internationally connected and export driven economic growth
- investment in people to grow skills and the local workforce
- vibrant, creative and attractive market towns
- family housing
- measures to reclaim commuters where possible
- measures to increase labour productivity.

B.31 In terms of the type of employment development the District wants to attract and we will concentrate on:

- advanced manufacturing/high performance engineering
- the Green Economy
- innovation, research and development
- retailing
- consumer services.

B.32 We will support the logistics sector, recognising the jobs it provides and the good transport links that attracts this sector. However a high quality design will be expected. The significant amount of house building planned for the District will also lead to potential construction jobs (including in associated sectors) for local people.

B.33 Significant employment growth at Bicester will be encouraged and we will:

- encourage green technology and the knowledge based sectors, exploiting its position in the Oxford/Cambridge Corridor
- exploit its transport connections
- utilise the Ex-MoD land and facilitate the establishment of a modern logistics hub for the MoD
- maintain and increase the motorsport industry and other performance engineering
- create new opportunities for additional retail, leisure and cultural activities in an extended town centre
- encourage retailers and visitors to Bicester Town Centre
- continue to promote and expand Bicester Village where complementary to improving the town centre
- encourage high tech companies
- encourage higher value distribution companies
- improve its utilities infrastructure
- improve its sustainability and self sufficiency.

B.34 There will be moderate employment growth at Banbury and we will:

- build on its manufacturing base ensuring 'high end' manufacturing is encouraged

- exploit its transport connections
- maintain and increase the motorsport industry and other performance engineering
- maintain its sustainability and self sufficiency
- expand the retail heart of the town
- encourage the tourism industry around the canal and historic town centre
- encourage green technology and the knowledge based sectors
- encourage high tech companies
- encourage higher value distribution companies
- support its strong food production sector.

B.35 There will be small scale employment growth at Kidlington and we will:

- exploit its position in the Oxford/Cambridge Corridor
- allow for appropriate growth plans at Begbroke Science Park and in the vicinity of Langford Lane Industrial Estate following a small scale Green Belt review
- connect with the Oxford economy

- create new opportunities for additional retail, leisure and cultural activities, and environmental improvements, in an extended Village Centre
- secure the growth potential from the presence of London-Oxford Airport.

B.36 Employment growth in the rural areas will be limited and will involve:

- farm diversification schemes
- small scale, appropriate employment sites
- sustainable growth in tourism including recreation based tourism
- improvement of existing employment sites and reuse of existing buildings and brownfield sites (reflecting their historic or cultural significance where appropriate)
- support for working from home.

B.37 More detail is provided in Section C 'Policies for Cherwell's Places'.

Policy SLE 1: Employment Development

B.38 The Council will, as a general principle, continue to protect existing employment land and buildings for employment (B class) uses. The Council will support existing businesses and will seek to ensure their operational activity is not compromised wherever possible. Inevitably, over the period of the Local Plan, businesses will relocate or close, leaving land and premises available for re-use or re-development.



B.39 Where existing employment sites have good transport links for commercial vehicles and the proposed use of these sites accords with the Local Plan we will encourage new development here to ensure the efficient use of land on these sites and in our towns, avoiding the need to use valuable countryside. This will not always meet the needs of some companies so new sites will be required.

B.40 We will create new employment sites for commerce and engineering/manufacturing to meet the needs of existing and new companies. We will also actively promote those sites for inward investment.

B.41 To promote growth we have allocated an increase in the amount of employment land in the District. This is focused more at Bicester in order to match the growth in housing and make the town more sustainable.

B.42 A flexible approach to employment development is set out in this Plan with a number of our strategic sites allocated for a mix of uses and many allowing for different types of employment. Employment development will be supported in a number of locations as long as it meets certain policy criteria. In all cases very careful consideration should be given to locating employment and housing in close proximity and unacceptable adverse effects on the

amenity of residential properties will not be permitted. Live/work units will be encouraged in locations such as Banbury Canalside.

B.43 This Local Plan identifies strategic sites for employment use in Banbury and Bicester (see 'Policy Bicester 1: North West Bicester', 'Policy Bicester 2: Graven Hill', 'Policy Bicester 4: Bicester Business Park', 'Policy Bicester 10: Bicester Gateway', 'Policy Bicester 11: Employment Land at North East Bicester', 'Policy Bicester 12: South East Bicester', 'Policy Banbury 6: Employment Land West of the M40' and 'Policy Banbury 15: Employment Land North East of Junction 11'). A number of these sites have recent planning permissions and are under construction. The former RAF Upper Heyford site will also provide for employment uses. The sites identified in the Employment Trajectory in the Local Plan cover 200 hectares (gross) and result in approximately 20,500 jobs generated on B Use class land. There may be a slight change in jobs on sites due to site constraints such as flood risk and differing B use class mixes, which will be determined at the master planning stage. Further jobs will be generated generally through other means such retail and home working. Policies seek different types of employment units to ensure a range of employment uses are provided. Land is allocated taking account of economic evidence base, matching growth in housing and to cater for company demand, particularly for logistics. The Council's assessment of and strategies for housing, employment and other uses are integrated, and take full account of relevant market and economic signals.

B.44 To ensure employment is located in sustainable locations, to avoid problems such as traffic on rural roads and commuting, employment development in the rural areas will be limited. This accords with the

Council's strategy for focusing new housing development at Banbury and Bicester, ensuring housing and employment are located in the same place.

B.45 The new strategic employment sites set out in Section C 'Policies for Cherwell's Places' have been allocated because they:

- are, or will be accessible to the existing and proposed labour supply
- have good access, or can be made to have good access, by public transport
- have good access and transport links for commercial vehicles
- have the least effect on the natural environment.

B.46 The new allocated employment sites in Banbury and Bicester along with existing employment sites are considered to ensure a sufficient employment land supply.

B.47 The Local Plan Part 2 will consider where further, smaller, allocations need to be made in the urban and rural areas to support the delivery of a flexible supply of employment land. Where new small sites are proposed we will consider the most appropriate use class for the location. Opportunities for developing small 'hubs' of activity to meet local needs will be explored. New employment uses will be supported where appropriate in residential areas, where they are proposed on existing employment sites. Employment development will be focused at the more sustainable villages. These villages are also considered to be the most appropriate for any further employment development.

B.48 Policy SLE 1 applies to B use class employment development. The provision or the loss of jobs in general terms will be a material consideration for determining proposals for any use classes. The policy applies to sites which have planning permission for employment uses. Where

any allocated or committed employment sites in the District remain undeveloped in the long term and there is no reasonable prospect of the site being used for that purpose other uses will be considered. Policy SLE 2 will apply for proposals for main town centre uses.

Policy SLE 1: Employment Development

Employment development on new sites allocated in this Plan will be the type of employment development specified within each site policy in Section C 'Policies for Cherwell's Places'. Other types of employment development (B Use class) will be considered in conjunction with the use(s) set out if it makes the site viable.

In cases where planning permission is required existing employment sites should be retained for employment use unless the following criteria are met:

- **the applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term.**
- **the applicant can demonstrate that there are valid reasons why the use of the site for the existing or another employment use is not economically viable.**
- **the applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment.**

Regard will be had to whether the location and nature of the present employment activity has an unacceptable adverse impact upon adjacent residential uses.

Regard will be had to whether the applicant can demonstrate that there are other planning objectives that would outweigh the value of retaining the site in an employment use.

Employment development will be focused on existing employment sites. On existing operational or vacant employment sites at Banbury, Bicester, Kidlington and in the rural areas employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material considerations. New dwellings will not be permitted within employment sites except where this is in accordance with specific site proposals set out in this Local Plan.

Employment proposals at Banbury, Bicester and Kidlington will be supported if they meet the following criteria:

- **Are within the built up limits of the settlement unless on an allocated site**
- **They will be outside of the Green Belt, unless very special circumstances can be demonstrated**
- **Make efficient use of previously-developed land wherever possible**
- **Make efficient use of existing and underused sites and premises increasing the intensity of use on sites**
- **Have good access, or can be made to have good access, by public transport and other sustainable modes**
- **Meet high design standards, using sustainable construction, are of an appropriate scale and respect the character of its surroundings**
- **Do not have an adverse effect on surrounding land uses, residents and the historic and natural environment.**

Unless exceptional circumstances are demonstrated, employment development in the rural areas should be located within or on the edge of those villages in Category A (see Policy Villages I).

New employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:

- **They will be outside of the Green Belt, unless very special circumstances can be demonstrated.**
- **Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.**
- **They will be designed to very high standards using sustainable construction, and be of an appropriate scale and respect the character of villages and the surroundings.**
- **They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment.**
- **The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance).**
- **The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.**
- **There are no suitable available plots or premises within existing nearby employment sites in the rural areas.**

The Local Plan has an urban focus. With the potential for increased travel by private car by workers and other environmental impacts, justification for employment development on new sites in the rural areas will need to be provided. This should include an applicant demonstrating a need for and benefits of employment in the particular location proposed and explaining why the proposed development should not be located at the towns, close to the proposed labour supply.

Monitoring and review will be undertaken regularly.

Extensions to existing employment sites will be considered in the Local Plan Part 2.

Policy SLE 2: Securing Dynamic Town Centres

B.49 We are looking to ensure that Bicester and Banbury have a strengthened role in achieving economic growth, as a destination for visitors, and in serving their rural hinterlands.



B.50 We are determined to secure dynamic town centres as the focus for commercial, retail and cultural activity at the heart of our District. The renewal and strengthening of the town centres is critical if the towns are to expand, with the creation of new retail, commercial and other employment generation (such as leisure) that reduces the

overall level of out-commuting and maintains their role as the focal points of the District economy and their historic role as the heart of the community.

B.51 We envisage town centres that are:

- easy and pleasant to walk around
- attractive for shopping and going out
- easy to do business in
- have housing for all ages
- served by efficient public transport.

B.52 The increasing rationalisation of public assets (libraries, civic centres & public access points), is an opportunity to ensure multiple use of public sector buildings and so strengthen their role as a draw to secure additional footfall into the town centres.

B.53 In 2010 the Council commissioned an update to its 2006 PPS6 Retail Study. In 2012 a further study was commissioned which examines the capacity for comparison and convenience retail floorspace in the District. The study identified a need for comparison

and convenience floorspace in the District to 2031. The town centres of both Banbury and Bicester will therefore need to grow. Sites have been identified in Banbury to accommodate growth. New retail will form part of proposals for Bolton Road Development Area, Canalside and Spiceball Development Area and in Bicester towards the improved Bicester Village Railway Station and through an expanded Bicester Village, which will be integrated more fully into the town ('Policy Banbury 7: Strengthening Banbury Town Centre' and 'Policy Bicester 5: Strengthening Bicester Town Centre').

B.54 We will support businesses affected by the redevelopment of strategic development areas by assisting their relocation and ensuring alternative land is available locally elsewhere.

B.55 New retail development will continue to be focused in our town centres and all new development will also be required to be built to high design and building standards.

B.56 Town centre uses are considered to be the 'Main Town Centre Uses' defined by the NPPF including: retail, leisure, offices, arts, tourism, cultural and community uses. We will support the role that new restaurants and cafes have in the economy, of both towns in drawing people into the town centre. We will aim to attract new small businesses and to strengthen the draw of the town at the centre of its local hinterland. We will support uses which support the evening economy in appropriate locations.

B.57 The urban centres within the District offer an important focus for shopping, commerce and the provision of leisure and other services to meet the needs of local people and visitors. The main centres in the District are the town centres of Banbury and

Bicester and the village centre of Kidlington. There is also other significant shopping floorspace in the following locations:

- Banbury Cross Retail Park
- various other edge of centre & out-of-centre large stores including a number of major food stores
- at various local centres within Banbury and Bicester.

B.58 In addition to the more traditional retail parks, food stores and local centres, Bicester Village Outlet centre shopping centre is recognised as providing a specialist role which complements the town centre. As the District's most visited tourist destination, Bicester Village serves both national and international catchments and makes a significant contribution to the local economy. The Council supports the expansion of Bicester Village, to complement, and help to improve connectivity with, the existing town centre.

B.59 As well as serving the population of their immediate communities and more widely within Cherwell District, the retail centres serve a wider population and draw trade from towns such as Southam, Daventry, Towcester, Buckingham, Witney, Chipping Norton and Shipston-on-Stour.

B.60 Each of the main urban centres within the District is unique and faces different challenges and opportunities. More information, and specific policies for each of the centres, is included within Section C (Policies Bicester 5, Banbury 7 and Kidlington 2). A number of general comments can, however, be made:

- Both Banbury and Bicester town centres lie at the heart of towns which have grown significantly in recent years and, which through the period of this Local Plan, will continue to do so.
 - Banbury has seen significant retail growth since the mid 1990s with the expansion of the Castle Quay Shopping Centre and this has helped to meet its immediate shopping needs. There are opportunities to expand its retail role.
 - Bicester town centre has seen less growth. However, the re-development of the Bure Place car park has begun to provide a substantial increase in shopping within the town centre (see Policy Bicester 6). Away from the town centre, the Bicester Village Outlet Shopping Centre was opened in 1995 and extended in 2000 and 2008. Bicester Avenue opened in 2007. Further developments in the town centre will need to ensure that the town remains accessible by all forms of transport for residents and visitors. Further growth at Bicester Village will also ensure its role as a major national and international retail draw continues with all the employment gain this brings to the town. It must, however, be integrated into an improved town centre.
 - Parts of both Banbury and Bicester town centres lie within conservation areas which protect their historic core. Maintaining the quality of these areas is important and any development in these areas will need to preserve and enhance the character of these areas and historic environment.
 - Kidlington centre is considerably smaller than the two town centres, however it plays an important role in serving the local population. Additional shopping floorspace was opened in the centre in 2004 and there is capacity for further floorspace in the period up to 2031.
- B.61** The Council is committed to supporting its town centres and to maintaining and enhancing their vitality and viability and their associated infrastructure to create vibrant retail environments.

Policy SLE 2: Securing Dynamic Town Centres

Retail and other 'Main Town Centre Uses' will be directed towards the town centres of Banbury and Bicester and the village centre of Kidlington in accordance with Policies Bicester 5, Banbury 7 and Kidlington 2. The Council will apply the sequential test as set out in the NPPF as follows:

- **Proposals for retail and other Main Town Centre Uses not in these town centres should be in 'edge of centre' locations. Only if suitable sites are not available in edge of centre locations should out of centre sites be considered.**
- **When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre.**

The Council will consider if the proposals satisfy the sequential test and if they are likely to have a significant adverse impact on one or more of the factors in the NPPF.

All proposals should comply with Policy SLE 4.

An impact assessment will also be required in accordance with requirements in the NPPF. The Council will require an impact assessment if the proposal is over 2000 sq. metres (gross) in Banbury, 1500sq. metres (gross) in Bicester and 350 sq. metres (gross) elsewhere.

Evidence in the Council's Retail Study will also be considered in determining applications if information is not provided by the applicant which is considered to supersede this evidence.

Proposals should comply with Policy ESD15.

The Council will support the provision of new local centres containing a small number of shops of a limited size within the strategic housing allocations on strategic sites set out in this Local Plan.

Policy SLE 3: Supporting Tourism Growth

B.62 Given the growing role that tourism has to play in the local economy, developments in this sector will be supported, especially new attractions and new hotels at the two towns to reinforce their central role as places to visit and stay. We will support new tourism provision that can demonstrate direct benefit for the local 'visitor' economy and which will sustain the rural economy.



B.63 We will support an increase in high quality accommodation available in our towns to meet the needs of visitors and to end the current under provision. Valuable expenditure associated with overnight stays is potentially being lost, meaning that tourism has scope to play a significant wealth-creating role for the District.

B.64 Tourism can help support local services and facilities, provide employment, promote regeneration and help preserve the natural and historic environment. It can include day visits by local people through to visits from overseas. Tourism is a vital component in the make-up of the national economy. Currently tourism is worth over £300 million in Cherwell District and makes a significant contribution towards the development of a sustainable local economy. 1.2 million people live within a 30 minute drive time of the District boundary.

B.65 A tourism study was completed for the District in August 2008 in order to assist the Council in gaining a broad understanding of tourist activity and trends in Cherwell District and nearby. It highlighted that tourism was not as great a part of the local economy as for some locations, but that initiatives to further encourage tourism could be considered. The following observations and issues were identified:

- the District will not attract the level of tourists who visit surrounding destinations but should make the most of its proximity to these destinations and its good transport links
- the 58km of Oxford Canal in Cherwell is a resource that is not used to its full potential and access should be improved to promote green and sustainable leisure opportunities – using the towpath for walking and cycling as well as the water for boating

- business tourism is important to Cherwell's economy
- Cherwell's villages are attractive and distinctive and many have places of interest
- Banbury's historic town centre is somewhere to visit and also to stay if visiting popular destinations nearby such as Oxford or Stratford. It also acts as one of the main retail destinations in the area
- Bicester Village is the District's most visited tourist destination
- that Former RAF Bicester and Former RAF Upper Heyford represent potential new tourism developments
- the opportunity for a Cold War Visitor Centre at Former RAF Upper Heyford
- there are mixed trends in terms of the occupancy of tourist accommodation which is often below average but hotels are also turning away guests on other occasions
- a large new hotel was completed in Banbury, near the M40, in 2008. A new hotel has been built near Bicester and further such investment is planned. Demand for hotel and other overnight accommodation continues.

B.66 Other policies in other sections of this Local Plan will contribute towards addressing these issues and encouraging sustainable tourism development; for example by:

- the regeneration of Banbury Canalside ('Policy Banbury I: Banbury Canalside')

- the development of the Spiceball Development Area in Banbury ('Policy Banbury 9: Spiceball Development Area')
- maintaining village services and facilities
- the preservation and enhancement of the historic environment in both towns and villages.

B.67 The Local Plan Part 2 will also support tourism by including policies encouraging new accommodation and the allocation of smaller sites for tourism related development.

B.68 There are other factors which are beyond the scope of the Local Plan which are important to drawing visitors to Cherwell's towns, villages and countryside. The Council, working with partners, already undertakes marketing, but to increase the number of visitors to Cherwell and to compete nationally, this will need to be maintained and enhanced.

Policy SLE 3: Supporting Tourism Growth

The Council will support proposals for new or improved tourist facilities in sustainable locations, where they accord with other policies in the plan, to increase overnight stays and visitor numbers within the District.

Policy SLE 4: Improved Transport and Connections

B.69 The District has excellent road and rail links. New investment has substantially reduced the travel time from Banbury and Bicester to central London and Birmingham, with regular high quality train services via the Chiltern line. New investment is due in the Plan period to open up frequent rail links between Oxford, Milton Keynes and Bedford reinforcing the role of Bicester. The M40 corridor provides links to the wider national motorway network and rail links help secure a central location for rail based freight movement.



B.70 The Local Plan promotes a series of proposals to support a modal shift away from an over reliance on the car to less energy intensive forms of transport. The strategy proposes more sustainable locations for housing and employment growth, whilst recognising the importance of the car in a rural District. The strategy seeks to avoid

increasing the function of the towns as dormitory centres by strengthening their employment base and transport connection to those sites.

B.71 Over the life of the Local Plan public transport will continue to improve and become more demand responsive. The partners to the plan anticipate that support will be provided for the extension of real time timetable information across the network, across the whole District.

B.72 New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development. This will support delivery of the infrastructure and services needed to facilitate travel by sustainable modes, whilst also enabling improvements to be made to the local and strategic road and rail networks.

B.73 Over the life of the plan there will be investment in the highway network as well as contributions from development to strengthen the road infrastructure of the plan area. This will include the South West Bicester Perimeter Road (Vendee Drive, already completed) and new highway improvements, including a potential relief road on the south east and south of Bicester, works to the A34 south from Bicester and improvements to junctions 9 and 10 of the M40, of which Junction 9 is programmed for early delivery. There will also be improvements to the Windsor Street/Upper Cherwell Street Corridor in Banbury to Hennef Way junctions and to the Bridge Street/ Cherwell Street junction. The potential for a link road on the eastern side of the M40, to mitigate the impact of traffic on the approach to Junction 11 along Hennef Way will also be explored with the County Council and Highways England. Cherwell is working with Aylesbury Vale District Council

to ensure the impacts of growth at Bicester and Aylesbury on the A41 are fully addressed and appropriate mitigation considered.

B.74 Phase 1 Improvements to Junction 9 of the M40 motorway are complete and Phase 2 is being progressed with the Department for Transport, Highways England and Oxfordshire County Council. The proposals to improve the rail link between Bicester and Oxford are also supported as it will promote more sustainable modes of transport and reduce congestion on the A34 and M40 trunk roads. These improvements will enable additional development capacity to be provided within the two towns.

B.75 The Oxfordshire Local Transport Plan provides the strategic framework for transport in the County. It aims to support the local economy and the growth and competitiveness of the county; to make it easier to get around the county and improve access to jobs and services for all by offering real choice; to reduce the impact of transport on the environment and help tackle climate change; and to promote healthy, safe and sustainable travel. Our strategy for managing growth across the District is to locate development in sustainable locations and identify appropriate and deliverable measures to meet the transport needs of the District.

B.76 Integrated Transport and Land Use Studies for Banbury, Bicester and the Cherwell Rural Areas were completed on behalf of Oxfordshire County Council and Cherwell District Council and have informed the Local Plan. More recent Movement Strategies have been produced for Bicester and Banbury to support the preparation of Banbury and Bicester Masterplans. The Movement Strategies propose sustainable movement and access strategies.

B.77 Infrastructure will need to be provided which allows for more walking, cycling, the use of public transport and integration between modes. Cycling and walking in the two towns is a means to secure an effective integration between the established areas and new areas of development.

Consideration will be given to the implementation of walking and cycling improvements which connect to employment areas, the town centre and key services and that link urban routes with the rights of way network. We will also seek improved public access to the River Cherwell valley in support of our policies to increase tourism and public well-being.

B.78 New rail investment provides the opportunity to both strengthen the role of the two towns and their locations as places to live and work. The new East - West rail project will strengthen the location of Bicester through a vastly improved connection and service links to Oxford, Milton Keynes and Bedford. Rail investment, including electrification, reinforces the critical role that rail has to play as the centrepiece of wider town centre regeneration in Banbury associated with Canalside redevelopment (Policy Banbury 1); and in Bicester, associated with the town centre and through to Bicester Village from an upgraded Bicester Village Station. Due to the implementation of strategic development proposals in the Plan including East West Rail, the new station at Water Eaton and a growth in employment opportunities at Kidlington and Bicester the Council would expect demand for an increased role for London-Oxford airport. The Council will work with London-Oxford Airport operators, the County Council and the Civil Aviation authority and other stakeholders to consider any proposals.

B.79 We will support expansions to the existing railway stations at Banbury and Bicester and in the villages to provide improved access to the wider rail network. Proposals should accord with other policies in the Plan.

B.80 At Bicester, the Graven Hill site ('Policy Bicester 2: Graven Hill') has the major potential to capitalise on the Network Rail Freight Route Utilisation Strategy (2007) for upgrading the national freight network. This will assist removing freight travelling north from Southampton on the A34, past Oxford and onto the M40 and A43, with consequential gains for the environment with reduced emissions.

B.81 This development will confirm Bicester's location as a Rail Freight Interchange (RFI) and a distribution hub within the regional economy, which will help consolidate its economic growth.

B.82 A skilled workforce is available at Bicester, one of the locational factors necessary for the RFI to operate successfully, as stressed in the Strategic Rail Freight Interchange Policy Guide (DfT 2011). Recent studies from Cranfield and GVA Grimley show that logistics employment output is 30-40% greater than manufacturing. In addition, the range of jobs engaged in logistics has widened to include a higher proportion of elementary and process operatives skill levels employed compared with the manufacturing sector, and this proportion has been rising. Cranfield and GVA Grimley also revealed that wage levels are between 10 & 17% higher in the distribution sector than the manufacturing sector. At a time when UK manufacturing has declined, High Performance Engineering and Defence continue to grow, as does logistics. Bicester has a unique opportunity from the presence of all three sectors.

Policy SLE 4: Improved Transport and Connections

The Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth.

We will support key transport proposals including:

- **Transport Improvements at Banbury, Bicester and at the Former RAF Upper Heyford in accordance with the County Council’s Local Transport Plan and Movement Strategies**
- **Projects associated with East-West rail including new stations at Bicester Town and Water Eaton**
- **Rail freight associated development at Graven Hill, Bicester**
- **Improvements to M40 junctions.**

Consultation on options for new link and relief roads at Bicester and Banbury will be undertaken through the Local Transport Plan (LTP) review process. Routes identified following strategic options appraisal work for LTP4 will be confirmed by the County Council and will be incorporated in Local Plan Part 2.

New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development.

All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.

Policy SLE 5: High Speed Rail 2 - London to Birmingham

B.83 In December 2010 the Government announced a preferred route option for the proposed High Speed Rail link between

London and Birmingham, known as High Speed 2 (HS2). The preferred route passes through Cherwell District, through Fringford ward to the north of Bicester and stands to have an impact on the environment and local communities in that area.

Policy SLE 5: High Speed Rail 2 - London to Birmingham

The design and construction of the High Speed 2 Rail Link must minimise adverse impacts on the environment, the local economy and local communities and maximise any benefits that arise from the proposal.

The implementation of HS2 will also be expected to:

- **Deliver high quality design to protect communities and the environment from noise and visual intrusion**
- **Manage the construction to minimise the impact on communities and the environment**
- **Adopt sustainable procurement and construction methods**
- **Minimise adverse social and economic impacts, by maintaining accessibility and avoiding the severance of communities and agricultural holdings**
- **Ensure that community and other benefits are fully realised.**

HS2 is a national infrastructure project. The line of the railway and associated works will be established and authorised by the way of primary legislation, requiring a Hybrid Bill to be introduced to Parliament which, if passed, will become an Act of Parliament. Cherwell District Council will work with High Speed 2 Ltd, with the aim of influencing the design and construction of the route through Oxfordshire. Recognising that the decision to authorise the railway and associated works will sit with Parliament, the Council's involvement will be focused on seeking the best outcome for the environment, local communities and businesses affected by the proposed railway scheme.

The Council will work with HS2 Ltd to:

- **Develop a route-wide planning regime to be included within the Hybrid Bill, which supports the Council's aspirations for a well designed, sustainably constructed railway.**
- **Support work necessary to ensure a robust Environmental Impact Assessment is carried out to determine significant environmental effects of the railway in Cherwell District.**
- **Support the development and implementation of a Code of Construction Practice to address the construction impacts of the scheme**
- **Achieve its sustainability objectives.**

B.2 Theme Two: Policies for Building Sustainable Communities

Introduction

B.84 In order to build sustainable communities, we will seek to provide an appropriate mix of housing within Cherwell, including housing to address the requirements of a growing and ageing population.



B.85 We will require a mix of housing types, size and tenures, built to high design standards. We will also aim to secure mixed tenure as well as enabling new forms of housing such as community self-build and other imaginative solutions to housing need in the District to ensure new development results in balanced, mixed communities that have taken the housing needs of the District fully into account.

B.86 We wish to ensure that new development fully integrates with existing settlements to forge one community, rather than separate communities (see 'Policy ESD 15: The Character of the Built and Historic Environment'). We will also require investment in a range of community infrastructure including education, health, leisure facilities and public open space

appropriate to the scale of proposed developments (see Section D 'The Infrastructure Delivery Plan').

B.87 Cherwell's countryside, landscape and green spaces are important natural resources. They form the setting of our towns and villages, contribute to their identity and the well-being of Cherwell's communities, and provide recreation opportunities. The countryside's intrinsic character and beauty is important to the quality of life in Cherwell and remains an economically important agricultural resource.

B.88 By focusing development in and around the towns of Bicester and Banbury we aim to ensure that the housing growth which the District needs only takes place in the locations that are most sustainable and most capable of absorbing this new growth (see Section C 'Policies for Cherwell's Places'). We support town centre locations for housing to create lively centres that are lived in and generate added footfall to support retail and commercial activities.

B.89 We aim to avoid development in inappropriate locations and coalescence with neighbouring settlements.

B.90 New housing needs to be provided in such a way that it minimises environmental impact, including through the elimination and control of pollution and the effective and efficient use of natural resources. It needs to be planned in a way that helps to reduce carbon emissions, reflects the functions of our settlements and protects or enhances the identity of our towns and villages and the sense of belonging of our residents (see Section B.3 'Policies for Ensuring Sustainable Development').

B.91 Where appropriate we will encourage area renewal to invest in the physical infrastructure, community facilities and to

improve the quality of the current housing stock, helping to secure better educational attainment, health and well-being and improved employment opportunities (see 'Policy BSC 5: Area Renewal').

B.92 In seeking to build sustainable communities the Council will support Town and Parish Councils and relevant Neighbourhood Forums in developing Neighbourhood Plans.

Policy BSC 1: District Wide Housing Distribution

B.93 The National Planning Policy Framework seeks to boost significantly the supply of housing and deliver a wide choice of high quality homes. It requires the Council to plan for at least 15 years of housing delivery, to meet the full, objectively assessed needs for market and affordable housing, and to maintain a five year supply of deliverable sites with a buffer to ensure choice and competition in the market for land.



B.94 The Council is committed to meeting housing needs and accelerating delivery. Cherwell's housing needs are identified in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. The SHMA identifies a need for 1,140 dwellings per annum equating to 22,800 dwellings from 2011 to 2031. The SHMA analysis includes an assessment of housing need based on demographic trends having regard to past

shortfalls in housing delivery to 2011, consideration of 'committed economic growth', modelling of the level of housing provision that might be required to meet affordable need in full and wider evidence of market signals. Paragraph 9.58 of the SHMA states "For Cherwell District the evidence indicates a need for 1,142 dwellings per annum

(2011-2031) to support the Strategic Economic Plan. This is based on supporting Committed Economic Growth...”

B.95 Cherwell District Council will continue to work under the ‘Duty to Co-operate’ with all other Oxfordshire Local Authorities on an on-going basis to address the objectively assessed need for housing across the Oxfordshire Housing Market Area and to meet joint commitments such as the Oxford and Oxfordshire City Deal (2014). As a first step Cherwell District Council has sought to accommodate the housing need for Cherwell District in full in the Cherwell Local Plan. Cherwell District Council recognises that Oxford may not be able to accommodate the whole of its new housing requirement for the 2011-2031 period within its administrative boundary. The urban capacity of Oxford is as yet unconfirmed. Cherwell District Council will continue to work jointly and proactively with the Oxfordshire local authorities and through the Oxfordshire Growth Board to assess all reasonable spatial options, including the release of brownfield land, the potential for a new settlement and a full strategic review of the boundaries of the Oxford Green Belt. These issues are not for Cherwell to consider in isolation. These options will need to be undertaken in accordance with national policy, national guidance, the Strategic Environmental Assessment (SEA) regulations, and the Habitats Regulations Assessment (HRA) to establish how and where any unmet need might best be accommodated within the Oxfordshire Housing Market Area. Joint work will need to comprehensively consider how spatial options could be supported by necessary infrastructure to ensure an integrated approach to the delivery of housing, jobs and services. Full public consultation will be central to a ‘sound’ process and outcome. If this joint work reveals that Cherwell and other Districts need to meet additional need

for Oxford, this will trigger a partial review of the Local Plan, to be completed within two years of adoption, and taking the form of the preparation of a separate Development Plan Document for that part of the unmet need to be accommodated in the Cherwell District. The Council will engage in joint working on supporting technical work such as countywide Sustainability Appraisal as required to support the identification of a sustainable approach to meeting agreed, unmet needs.

B.96 The Council is committed to meeting the District’s objectively assessed needs and, as described above, to working with partner authorities (including the Oxfordshire Growth Board) to determine how any other unmet needs arising from the SHMA can be sustainably accommodated within the Oxfordshire Housing Market Area. The housing strategy of this Local Plan seeks to deliver growth in accordance with the NPPF’s Core Planning Principles including:

- Providing a positive vision for the future of Cherwell: a strategic growth and investment approach to the towns; an enlarged settlement in the centre of the District, further development at the villages to sustain them.
- Proactively driving and supporting sustainable economic development by meeting the SHMA’s Committed Economic Growth scenario.
- Seeking to secure high quality design and a good standard of amenity by developing new neighbourhoods and achieving regeneration and redevelopment of key sites.
- Taking account of the different roles and character of Cherwell’s places by promoting the vitality of Bicester, Banbury and Kidlington and their ability

to serve their hinterlands, protecting the Oxford Green Belt and concentrating development in sustainable rural locations to protect the intrinsic character and beauty of the countryside and to support thriving rural communities.

- Encouraging the effective re-use of existing land and buildings and bring forward sites that contain land of lesser environmental value such as at Graven Hill (Bicester 2), Canalside (Banbury 1), Bolton Road Development Area (Banbury 8), Higham Way (Banbury 19) and at the Former RAF Upper Heyford (Villages 5).
- Promoting strategic, mixed use developments conserving heritage assets in a manner appropriate to their significance such as those of national importance at Former RAF Upper Heyford, actively encouraging wildlife potential such as at South East Bicester (Bicester 12) and Gavray Drive (Bicester 13), and making the fullest possible use of public transport, walking and cycling and supporting community well-being such as at the North West Bicester Eco-Town (Bicester 1).

B.97 In total, the Plan provides for five strategic development sites at Bicester in addition to the on-going construction of an urban extension at South West Bicester (Kingsmere) and a committed site at

Talisman Road. It provides for 10 strategic development sites at Banbury, also in addition to an on-going urban extension at Bankside and committed sites at West of Warwick Road and Southam Road. The Plan makes allowances for non-strategic urban and rural sites in sustainable locations and includes realistic and reliable windfall allowances for (previously developed) sites of less than 10 dwellings. Development at villages will be considered against Policy Villages 1: Village Categorisation, Policy Villages 2: Distributing Growth Across the Rural Areas and Policy Villages 3: Rural Exception Sites.

B.98 The Plan supports the objectives of the Council's Housing Strategy 2012-2017 to increase the supply of homes and to improve access to housing. It provides for new affordable homes for those in most housing need and seeks to ensure the opportunities for home ownership are widened. The Plan aims to extend choice, to provide high quality homes and development, and to secure a mix of house types, size and tenure that meets housing need. This includes meeting the requirements of an ageing population through the provision of extra care, supported and sheltered housing and providing new forms of access such as community self-build or self-finish housing.

B.99 Overall housing delivery from 2011 to 2031 will be as set out in the policy below. Further delivery will be seen at the North West Bicester site (Policy Bicester 1) beyond 2031 but the Plan does not preclude earlier or faster delivery.

Policy BSC I: District Wide Housing Distribution

Cherwell District will deliver a wide choice of high quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. 1,106 completions were recorded between 2011 and 2014 leaving 21,734 homes to be provided between 2014 and 2031. Housing will be delivered in accordance with the requirements set out below:

	Bicester	Banbury	Rest of District	Totals
Completions	365	213	528	1,106
Permissions (10+)	1,934	2,346	1,760	6,040
Allocations	7,726	4,344	2,350	14,420
Windfalls (<10)	104	416	754	1,274
Totals	10,129	7,319	5,392	22,840

Policy BSC2: The Effective and Efficient Use of Land – Brownfield Land and Housing Density

B.100 Managing the use of previously developed land is important in maintaining the appearance of our towns and villages and to the well-being of our communities. It can also provide opportunities for enhancing biodiversity. This means ensuring that land and buildings earmarked for development are not underused and that we make the most of vacant and derelict land and buildings.

B.101 The Plan seeks to secure the redevelopment of a number of major previously developed sites comprising Banbury Canalside (Policy Banbury 1), Bolton Road and Spiceball in Banbury town centre (Policies Banbury 8 & 9), Higham Way near the railway station in Banbury (Policy

Banbury 19), the MOD site at Graven Hill, Bicester (Policy Bicester 2), a Phase 2 to Bicester town centre redevelopment (Policy Bicester 6) and the former RAF Upper Heyford airbase (Policy Villages 5). The plan also includes a windfall allowance for small previously developed sites. Therefore, although the Plan allocates large areas of greenfield land to meet the District's development needs, the Council will strive to ensure that these important 'brownfield' schemes are delivered.

B.102 It is also important to make efficient use of land. In general, new housing should be provided at a net density of at least 30 dwellings per hectare. However, the density of housing development will be expected to reflect the character and appearance of individual localities and development principles that are appropriate to the individual circumstances of sites.

B.103 In considering development on smaller sites, the effective use of previously developed land within urban areas, and within those villages identified by the Local Plan as

being suitable places for additional residential development (Policy Villages 1), will particularly be encouraged provided that it is not of high environmental value.

Policy BSC 2: The Effective and Efficient Use of Land - Brownfield Land and Housing Density

Housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations. New housing should be provided on net developable areas at a density of at least 30 dwellings per hectare unless there are justifiable planning reasons for lower density development.

Policy BSC3: Affordable Housing

B.104 Cherwell has a high level of need for affordable housing which is defined by the Government in the NPPF as comprising social rented, affordable rented and 'intermediate' housing (such as shared ownership) provided to eligible households whose needs are not met by the market.



B.105 The Oxfordshire Strategic Housing Market Assessment (SHMA) 2014 has identified a net need of 407 affordable homes per year. This is calculated by taking into account the backlog need, need from newly

forming households, existing households falling into need and the supply of affordable housing. The SHMA points out that its needs model is based on evidence at a point in time and does not, for example, take account of the role which the Private Rented Sector plays in meeting the needs of households which require affordable housing. The Council's previous 'Strategic Housing Market Assessment Review and Update 2012' concluded that the net housing need based on the ability to afford private rents is 186 homes per year or 831 homes per year based on the ability to buy an entry level property. By applying a social/affordable rent split based on affordability, the overall need was identified as being in the region of 300 homes per year. Assessing need is complex and the level of need will fluctuate. However, the need to provide affordable housing at viable levels is clear.

B.106 The Council's Housing Strategy 2012-17 takes into account Government policy on the provision of affordable housing and the Homes and Community Agency's current funding regime. The additional value

in the stock of affordable housing can be used by Registered Providers to secure finance for further investment in new housing.

B.107 The Housing Strategy seeks to increase the supply of, and access to, affordable rented housing. It sets a target of delivering 750 affordable homes in total between 2012 and 2017 which include new homes, the acquisition of market homes by Registered Providers and bringing empty homes back into use. The Housing Strategy highlights the importance of developing sustainable communities.

B.108 The Housing Strategy recognises the need for affordable homes, and aims to ensure that Cherwell is well-placed to maximise investment by Registered Providers and to respond to opportunities as they arise. A Delivery Plan will be prepared to implement the strategy, which seeks to maximise the resources available to support delivery, to maintain a close dialogue with Registered Providers, and to be innovative in the way affordable housing is provided.

B.109 Securing new affordable housing on site as part of larger developments is the most significant way in which homes can be provided. Policy BSC3 therefore seeks to achieve this so that the supply of new homes reflects the high level of need.

B.110 Housing proposals will need to provide affordable housing where they meet the qualifying thresholds. Where the number of dwellings proposed falls below the relevant threshold, or the number of dwellings is not specified, the Council will consider whether or not sites reasonably have capacity to provide the number of dwellings that would trigger the requirement to provide affordable housing. The purpose of this is to ensure that the policy requirement is not being avoided through inappropriate planning such as ineffective or

inefficient use of land or a mix of dwellings that does not reflect other housing policies or local needs.

B.111 An Affordable Housing Viability Study has been produced to assess the levels of affordable housing that could reasonably be required from new housing developments. In general, the higher land values in rural areas and at Kidlington allow for higher affordable housing requirements per site than at Banbury and Bicester where land values are lower.

B.112 The Affordable Housing Viability Study demonstrates that in general affordable housing can be delivered in Cherwell without social housing grant or other grants. The Homes and Communities Agency expects that affordable housing requirements will be met without social housing grant and this assumption underpins this policy.

B.113 Where scheme viability is a concern, consideration of the potential availability of grant or other grant, and negotiations on the mix, type and tenure of housing will take place using an 'open-book' economic viability assessment. Unless otherwise agreed it will use the Council's residual value based, appraisal model.

B.114 The starting point for the mix of affordable housing to be secured will be Local Plan 'Policy BSC 4: Housing Mix', the Council's Housing Register and local housing need surveys. Credible information from Registered Providers and developers will also be considered.

B.115 Discussions as to whether it would be appropriate to include a 'cascade' mechanism in legal agreements, potentially enabling the secured form and/or quantum of affordable housing to be varied, will only be entered into with the benefit of an

'open-book' economic viability assessment and having regard to the risks to delivery in each case.

B.116 Financial contributions made under Policy BSC 3 will be secured by legal agreement for the provision of affordable housing.

B.117 The Council will support proposals for community self-build or self-finish affordable housing particularly where it will result in suitable empty properties being brought into residential use.

B.118 The Council has established a community self-build housing programme known as 'Build!®' and has financial commitment (subject to contract) from the

Homes and Community Agency (HCA) for new build and for the refurbishment of empty homes. It is a member of a Government-Industry Self-Build Working Group and has contributed to a National Action Plan to develop community self-build.

B.119 The Council's Housing Strategy 2012-17 includes a target of delivering the first 180 community self-build homes through its 'Build!'® programme by 31 March 2015. The Council is also in the process of establishing a District-wide Community Land Trust which will help create the conditions for, and facilitate, community-led housing more generally. Affordable housing will be expected to reach the HCA standards identified in the Draft Planning Obligations SPD.

Policy BSC 3: Affordable Housing

At Banbury and Bicester, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 30% of new housing as affordable homes on site.

At Kidlington and elsewhere, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 35% of new housing as affordable homes on site.

Where this policy would result in a requirement that part of an affordable home should be provided, a financial contribution of equivalent value will be required for that part only. Otherwise, financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances.

All qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes. Social rented housing will be particularly supported in the form of extra care or other supported housing. It is expected that these requirements will be met without the use of social housing grant or other grant.

Should the promoters of development consider that individual proposals would be unviable with the above requirements, ‘open-book’ financial analysis of proposed developments will be expected so that an in house economic viability assessment can be undertaken. Where it is agreed that an external economic viability assessment is required, the cost shall be met by the promoter.

Where development is demonstrated to be unviable with the above requirements, further negotiations will take place. These negotiations will include consideration of: the mix and type of housing, the split between social rented and intermediate housing, the availability of social housing grant/funding and the percentage of affordable housing to be provided.

The Council will require active consideration of proposals for community self-build or self-finish housing in particular where it is to a high design standard and will result in suitable empty properties being brought into residential use. Self-build and Self-finish should contribute towards meeting the need for affordable housing.

Affordable Housing will also be delivered through Policy Villages 3: Rural Exception Sites.

Policy BSC4: Housing Mix

B.120 The Local Plan aims not only to increase supply of housing but to encourage a mix that can help improve the functioning of the housing market system, make it more fluid, and enable households to more easily find and move to housing which they can afford and which better suits their circumstances.



B.121 There is need to provide a mix of housing in Cherwell that reflects the needs of an ageing population, a growth in smaller households and which meets the requirements for family housing. The mix of housing needs to enable movement through the market from one house type to another

as the needs of households change. This movement frees up housing which might otherwise be unavailable.

B.122 The Oxfordshire Strategic Housing Market Assessment (SHMA 2014) provides conclusions on a strategic mix of housing for

Oxfordshire over the next 20 years. The SHMA analyses the types and sizes of accommodation occupied by different ages of residents, projected changes in the population and estimates of future need and demand for different sizes of homes. The SHMA’s conclusions are shown below:

SHMA Table 67: Conclusions regarding Mix of Homes, HMA Level

	1-bed	2-bed	3-bed	4-bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

B.123 The SHMA does advise, however, that at an individual local authority level, there is a greater need for 3-bed properties in Cherwell and that the overall mix identified is focused more towards smaller properties than the existing mix of homes in Oxfordshire.

B.124 The SHMA also advises that in applying policies for housing mix to individual development sites, regard should be had to *"...the nature of the development site and character of the area, and to the up-to-date evidence of need as well as the existing mix and turnover of properties at the local level"* (paragraph 7.40).

B.125 The need for housing for those with care needs is also significant. ‘Extra care’ housing in particular will be important in meeting the housing needs of an older population across all tenures. Extra care housing comprises self-contained accommodation for older and disabled people which enables independent living by providing a range of support facilities on the premises and 24-hour care services. It can help people live longer in their own homes either securely alone or with partners or

friends. It meets a need between traditional sheltered housing and residential care and can be purpose-built or adapted accommodation. People have their own front doors but also have the opportunity to benefit from communal facilities. Extra care can also contribute in achieving more social cohesion by providing an opportunity for community living and a better mix of housing within residential areas.

B.126 The NPPF recognises that a key driver of change in the housing market over the next 20 years will be the growth in the population of elderly people. Evidence produced for the Council’s former Housing Strategy for Older People (2010-2015) identified a requirement for an additional 788 units from 2010 to 2026 to meet extra care and ‘enhanced sheltered’ needs. Extra care remains an important housing option in the District Housing Strategy 2012-2017. The SHMA also highlights that an ageing population and higher levels of disability and health problems amongst older people will mean an increasing demand for specialist housing.

B.127 An assessment of the development viability of extra care housing (2011) concluded that the inclusion of extra care housing within mixed tenure schemes will not significantly impact on the viability and

deliverability of housing. Consultation with providers suggests that schemes will need to comprise at least 45 dwellings to make the provision of support and care facilities operationally viable.

Policy BSC 4: Housing Mix

New residential development will be expected to provide a mix of homes to meet current and expected future requirements in the interests of meeting housing need and creating socially mixed and inclusive communities.

The mix of housing will be negotiated having regard to the Council's most up-to-date evidence on housing need and available evidence from developers on local market conditions.

Housing sites of at least 400 dwellings will be expected to provide a minimum of 45 self-contained extra care dwellings as part of the overall mix. Should it be agreed with the Council that extra care housing would not be desirable in a particular location, an equivalent amount of alternative specialist housing (use class C3) for older people will be required.

Elsewhere, opportunities for the provision of extra care, specialist housing for older and/or disabled people and those with mental health needs and other supported housing for those with specific living needs will be encouraged in suitable locations close to services and facilities. All proposals will be expected to provide affordable housing in accordance with Policy BSC 3: Affordable Housing.

Policy BSC 5: Area Renewal

B.128 Helping to create opportunity for all and positively renew and regenerate areas with challenging social conditions in parts of the District is important to the delivery of the objectives of the Local Plan.



B.129 The 'Brighter Futures in Banbury' initiative brings together key agencies to address issues of deprivation in the town and

a number of projects are being pursued targeting western Banbury, together with Grimsbury in eastern Banbury.

B.130 Area renewal is one way to help improve particular wards, with development proposals that would help to address some of the issues. Regeneration measures to be supported include housing investment and new retail, community facilities and other investment from a multi-agency partnership. Measures will be taken to provide local employment opportunities and the local recruitment of labour. Area renewal will help improve the community fabric of the area, help improve social opportunities and improve health and well-being and educational attainment.

B.131 Measures will include new housing and associated facilities and improvements to the built environment. They will also include the provision of opportunities for contributions and linkages to long-term community based projects and schemes designed to specifically help community development.

B.132 Planning permission will be granted for small scale redevelopment/renewal proposals that would result in improvements to the existing housing stock, retail and community facilities and services, and local employment. Opportunities for redevelopment in the defined area that would contribute to area renewal will be sought.

Policy BSC 5: Area Renewal

We will support area renewal proposals that direct investment to improve the physical and community fabric of the District to improve social outcomes, improve health and well-being, educational attainment and employment outcomes.

Policy BSC 6: Travelling Communities

B.133 National Planning Policy for Traveller Sites (March 2012) requires Local Planning Authorities to assess the need for new sites, to develop fair and effective strategies to meet need and to plan for sites over a reasonable timescale.

B.134 The Government is aiming to increase the number of traveller sites in appropriate locations with planning permission to address under provision and maintain an appropriate level of supply. It wishes to enable the provision of suitable accommodation from

which travellers can access education, health, welfare and employment infrastructure having regard to the need to protect local amenity and the local environment. It advises that traveller sites (temporary or permanent) in the Green Belt should be considered to be inappropriate development.

B.135 The Council is required to set pitch targets for gypsies and travellers, and plot targets for travelling showpeople, which address the likely permanent and transit site accommodation needs of travellers, working collaboratively with neighbouring local planning authorities. It is required to identify and update annually a five year supply of deliverable traveller sites and to identify a

supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years eleven to fifteen.

B.136 Cherwell presently (31 March 2014) has eight private gypsy and traveller sites providing 77 household 'pitches' (including 16 pitches approved but not yet constructed). A Gypsy and Traveller Housing Needs Assessment (January 2013) commissioned with two adjoining authorities concluded that the District needed to provide a further 15 pitches from 2012 to 2027 including five pitches from 2012 to 2017. Rolling the period forward to 2031 provides a net requirement of 19 pitches from 2012 to 2031 (excluding the 16 approved pitches which would need to be provided).

B.137 Cherwell also has (at 31 March 2014) four Travelling Showpeople sites providing 14 household 'plots'. A Needs Assessment for Travelling Showpeople (2008) produced for all Oxfordshire Councils concluded that Cherwell had a need for a further 12 plots by 2018 in addition to the 14 existing; thereby producing a total of 26 plots. Until

such time that a further review of need is undertaken, a 3% compound growth rate has been applied to household formation which increases the total number of plots required by 2031 to 38 - an increase of 24 plots.

B.138 Policy BSC 6 provides a sequential and criteria based approach for identifying suitable locations for new traveller sites whether through site allocations in the Local Plan Part 2 or in the determination of planning applications.

B.139 The policy seeks to secure sites that will provide suitable living environments in locations that are as sustainable as is reasonably possible. It will be important to identify sites that will enable access to services, facilities and potential sources of employment, which will promote inclusive communities but which will not be out of scale with or dominate nearby settled communities. Site identification will need to include the re-provision of pitches from a site in Banbury which is likely to be redeveloped as part of the Banbury Canalside proposals (see 'Policy Banbury 1: Banbury Canalside').

Policy BSC 6: Travelling Communities

Cherwell District will provide 19 (net) additional pitches to meet the needs of Gypsies and Travellers from 2012 to 2031. It will also provide 24 (net) additional plots for Travelling Showpeople from 2012 to 2031.

To meet these requirements, and in order to provide and maintain a five year supply of deliverable sites, allocations will be made in Local Plan Part 2 and planning permissions will be granted for suitable sites.

Locations outside of the Cotswolds Area of Outstanding Natural Beauty and the Green Belt will be considered. In identifying suitable sites with reasonable accessibility to services and facilities the following sequential approach will be applied:

1. within 3km road distance of the built-up limits of Banbury, Bicester or a Category A village
2. within 3km road distance of a Category B village and within reasonable walking distance of a regular bus service to Banbury or Bicester or to a Category A village.

Other locations will only be considered in exceptional circumstances.

The following criteria will also be considered in assessing the suitability of sites:

- a) access to GP and other health services
- b) access to schools
- c) avoiding areas at risk of flooding
- d) access to the highway network
- e) the potential for noise and other disturbance
- f) the potential for harm to the historic and natural environment
- g) the ability to provide a satisfactory living environment
- h) the need to make efficient and effective use of land
- i) deliverability, including whether utilities can be provided
- j) the existing level of local provision
- k) the availability of alternatives to applicants.

Policy BSC 7: Meeting Education Needs

B.140 The provision of primary and secondary education, along with early years and lifelong learning will be needed throughout the District to accommodate population growth. The demand for pre-school facilities is likely to increase due to changes in lifestyles and work patterns.

B.141 We will support the growth plans of schools across the District and recognise the important role that viable schools have to play in maintaining the quality of life of communities across the District. Oxfordshire County Council as the Local Education Authority is usually responsible for the provision of new schools and school places. It has a statutory duty to ensure that there are enough school places. The District

Council will work with the County Council and others to provide nursery, primary and secondary schools; further and higher education facilities; community learning facilities; special schools; free schools and other educational facilities. This will include for the strategic site allocations in the Local Plan. New schools will be provided where required, for example at North West Bicester (Policy Bicester 1) and South East Bicester (Policy Bicester 12). We will ensure sufficient primary and secondary school provision across the District to accommodate Cherwell's population growth. This may include seeking the provision of new schools, contributions towards these facilities or contributions towards expanding existing facilities. The County Council has identified the potential need for a new secondary school at Banbury with the location yet to be determined. A Planning Obligations Draft Supplementary Planning

Document (SPD) has been prepared. Upon completion it will provide further details on how developer contributions for education facilities will be sought.

B.142 The District has historically had a relatively low education and skills base. We will encourage development that will diversify and develop the skills base of the District into the future.

B.143 We will support the University Technology College proposal or other similar proposals for Bicester as an opportunity to strengthen the education and skills base of the town.

B.144 We will seek to ensure that the design of these schools is flexible enough to accommodate the changing needs of their users and the communities they serve and future changes to the demographic profile of the District. Where appropriate the use of school and college buildings and land after hours will be encouraged to support learning among the wider community and may be able to contribute towards recreation provision. New school buildings should be located in sustainable locations on the edge or within the built up limits of settlements. New schools in the Green Belt and open countryside will be resisted. Policy ESD15 will apply.

Policy BSC 7: Meeting Education Needs

The Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills. New schools buildings should be located in sustainable locations. The co-location of other services and facilities with schools should be considered to create community hubs.

Policy BSC 8: Securing Health and Well-Being

B.145 Planning decisions can have an effect on travel to work, schools, noise and air quality, access to services, climate change and social networks which can all contribute to health and well-being. The local environment has a fundamental impact on the health and well-being of local people. By providing facilities such as local open space this allows for activities such as walking and cycling, promoting healthy lifestyles. The Council will work with the local community to provide safe and accessible environments and to identify the need for and provide local facilities.

B.146 The Council will continue to work closely with the healthcare providers, partners and the NHS across its delivery bodies to:

- ensure the provision of additional and reconfigured health and social care facilities
- identify the anticipated primary care needs of local communities
- identify the capacity needs of local communities
- meet the healthcare requirements of local communities.

B.147 As part of the changes to the NHS brought about by the Health and Social Care Act 2012, Primary Care Trusts (PCTs) and Strategic Health Authorities (SHAs) ceased to exist on 31 March 2013. Their responsibilities were taken over by Clinical Commissioning Groups and the NHS Trust Development Authority. A Health & Wellbeing Board has been set up for Oxfordshire which is a partnership between Oxfordshire County Council, the NHS and the people of Oxfordshire designed to ensure that we all work together to improve health and wellbeing.

B.148 The Board’s vision for Oxfordshire for 2016 is:

- more children and young people will lead healthy, safe lives and will be given the opportunity to develop the skills, confidence and opportunities they need to achieve their full potential

- more adults will have the support they need to live their lives as healthily, successfully, independently and safely as possible, with good timely access to health and social care services
- everyone will be given the opportunity to voice their opinions and experiences to ensure that services meet their individual needs
- the best possible services will be provided within the resources we have, giving excellent value for the public.

B.149 There is a need for more GP provision in Bicester. New buildings should be located in sustainable locations on the edge or within the built up limits of settlements. New buildings in the Green Belt and open countryside will be resisted. Policy ESD 15 will apply.

Policy BSC 8: Securing Health and Well-Being

The Council will support the provision of health facilities in sustainable locations which contribute towards health and well-being including the replacement of the Bicester Community Hospital.

Policy BSC 9: Public Services and Utilities

B.150 Waste management and disposal is the responsibility of Oxfordshire County Council and the District Council will continue to consider the emerging Minerals and Waste Development Framework in the preparation of the Local Plan.



B.151 A new library is proposed for Banbury as part of the Spiceball Development Area (Policy Banbury 9). In Bicester a new library is proposed as part of the town centre redevelopment ('Policy Bicester 5: Strengthening Bicester Town Centre'). The new improved library services will be provided by Oxfordshire County Council.

B.152 The preparation of the Local Plan has highlighted the need for additional burial grounds to be provided in some locations. A new burial site for Bicester is being investigated ('Policy Bicester 9: Burial Site in Bicester'). In other cases the need for additional burial site provision will be more appropriately addressed through the Local Plan Part 2 and/or by way of planning application.

B.153 The Planning Obligations Draft SPD provides more details on the provision of public services as part of new development including emergency services (police, fire & ambulance) and places of worship.

B.154 Preliminary enquiries with utility companies have taken place with a view to identifying the infrastructure requirements and constraints to future development in the District. Gas, electricity and heat supply and investment in electricity infrastructure is provided by the private sector and the Council will continue to work with suppliers and distributors to provide the necessary services to strategic sites. Developers will need to take account of the location of existing services and will need to contribute financially to their relocation on development sites.

B.155 Thames Water, Anglian Water and Severn Trent Water provide the majority of the water supply and waste services in the District. Water services business plans are based on 5 year schedules and the scale of investment is substantial. Timelines vary on projects and the Council will work with the water companies to plan the delivery of specific projects.

B.156 Telecommunications infrastructure will be provided as part of the strategic allocations, for example it is a requirement of the Eco-towns PPS that homes should be provided with connection to Superfast Broadband. As a result of the investment by the Department for Culture, Media and Sports (DCMS), Oxfordshire County Council and Cherwell District Council full District wide coverage will have been secured by 2017 to support increased business and residential use, supporting increased home working, new business formation and new service provision.

Policy BSC 9: Public Services and Utilities

The Council will support proposals which involve new or improvements to public services/utilities if they are required to enable the successful delivery of sites and where they accord with other relevant policies in the Plan. All new developments will be expected to include provision for connection to Superfast Broadband.

Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision

B.157 The Sustainable Community Strategy, “Our district, our future” 2010, seeks to ensure that social infrastructure grows at the same rate as our communities and that existing deficiencies in provision are addressed, and these aims are reflected in the objectives of this plan. The responsibility for provision of open space and recreation facilities in the District is shared between the County, District, Town and Parish Councils, private sports clubs and associations, and meeting the plan's objectives will therefore require effective partnership working.



B.158 The District's PPG17 Open Space Sport and Recreational Facilities Needs Assessment, Audit and Strategy 2006 and the subsequent Green Spaces and Playing Pitch Strategies 2008 (see Appendix 3 Evidence Base) highlighted the need to protect all sites identified in the audit to ensure an adequate supply of open space provision.

B.159 Development proposals that would result in the loss of sites will be assessed in accordance with guidance in the NPPF and NPPG, and will not be permitted unless the proposal would not result in the loss of an open space of importance to the character or amenity of the surrounding area, an assessment has been undertaken which demonstrates that the site is surplus to requirements including consideration of all functions that open space can perform, or the Council is satisfied that a suitable alternative site of at least equivalent community benefit in terms of quantity and quality is to be provided within an agreed time period. Sport England will be consulted on proposals affecting playing fields. Consideration will be given to the need to designate Local Green Spaces (green areas of particular importance to the local community) in accordance with advice in the NPPF and NPPG, through the preparation of the Local Plan Part 2.

B.160 Alternative uses are only likely to be permitted in exceptional circumstances bearing in mind that all of the analysis areas as defined in the PPG17 assessment have deficiencies in at least two types of open space provision. A partial update of the assessment in 2011 indicated deficiencies of one or more types of provision. In addition, apparent "surpluses" in provision often compensate for shortfalls in other types of provision locally, and some larger areas of green space serve wider than local needs with usage catchments beyond the ward boundaries in which they are located.

B.161 The PPG17 Assessment and subsequent Green Spaces and Playing Pitch Strategies established the current and future deficiencies in open space and recreation provision together with recommendations as to how deficiencies should be met. These comprise a combination of improving or enhancing existing provision, using existing open space of one type of provision to meet deficiencies in another type of provision, or through new provision. These assessments and strategies were undertaken before the distribution of development over an

extended plan period had been established and further work will be undertaken in conjunction with the Bicester and Banbury Masterplans, the Kidlington Framework Masterplan and the Local Plan Part 2 to update future needs and define new provision for open space. More detail on open space is set out under Section C 'Policies for Cherwell's Places' and in Section D 'The Infrastructure Delivery Plan'. The quality standards as set out in the strategies, together with information contained in the PPG17 study on the quality and value of open space sites, will be used as a guide in considering enhancements to existing provision. The identification of sites for new provision, other than those identified on the Policies Map (see Appendix 5: Maps) and related to the strategic sites identified in the Local Plan, will be included in the Local Plan Part 2.

B.162 Proposals for new development will be expected to contribute to open space, sport and recreation provision in accordance with Policies BSC 10, BSC 11 and BSC12 below.

Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision

The Council will encourage partnership working to ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation provision is secured through the following measures:

- **Protecting existing sites**
- **Addressing existing deficiencies in provision through qualitative enhancement of existing provision, improving access to existing facilities or securing new provision, and**
- **Ensuring that proposals for new development contribute to open space, sport and recreation provision commensurate to the need generated by the proposals.**

In determining the nature of new or improved provision the Council will be guided by the evidence base and consult with town and parish councils, together with potential users of the green space wherever possible, to ensure that provision meets local needs.

Should the promoters of development consider that individual proposals would be unviable with the above requirements, ‘open-book’ financial analysis of proposed developments will be expected so that an in house economic viability assessment can be undertaken. Where it is agreed that an external economic viability assessment is required, the cost shall be met by the promoter.

Policy BSC 11: Local Standards of Provision- Outdoor Recreation

B.163 The PPG17 Assessment set out recommended standards of open space provision. These were updated as part of the Green Spaces and Playing Pitch Strategy and a further partial update has been undertaken since the Draft Core Strategy (2010), with the findings being reflected in the policy below. The strategies set out local standards for each typology of open space,

but in recognition of the multi-functional nature of many areas of open space, and the need for flexibility in determining the precise composition of provision in new development, combined quantitative standards of provision were recommended. Should the additional analysis work referred to in paragraph B.161 above result in amendments to the open space standards, the standards will be updated in the Local Plan Part 2 and the Developer Contributions SPD.

Table 7: Local Standards of Provision - Outdoor Recreation

Type of provision	Quantitative standard	Accessibility standard	Minimum size of provision	Threshold for on-site provision
General green space (parks and gardens/natural semi-natural/amenity green space)	2.4 ha per 1000 urban dwellers	5 minute walk (amenity open space) (400m)	200 sq m	10 urban dwellings
	2.74 ha per 1000 rural/urban edge dwellers	15 minute walk other (1200m)		6 rural/urban edge dwellings

Type of provision	Quantitative standard	Accessibility standard	Minimum size of provision	Threshold for on-site provision
Play space (combining provision for younger and older children including MUGAs)	0.78 ha per 1000 people	5 minutes walk (400m) except for NEAPs 15 m walk (1200m)	LAP- 100 sq m activity zone; 400 sq m including buffer LEAP- 400 sq m activity zone; 3600 sq m including buffer NEAP- 1000 sq m activity zone; 8500 sq m including buffer NB In some cases a combined all-age area of play will be preferable to provision of LAPs/LEAPs/NEAPs.	10 dwellings (for a LAP) 50 dwellings (for a LEAP and LAP) 100 dwellings for a NEAP and LEAPs/LAPs.
Outdoor sports provision (combining tennis courts, bowling greens, golf courses and playing pitches) (to be accompanied by changing facilities where appropriate)	1.13 ha per 1000 people	Football, rugby, cricket: 10 minute walk (800m) urban areas, 10 minute travel time (8km) rural areas Tennis courts: 15 minute walk (1200m) urban areas, 15 minute travel time (12km) rural areas Bowling greens, golf courses: 15 minute travel time (12km)	0.12 ha	65 dwellings

Type of provision	Quantitative standard	Accessibility standard	Minimum size of provision	Threshold for on-site provision
		Hockey: 20 minute travel time.		
Allotments	0.37 ha per 1000 people	10 minute walk (800m)	0.2 ha	275 dwellings

Note: See Glossary for terms: MUGAs, LAPs, LEAPs and NEAPs

Table 8: Qualitative Standards of Provision

Parks and Gardens	A welcoming, clean, well maintained site that is free from vandalism and graffiti and provides a range of facilities for all users, with a good variety of well kept flowers, trees and shrubs and ancillary facilities that will enhance the user’s visit and feeling of safety. The site should reflect local traditions and allow for the viewing of public art.
Natural / Semi-natural green space	A publicly accessible, spacious, clean and litter free site with clear pathways and natural features that encourage wildlife conservation and biodiversity. Sites should be maintained to protect nature conservation interest, with interpretive signage and safety features where appropriate.
Amenity green space	A clean and well-maintained green space site with well kept grass and varied vegetation and large enough to accommodate informal play. Sites should have appropriate ancillary facilities (benches, litter bins) and landscaping in the right places, providing a spacious outlook and overall enhancing the appearance of the local environment.
Play provision	A site providing a suitable mix of well-maintained formal equipment and an enriched play environment to encourage informal play and recreation by children and young people. A safe and secure location with good access to the site that includes ancillary facilities such as teen shelters and seating.
MUGAs	Safe and secure locations with good access to sites that include ancillary facilities such as teen shelters and seating.
Tennis courts	Courts should: <ul style="list-style-type: none"> • be free from dog fouling, vandalism, graffiti and litter • have level, well-drained and good quality surfaces

	<ul style="list-style-type: none"> • have good quality ancillary facilities • have maintenance and management that ensures safety and effective usage.
Bowling greens	<p>Greens should:</p> <ul style="list-style-type: none"> • be free from dog fouling, vandalism, graffiti and litter. • have level, well-drained and good quality surfaces • have good quality ancillary facilities • have maintenance and management that ensures safety and effective usage
Golf courses	<p>Courses should:</p> <ul style="list-style-type: none"> • be free from dog fouling, vandalism, graffiti and litter. • have level, well-drained and good quality surfaces • have good quality ancillary facilities • have maintenance and management that ensures safety and effective usage
Allotments	A clean, well kept secure site that encourages sustainable communities, biodiversity and healthy living with appropriate ancillary facilities to meet local needs, clearly marked pathways to and within the site.
Churchyards / cemeteries	A well maintained, clean and safe site with the provision of seating areas, clear footpaths and car parking either on the site or nearby. The site will encourage biodiversity by providing varied vegetation and aim to be an oasis for quiet contemplation.
Green corridors	Clean, well maintained safe and secure routes with clear, level and well drained paths, which are provided by the protection and reinforcement of existing vegetation. The green corridor should provide links to major open spaces, urban areas and community accommodation such as seating and toilets where appropriate.
Civic spaces	A clean, safe, litter and graffiti free community site which encourages a sense of place where local distinctiveness and traditions can be celebrated. The civic space will provide public art and ancillary facilities, where appropriate, to accommodate a wide range of uses.

B.164 The minimum size of provision and thresholds for on-site provision are intended to act as a guide to developers, however the composition of provision will depend on the details of the proposal and its location. For example, combined play area schemes to cover all age groups may be preferable to

provision of LAPs, LEAPs and NEAPs in some cases. Similarly, the smallest size site where on-site provision for outdoor sports is likely to be possible is 65 dwellings as this would generate a requirement sufficient for two tennis courts; however this will not be appropriate for all sites of that size. In

addition, open space intended to maintain character or improve connectivity between sites needs to be large enough to be functional, irrespective of the standards.

B.165 Detailed guidance on the implementation of this policy is set out in the Planning Obligations Draft SPD. The general principles underlying the policy are that all new dwellings should contribute towards the provision of open space. For larger developments (10 dwellings or more in urban areas and 6 dwellings or more in rural areas), provision should be made on site unless this is not possible or appropriate.

B.166 For smaller developments where on-site provision is not achievable, a financial contribution will be sought from developers towards the improvement of provision elsewhere, where appropriate schemes can

be identified within the defined catchment. The identification of schemes for which financial contributions will be sought will be defined in the Developer Contributions SPD. In some cases catchment areas will relate to wards, in some to villages and in others to clusters of villages, having regard to accessibility standards outlined above and the likelihood of development coming forward at a rate sufficient to provide the identified schemes.

B.167 The nature of the development including the size and type of each dwelling and their anticipated occupancy rate will be taken into account in determining the contribution required. It may also be appropriate to seek green space provision, or a contribution towards such provision, in conjunction with other forms of development.

Policy BSC 11: Local Standards of Provision - Outdoor Recreation

Development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The amount, type and form of open space will be determined having regard to the nature and size of development proposed and the community needs likely to be generated by it. Provision should usually be made on site in accordance with the minimum standards of provision set out in ‘Local Standards of Provision - Outdoor Recreation’. Where this is not possible or appropriate, a financial contribution towards suitable new provision or enhancement of existing facilities off site will be sought, secured through a legal agreement.

North West Bicester eco-development proposals for open space will be considered against the requirements of ‘Policy Bicester 1: North West Bicester Eco-Town’.

Should the promoters of development consider that individual proposals would be unviable with the above requirements, open-book financial analysis of proposed developments will be expected so that an in-house economic viability assessment can be undertaken. Where it is agreed that an external viability assessment is required, the cost shall be met by the promoter.

Policy BSC 12: Indoor Sport, Recreation and Community Facilities

B.168 The PPG17 Indoor Sports and Recreational Facilities Assessment (2006) indicated an under-supply of sports hall and swimming pool provision in the District but concluded that the sports centre modernisation programme would address these deficiencies.



B.169 In terms of future needs to 2026, the assessment indicated that the projected shortfall in swimming pool and sports hall provision could be met through sports centre modernisation combined with dual use agreements to allow public use of school facilities out of school hours. The use of

village/community halls for sporting facilities was also highlighted and a survey of village and community halls is currently being undertaken to assess the adequacy of provision. The PPG17 assessment only covered the period to 2026 and in view of the extended plan period and increased level of growth associated with it, a review of indoor sport, recreation and community facilities provision is being undertaken. Initial indications are that there will be a deficiency in sports hall provision by 2031 with unmet demand being particularly noticeable around Bicester. There will be some unmet demand in swimming pool provision by 2031, with a capacity issue at existing facilities and deterioration in attractiveness at the older facilities through aging. Unmet demand could be addressed by the provision of new facilities or increasing the capacity and quality of existing facilities. Further location specific information is included in Section C 'Policies for Cherwell's Places'. The findings will be used to determine whether additional facilities are needed and inform the application of Policy BSC 12.

B.170 Should the additional analysis work referred to in paragraph B169 above result in amendments to the indoor sports standards, the standards will be updated in the Local Plan Part 2 and the Developer Contributions SPD. The local standards of provision developed by the PPG17 study are set out below:

Table 9: Local Standards of Provision - Indoor Recreation

Facility Type	Local Quantity Standard per 1000 Population
Sports Hall	0.315 badminton courts
Swimming Pool	9.31 ^{m²} swimming water area
Squash Courts	0.059 courts
Health and Fitness	5.28 stations

Facility Type	Local Quantity Standard per 1000 Population
Indoor Bowls	0.045 rinks
STPs	0.046 pitches
Athletics Tracks	0.0012 8 lane facility

Table 10: Local Quality Standards

Design and technical standard	All new build and refurbishment schemes to be designed in accordance with Sport England Guidance Notes, which provide detailed technical advice and standards for the design and development of sports facilities.
Facility operation and management standard	All leisure providers to follow industry best practice principles in relation to a) Facilities operation, b) Customer relations, c) staffing and d) Service and development review. The detail of internal systems, policies and practices underpinning implementation of these principles will correlate directly to the scale of facility, varying according to the position of the facility within the levels of the established hierarchy.
Accessibility standard	15 minutes travel time.

B.171 Additional guidance on how the policy and the above standards will be applied is contained in the Planning Obligations Draft SPD. Development proposals will be

expected to contribute towards provision commensurate with the needs generated by the development.

Policy BSC 12: Indoor Sport, Recreation and Community Facilities

The Council will encourage the provision of community facilities to enhance the sustainability of communities, and encourage partnership working to ensure that built sports provision is maintained in accordance with local standards of provision by the following means:

- Protecting and enhancing the quality of existing facilities
- Improving access to existing facilities
- Ensuring that development proposals contribute towards the provision of new or improved facilities where the development would generate a need for sport, recreation and community facilities which cannot be met by existing provision.

B.3 Theme Three: Policies for Ensuring Sustainable Development

Introduction

B.172 To maintain as well as maximise the quality of living in Cherwell District we need to value our environment and find ways to reduce our impact upon it. This includes taking steps to progressively reduce our reliance on meeting our energy needs from fossil sources.



B.173 Critical to achieving progress towards a lower carbon economy is the provision of quality employment in the District and public transport options for rail and bus to reduce the need to travel by private car, hence the importance of Theme One: Securing a Sustainable Local Economy. But we also need to manage development to ensure that the quality of our environment is valued and sustained.

B.174 The Local Plan will help to ensure that growth and development does not take place at the expense of the very features which make Cherwell unique. For example, coalescence between the areas for strategic development and neighbouring villages.

B.175 This Theme sets out how development impact is to be managed by the need to respect the local environment, the need to meet rising building standards and the need to maintain a high quality natural and built environment.

B.176 This Theme also includes provision for protecting important heritage assets such as the Oxford Canal and for ensuring that what is built whether housing or commercial development is to the highest quality of design possible.

Policy ESD 1: Mitigating and Adapting to Climate Change

B.177 The 2009 UK Climate Projections (UKCP09) set out some key projections of climate change across the UK over the 21st Century. Projected changes by the 2080s, based on a 50% probability level, include:

- increases in summer mean temperatures, particularly in southern England where increases of 3.9 degrees are projected
- decreases in summer precipitation, again particularly in southern England where decreases of 23% are projected
- increases in winter precipitation in southern England of 22%.



B.178 Changes as small as a 2°C global temperature rise will have serious impacts:

- rising sea levels
- extreme events such as droughts and heavy rainfall, leading to disruption to natural and man-made habitats
- communities across the UK may struggle to cope with the effects of warmer summers and wetter winters.

B.179 A Local Climate Impacts Profile (LCLIP) has been undertaken to better understand the impact of extreme weather

in Cherwell and on the Council itself. The LCLIP reviewed extreme weather events experienced over a five year period (2003 – 2008), finding that within Cherwell flooding was by far the most significant event, with significant flooding occurring 6 times in a 5 year period, 2 of the events being serious and widespread (2003 and 2007). Heatwaves were found to have been infrequent in that 5 years period, but if they were to recur on the scale of 2003 this would have significant impacts on health, biodiversity and infrastructure (including damage to buildings by tree and drought related subsidence, roads, drainage systems and business closures).

B.180 There is increasing recognition that reducing carbon emissions is important in reducing and adapting to the impacts of climate change. The Climate Change Act 2008 has an objective of an 80% reduction (from a 1990 baseline) in carbon dioxide emissions by 2050. This can be achieved by, for example, reducing dependence on private cars and locating new development in sustainable, accessible, locations, increasing energy efficiency, or by increasing the use of renewable or low carbon energy sources. It is particularly important to reduce carbon emissions from dwellings and business through increasing energy efficiency. Similarly it is important to ensure that we adapt to the inevitable changes to future climate. This applies to the built development, its location, design, layout and proposed land uses, as well as the natural environment, by seeking to reduce exacerbated habitat fragmentation by increasing landscape permeability and connectivity (see 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment', 'Policy ESD15 Built and Historic Environment' and 'Policy ESD 17: Green Infrastructure').

B.181 Mitigating and adapting to the impacts of climate change are an important priority for the District and have been recognised in the following:

- the Cherwell Sustainable Community Strategy 'Our District Our Future'

- the Council's Low Carbon Environmental Strategy
- the Council's signing of the Nottingham Declaration
- Eco Bicester: seeking to deliver sustainable building standards across the town.

B.182 Consequently this Local Plan and its strategic objectives are focused on delivering sustainable development. Specifically, Strategic Objective 10 (see Section Strategy for Development in Cherwell) relates to climate change mitigation and adaptation (to reduce the intensity of climate change and to adapt to its effects) and this will be achieved through policies ESD 1 - 7.

B.183 The most sustainable locations for growth in the District are considered to be Banbury, Bicester and the larger villages as identified in Policies Villages 1 and Villages 2 as these settlements have a range of services and facilities, reducing the need to travel by car. Well designed and connected schemes which promote pedestrian movement can also assist in meeting this objective. (see 'Policy ESD 15 The Character of the Built and Historic Environment'). The Council will develop a sustainability checklist to aid the assessment of the sustainability of development proposals, which will be included in the Sustainable Buildings in Cherwell SPD.

Policy ESD 1: Mitigating and Adapting to Climate Change

Measures will be taken to mitigate the impact of development within the District on climate change. At a strategic level, this will include:

- **Distributing growth to the most sustainable locations as defined in this Local Plan**

- **Delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars**
- **Designing developments to reduce carbon emissions and use resources more efficiently, including water (see Policy ESD 3 Sustainable Construction)**
- **Promoting the use of decentralised and renewable or low carbon energy where appropriate (see Policies ESD 4 Decentralised Energy Systems and ESD 5 Renewable Energy).**

The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of the following:

- **Taking into account the known physical and environmental constraints when identifying locations for development**
- **Demonstration of design approaches that are resilient to climate change impacts including the use of passive solar design for heating and cooling**
- **Minimising the risk of flooding and making use of sustainable drainage methods, and**
- **Reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting, and green roofs).**

Adaptation through design approaches will be considered in more locally specific detail in the **Sustainable Buildings in Cherwell Supplementary Planning Document (SPD)**.

Policy ESD 2: Energy Hierarchy and Allowable Solutions

B.184 Whilst we need to promote renewable energy where appropriate (see 'Policy ESD 3: Sustainable Construction'), it would be counter-productive to encourage generation of renewable energy if energy is being wasted by inefficiency. As such Policy ESD 2 expresses our support for an 'energy hierarchy'.



B.185 An Energy Statement will be required for proposals for major residential developments (over 10 dwellings), and all non-residential development to demonstrate how the energy hierarchy has been applied. The Energy Statement can form a standalone document or be part of the Design and Access Statement. The Council will produce a template for use in preparing energy statements.

B.186 Carbon emissions reductions can be achieved through a range of “allowable solutions”; measures which secure carbon savings off site. These have yet to be defined by the government but could potentially include investment in off site low and zero carbon technologies. The concept is

relatively new and is seen as a way to enable developments to become carbon neutral where it is not possible to deal with all carbon emissions through on site measures. It will not always be cost effective or technically feasible to meet the zero carbon standard through on site measures and the government is therefore proposing that the zero carbon standard could be achieved by mitigating the remaining emissions off-site through the use of allowable solutions. The Council will support the implementation of the national approach to allowable solutions once defined and any additional implementation guidance required at a local level will be set out in the Local Plan Part 2 and the Sustainable Buildings in Cherwell SPD’.

Policy ESD 2: Energy Hierarchy and Allowable Solutions

In seeking to achieve carbon emissions reductions, we will promote an 'energy hierarchy' as follows:

- **Reducing energy use, in particular by the use of sustainable design and construction measures**
- **Supplying energy efficiently and giving priority to decentralised energy supply**
- **Making use of renewable energy**
- **Making use of allowable solutions.**

B.187 The detailed application of the energy hierarchy in assessing proposals will be explained in the Sustainable Buildings in Cherwell SPD.

B.188 Policies on each element of the energy hierarchy are set out in order below.

Policy ESD 3: Sustainable Construction

B.189 Policy ESD 3 sets out the Council’s approach to implementing the first step of the energy hierarchy in Policy ESD 2 specifically, its encouragement for the use of sustainable design and construction measures.



B.190 The delivery of sustainable development is a fundamental theme of the Local Plan and the Council places a high priority on the achievement of sustainable construction.

B.191 The expectations in Policy ESD 3 will be applied flexibly. The onus will be on the developer to demonstrate (with robust

evidence) why the requirements cannot be met, for example where the application of the policy would conflict with other policy objectives, or where it can be satisfactorily shown that implementing the standards would not be feasible or financially viable, undermining delivery of the development. Negotiations will take place to ensure that sustainable construction is achieved as far as possible and we encourage discussion with the Council in the early stages of any development proposal. This policy will be subject to monitoring and review to ensure the standards and guidance remain appropriate and relevant. Any new national standards will need to be reflected in revisions to the local policy.

B.192 Sustainable design and construction issues will be considered and illustrated in more local detail in the Sustainable Buildings in Cherwell SPD.

Policy ESD 3: Sustainable Construction

All new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy.

Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day.

All new non-residential development will be expected to meet at least BREEAM ‘Very Good’ with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement.

The strategic site allocations identified in this Local Plan are expected to provide contributions to carbon emissions reductions and to wider sustainability.

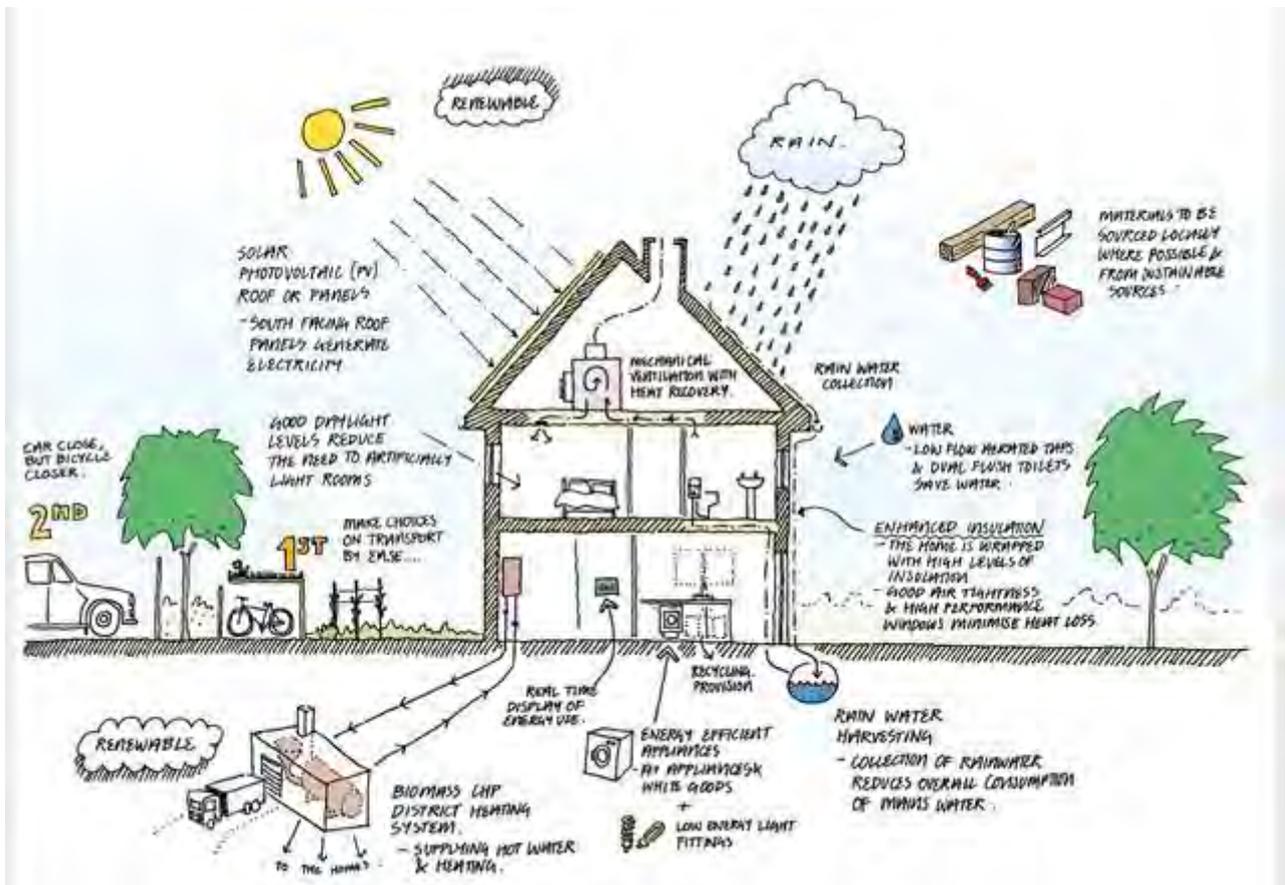
All development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:

- **Minimising both energy demands and energy loss**
- **Maximising passive solar lighting and natural ventilation**
- **Maximising resource efficiency**
- **Incorporating the use of recycled and energy efficient materials**
- **Incorporating the use of locally sourced building materials**
- **Reducing waste and pollution and making adequate provision for the recycling of waste**
- **Making use of sustainable drainage methods**
- **Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and**
- **Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.**

Should the promoters of development consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an independent economic viability assessment can be undertaken. Where it is agreed that an economic viability assessment is required, the cost shall be met by the promoter.

Policy ESD 4: Decentralised Energy Systems

B.193 This policy sets out the Council's support for decentralised energy systems, the second step of the energy hierarchy in 'Policy ESD 2: Energy Hierarchy'.



B.194 The national Heat Strategy aims to ensure there is affordable, secure and low carbon heating in a nation where 70% of all heat currently comes from natural gas, a fossil fuel. Nearly half the energy we use in the UK is used for heating of one sort or another and 52% of natural gas consumed in the UK in 2011 was used to provide heat for buildings and industry (Heat Strategy, DECC, 2013). Our 'Renewable Energy and Sustainable Construction Study' (see Appendix 3: Evidence Base) found that District Heating and Combined Heat and Power (CHP) will have an important role in delivering low carbon and renewable power and heat in the District. The Heat Strategy and the Carbon Plan (2011) both emphasise the urgent national need to decarbonise our heat supply in order to meet commitments

to reduce carbon emissions (Climate Change Act 2008). The Local Plan seeks to tackle this by increasing thermal efficiency through better insulation of buildings ('Policy ESD 3: Sustainable Construction') and through Policy, ESD 4, by encouraging efficient heat delivery systems.

B.195 Briefly, District Heating involves the distribution of heat (for space heating and hot water) from a decentralised energy centre connected to local customers via a private heat distribution network, meaning that systems can be more efficient, avoiding losses over larger transmission and distribution networks. CHP systems involve the utilisation of 'waste' heat produced when

fuel is burnt to generate electricity. Trigeneration, supplying chilled water for cooling, is also possible).

B.196 The fuel source in both DH and CHP systems can be either non renewable or renewable (renewable heat installations will of course contribute to meeting national renewable energy targets). In the UK most DH networks are linked to a gas fired CHP system or use waste heat generated from industrial processes. Some parts of rural Cherwell are without mains gas ('off-gas areas') and here biomass powered DH/CHP could be appropriate. The Renewable Energy and Low Carbon Map at Appendix 5'

Thematic Maps' shows the broad potential for decentralised heat supply in the District, illustrating any potential waste heat sources, the existing DH/CHP schemes in the District that could be extended, the off-gas areas in the District, and the typical major users of heat that could anchor a district heating system. This map should be used in combination with the DECC's mapping of areas of high heat demand density to inform more detailed feasibility assessments of the potential for DH/CHP in new developments in Cherwell. The Council will produce guidance and a template for use in preparing feasibility assessments.

Policy ESD 4: Decentralised Energy Systems

The use of decentralised energy systems, providing either heating (District Heating (DH)) or heating and power (Combined Heat and Power (CHP)) will be encouraged in all new developments.

A feasibility assessment for DH/CHP, including consideration of biomass fuelled CHP, will be required for:

- **All residential developments for 100 dwellings or more**
- **All residential developments in off-gas areas for 50 dwellings or more**
- **All applications for non-domestic developments above 1000^{m2} floorspace.**

The feasibility assessment should be informed by the renewable energy map at Appendix 5 'Maps' and the national mapping of heat demand densities undertaken by the Department for Energy and Climate Change (DECC) (see Appendix 3: Evidence Base).

Where feasibility assessments demonstrate that decentralised energy systems are deliverable and viable, such systems will be required as part of the development unless an alternative solution would deliver the same or increased benefit.

Policy ESD 5: Renewable Energy

B.197 This policy sets out the Council's support for renewable energy where appropriate, the third step in the energy hierarchy of 'Policy ESD 2: Energy Hierarchy', in order to contribute to national carbon emissions reductions and renewable energy generation targets. The Council will produce guidance and a template for use in preparing feasibility assessments. Planning applications for renewable and low carbon energy will be considered against Policy ESD 5 in addition to current government advice in the NPPF and NPPG.



B.198 Mapping of spatial opportunities for renewable energy has been undertaken in The Cherwell Renewable Energy and Sustainable Construction Study (see Appendix 3: Evidence Base) which sets out the potential for different types of renewable energy development in the District and maps the broad spatial opportunities for renewables. We have not allocated specific spatial opportunities for large scale renewable energy in this Local Plan, primarily because very few opportunities have been identified and even these are subject to

constraints which require detailed investigation. We have however mapped the broad potential for District heating opportunities in Cherwell (see 'Policy ESD 4: Decentralised Energy Systems').

B.199 Based on local evidence available at the current time (see Appendix 3: Evidence Base) opportunities for large scale wind generation are considered to be limited and uncertain, although there is potential for scattered single turbines or small clusters. Policy ESD5 will apply to all proposals for wind turbine development including monitoring masts. In line with the UK Renewable Energy Strategy, the community ownership of wind power and other renewable energy schemes is encouraged within Cherwell.

B.200 Impacts on residential amenity are particularly pertinent in relation to wind turbines and wind farm development. To minimise adverse impacts on residential amenity, the Council will apply minimum separation distances between turbines and dwellings. Further guidance on separation distances is set out in the Council's "Planning Guidance on the Residential Amenity Impacts of Wind Turbines Development" document (2011).

B.201 There is increasing interest in the development of large scale solar PV arrays in Cherwell. The issues of local significance set out below will be relevant considerations in the determination of such proposals as well as the need to protect the District's high quality agricultural land (Grades 1 and 2).

B.202 Policy in relation to renewable energy generation in the Cotswolds Area of Outstanding Natural Beauty (AONB) is set out in the Cotswolds AONB Management Plan, produced by the Cotswolds

Conservation Board, which has been adopted by this council as supplementary planning guidance.

Policy ESD 5: Renewable Energy

The Council supports renewable and low carbon energy provision wherever any adverse impacts can be addressed satisfactorily. The potential local environmental, economic and community benefits of renewable energy schemes will be a material consideration in determining planning applications.

Planning applications involving renewable energy development will be encouraged provided that there is no unacceptable adverse impact, including cumulative impact, on the following issues, which are considered to be of particular local significance in Cherwell:

- **Landscape and biodiversity including designations, protected habitats and species, and Conservation Target Areas**
- **Visual impacts on local landscapes**
- **The historic environment including designated and non designated assets and their settings**
- **The Green Belt, particularly visual impacts on openness**
- **Aviation activities**
- **Highways and access issues, and**
- **Residential amenity.**

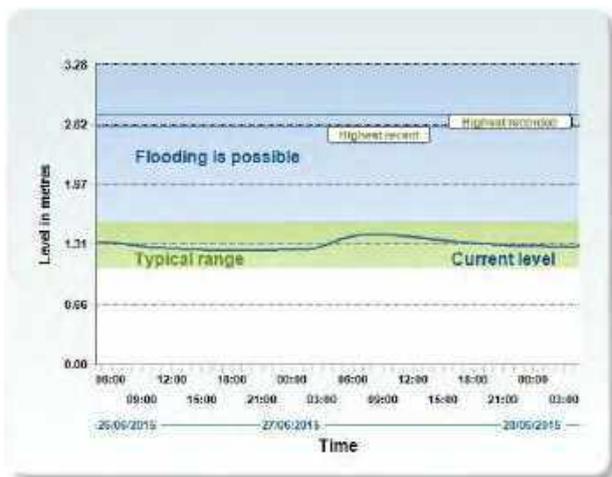
A feasibility assessment of the potential for significant on site renewable energy provision (above any provision required to meet national building standards) will be required for:

- **All residential developments for 100 dwellings or more**
- **All residential developments in off-gas areas for 50 dwellings or more**
- **All applications for non-domestic developments above 1000^{m2} floorspace.**

Where feasibility assessments demonstrate that on site renewable energy provision is deliverable and viable, this will be required as part of the development unless an alternative solution would deliver the same or increased benefit. This may include consideration of ‘allowable solutions’ as Government Policy evolves.

Policy ESD 6: Sustainable Flood Risk Management

B.203 The risk of flooding from rivers and watercourses across the District is high, with large extensive floodplains a feature of our rural landscape. The District falls within three major river catchments. The River Cherwell forms part of the larger Thames catchment, which comprises about 80% of the District's total area covering much of the urban and rural development in the District. During flood conditions the River Cherwell also largely co-joins with the adjacent Oxford Canal. The Great Ouse catchment covers approximately 15% of the District's total area and the Warwickshire Avon catchment approximately 5%. Groundwater and sewer flooding have also occurred at various locations in the District. Flooding events are detailed in the Council's Level 1 Strategic Flood Risk Assessment (SFRA) and further information is also provided in the Council's Local Climate Impacts Profile (LCLIP) (See Appendix 3: Evidence Base).



B.204 Properties at risk of flooding are dispersed across the District but there are clusters of properties at risk in Banbury and Kidlington (more than 100 properties in total). The SFRA also highlights that some rural settlements are potentially affected by fluvial flooding.

B.205 Construction work commenced in February 2011 on a Flood Alleviation Scheme for Banbury to protect the town centre and surrounding businesses from flooding and the scheme is now complete. The project was funded by the Environment Agency supported by Cherwell District Council and contributions from local landowners.

B.206 The Flood and Water Management Act 2010 assigns local authorities with a responsibility for managing flood risk. In Cherwell District, Oxfordshire County Council is the Lead Local Flood Authority (LLFA), with the District Council having an important supporting role to play as a Risk Management Authority. The probability of flooding can be reduced through the management of land, river systems and flood defences, and the impact reduced through influencing the type of development located in flood risk areas. The following policy will be used to manage and reduce flood risk in the District.

Policy ESD 6: Sustainable Flood Risk Management

The Council will manage and reduce flood risk in the District through using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Development will only be permitted in areas of flood risk when there are no reasonably available sites in areas of lower flood risk and the benefits of the development outweigh the risks from flooding.

In addition to safeguarding floodplains from development, opportunities will be sought to restore natural river flows and floodplains, increasing their amenity and biodiversity value. Building over or culverting of watercourses should be avoided and the removal of existing culverts will be encouraged.

Existing flood defences will be protected from damaging development and where development is considered appropriate in areas protected by such defences it must allow for the maintenance and management of the defences and be designed to be resilient to flooding.

Site specific flood risk assessments will be required to accompany development proposals in the following situations:

- **All development proposals located in flood zones 2 or 3**
- **Development proposals of 1 hectare or more located in flood zone 1**
- **Development sites located in an area known to have experienced flooding problems**
- **Development sites located within 9m of any watercourses.**

Flood risk assessments should assess all sources of flood risk and demonstrate that:

- **There will be no increase in surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event with an allowance for climate change (the design storm event)**
- **Developments will not flood from surface water up to and including the design storm event or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site.**

Development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.

B.207 The above policy reflects government planning guidance on sustainable flood risk management set out in the NPPF and NPPG. The suitability of development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Defended areas should be sequentially tested as though the defences are not there. Applications will also be assessed against the Environment Agency's standing advice on flood risk.

B.208 The Council's Level 1 SFRA (see Appendix 3: Evidence Base) provides the framework for applying the sequential and exception tests in the District. The SFRA identifies and maps the risk of flooding across the District based on a range of data and taking into account predicted climate change impacts, and is a useful source of information in undertaking site specific flood risk assessments particularly in relation to specific locations across the District. The SFRA also highlights the biodiversity opportunities associated with the use of sustainable flood risk management techniques, for example in enhancing or creating priority habitats such as grazing marsh, wet grassland, wetlands and aquatic habitats (particularly so in the Conservation Target Areas - see 'Policy ESD 11: Conservation Target Areas').

B.209 Level 2 SFRA's have also been carried out to assess the level of flood risk for strategic site allocations in more detail (see Appendix 3: Evidence Base). The assessments provide site specific guidance for flood risk assessments, policy recommendations and Sustainable Drainage Systems (SuDS) guidance. The findings of the assessments will be taken into account in the final determination of planning applications at the strategic sites.

B.210 Site specific Flood Risk Assessments (FRA's) will be required in accordance with the NPPF and NPPG. The FRA should identify and assess the risks of all forms of flooding to and from the development and demonstrate how these flood risks will be managed, taking climate change into account. Fluvial flood events up to and including the 1 in 100 year event with an allowance for climate change should be considered. For major developments in Flood Zone 1, the FRA should identify opportunities to reduce the probability and consequences of flooding. The FRA should also include investigation of the use of sustainable drainage systems (see 'Policy ESD 7: Sustainable Drainage Systems' (SuDS)).

B.211 Briefly, there are 3 levels of FRA, as follows:

- Level 1 - Screening: identify if a development site has flood risk issues
- Level 2 - Scoping: qualitative assessment to determine how flood sources affect the site and options available for mitigation
- Level 3 - Details: where the quality and/or quantity of information is insufficient to enable a robust assessment of the flood risks, further investigation will be required potentially involving hydraulic modelling.

B.212 An FRA does not need to go through every stage (i.e. if it is known that detailed modelling will be required, just a Level 3 FRA can be carried out). The Council's SFRA makes the following recommendations for FRA's undertaken in particular locations across the District, as follows:

Location	Site Specific FRA Requirement
Wherever applicable	Where a site is in close proximity of the Oxford Canal, the Level 3 FRA should include breach analysis.
Wherever applicable	Flood defended areas will require a FRA to include assessment of risk from catastrophic failure of defences.
Banbury	A detailed level 3 FRA is required for development within the River Cherwell Floodplain to include flood compensation. Groundwater risk to be highlighted at Crouch Hill.
North East Biceser	A level 2 FRA using existing data can be applied.
South East Bicester	A level 3 FRA including hydraulic modelling will be required in the vicinities of these watercourses.
Kidlington	Where EA modelled data is available a level 2 FRA can be completed using existing modelled flood levels. Where no data is available a Level 3 FRA including hydraulic modelling may be required for sites in close proximity to the Rowell Brook or the River Cherwell. A level 2 FRA to include detailed assessment of groundwater flood risk should be included at all sites.
Rural Areas	There are village specific recommendations contained in the SFRA

B.213 Additional recommendations are included in the Level 2 SFRA for the proposed strategic site allocations.

B.214 We will work actively with the Environment Agency, the Local Lead Flood Authority, other operating authorities and stakeholders to ensure that best use is made of their expertise and so that spatial planning supports existing flood risk management policies and plans, River Basin Management Plans and emergency planning.

Policy ESD 7: Sustainable Drainage Systems (SuDS)

B.215 Policy ESD 7 sets out the Council's approach to Sustainable Drainage Systems (SuDS). Potential flooding and pollution risks from surface water can be reduced by reducing the volume and rate of water entering the sewerage system and watercourses. Managing drainage more sustainably in this way can ensure that developments are better adapted to the predicted impacts of climate change in the South East, which include more intense rainfall events. Policy ESD 7 is supported by the Flood and Water Management Act 2010

which presumes that SuDS will be used for all new developments and redevelopments in order to prevent surface water run-off from increasing flood risk, and sets out that national standards be published to address SuDS design, construction, operation and maintenance issues at a national level.

B.216 SuDS seek to manage surface water as close to its source as possible, mimicking surface water flows arising from the site prior to the proposed development. Typically this approach involves a move away from piped systems to softer engineering solutions. SuDS are considered to be suitable for use in association with developments across the District. Where site specific Flood Risk Assessments are required to be submitted to accompany development proposals these should be used to investigate how SuDS can be used on particular sites and to design appropriate systems.

B.217 In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, multiple benefits including for recreation and wildlife should be delivered. Proposals must include an agreement on the future management, maintenance and replacement of the drainage structures.

B.218 All relevant organisations should meet at an early stage to agree on the most appropriate drainage system for the

particular development. These organisations may include the Local Authority, the Sewage Undertaker, Oxfordshire County Council as the LLFA and Highways Authority, and the Environment Agency. Highways SuDS will be adopted by Oxfordshire County Council but must be located on the most appropriate land, requiring consideration of the need to provide access for maintenance purposes, and topographical factors. Non-highway SuDS draining two properties or more will be adopted by the Local Lead Flood Authority (LLFA) after Schedule 3 of the 2010 Act comes into force.

B.219 Advice on SuDS and their various techniques is provided in the Council's Level 1 SFRA (August 2008). All areas of the District are suitable for SuDS in one form or another but the SFRA contains maps of a range of geological and ground condition data which can be used to identify the general permeability of the underlying ground conditions (bedrock, superficial deposits and soil) and the vulnerability of the groundwater resources (aquifers), to determine which SuDS system might be suitable. However the SFRA's mapping of SuDS opportunity does not provide a detailed and definitive investigation at site specific level, and so further assessment may be required to further investigate SuDS opportunities on individual sites. The Level 2 SFRA's contain additional guidance relating to the use of SuDS on the proposed strategic site allocations.

Policy ESD 7: Sustainable Drainage Systems (SuDS)

All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.

In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.

Our Core Assets

Policy ESD 8: Water Resources

B.220 In considering development proposals, the Council will use Policy ESD 8 together with 'Policy ESD 3: Sustainable Construction', 'Policy ESD 6: Sustainable Flood Risk Management' and 'Policy ESD 7: Sustainable Drainage Systems' (SuDS) to reduce the impact of development on the water environment, maintain water quality, ensure adequate water resources and promote sustainability in water use. This will assist in contributing to the objectives of the Water Framework Directive which seeks to protect and enhance the quality of water bodies, and

indicates that development should not result in any deterioration in the status of surface water bodies. Some development can remediate contaminated land which may be having an adverse impact on controlled water and human health. These policies together with Policy ESD 8 are also intended to help deliver the actions contained in the Thames River Basin Management Plan. These actions highlight the importance of development proposals contributing to an improved water environment, through the use of sustainable design and construction techniques for water efficiency, water quality and sustainable flood management, and the incorporation of appropriate green infrastructure and biodiversity improvements.



B.221 Research carried out by the Environment Agency and set out in the Catchment Abstraction Management Strategies (CAMs) shows that Cherwell District lies within an area of serious water stress and the Upper Cherwell area (including Banbury) has been over abstracted. Policy ESD 8 will be used to

ensure that new development is located in areas where adequate water supply can be provided from existing and potential water supply infrastructure. In addition 'Policy ESD 1: Mitigating and Adapting to Climate Change' and 'Policy ESD 3: Sustainable Construction' will ensure new development incorporates water efficiency measures, reducing demand.

Policy ESD 8: Water Resources

The Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use.

Water quality will be maintained and enhanced by avoiding adverse effects of development on the water environment. Development proposals which would adversely affect the water quality of surface or underground water bodies, including rivers, canals, lakes and reservoirs, as a result of directly attributable factors, will not be permitted.

Development will only be permitted where adequate water resources exist, or can be provided without detriment to existing uses. Where appropriate, phasing of development will be used to enable the relevant water infrastructure to be put in place in advance of development commencing.

Protection and Enhancement of Biodiversity and the Natural Environment

B.222 Conserving biodiversity is an important element of sustainable development. Government guidance in the NPPF and NPPG indicates that in delivering sustainable development local authorities should enhance as well as protect biodiversity and natural habitats. It is also recognised that the distribution of habitats and species will be affected by climate change. This reinforces the importance of considering climate change impacts in seeking to avoid habitat fragmentation. Following an initiative in the Natural Environment White Paper 2011, a Local Nature Partnership for Oxfordshire ('Wild Oxfordshire') was set up with the aim of encouraging all sectors to consider the natural environment in decision making and recognise the wider social and economic benefits biodiversity brings. The Council will have regard to the views of 'Wild Oxfordshire' in ensuring sustainable development.

B.223 Cherwell District contains many areas of high ecological value including sites of international and national importance, as outlined below. While the District is predominantly rural, its urban centres, parks and open spaces are just as much part of the

local environment and provide important habitats for wildlife. The policies to protect and enhance the natural environment and biodiversity in urban and rural areas are set out below.

B.224 Cherwell contains one site of European importance; part of Oxford Meadows Special Area of Conservation (SAC) located in the south west corner of the District (indicated on the Cherwell District Policies Map (Appendix 5: Maps). The SAC receives statutory protection under the Habitats Directive (Directive 92/42/EEC), transposed into national legislation in the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations).

B.225 The proposals in this document have been informed by Habitats Regulations Assessments undertaken in accordance with Regulation 21 of the Habitats Regulations. An HRA was carried out to determine whether the proposals in the Core Strategy Options for Growth paper (2008) were likely, either alone or in combination with other plans and projects, to have a significant effect upon European sites. An HRA of the Draft Core Strategy (February 2010) was also undertaken. Copies of both assessments are available on the Council's website (see Appendix 3: Evidence Base).

B.226 Appropriate measures as recommended by the HRA have been incorporated to avoid or minimise the effect of the plan proposals on the SAC in relation to water quality, natural groundwater flow, air quality and recreational use. A revised HRA was undertaken (2012) to accompany the Proposed Submission Local Plan to ensure that the plan proposals will not result in adverse effects on the SAC. Addendums to the HRA were published to accompany the focused consultation on proposed changes to the Plan in March 2013 and the Submission Local Plan in October 2013 which confirmed that there would be no likely significant effects on any Natura 2000 Sites as a result of the proposals within the Plan. A HRA (Stage I Screening) re-affirming these conclusions accompanied the proposed modifications to the Plan.

B.227 Paragraph B.95 indicates that if Oxford is unable to accommodate the whole of its new housing requirement for the 2011-2031 period within its administrative boundary, the Council will continue to work jointly with the other Oxfordshire local authorities to assess all reasonable spatial options of how any unmet need could be met. The consideration of all reasonable options would include undertaking a Habitats Regulations Assessment to assess the alone and in combination effects on sites of European importance.

B.228 However, as the proposals in the Local Plan are strategic by nature, any more detailed proposals that are identified in the Local Plan Part 2 will also be subject to a Habitats Regulations Assessment to determine if they are likely to have a significant impact. Similarly, if a proposed development submitted as a planning application could have a likely significant effect on Oxford Meadows SAC then consideration and assessment would need to be undertaken (see 'Policy ESD 9:

Protection of the Oxford Meadows SAC' and 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment').

B.229 One of the recommendations arising from the HRA was the need to ensure groundwater flows and water quality at the SAC are not affected by development. Policy ESD 9 will be used to ensure that this is the case.

Policy ESD 9: Protection of the Oxford Meadows SAC

B.230 The Oxford Meadows SAC has been designated for European protection due to the lowland hay meadow habitats it supports. The site includes vegetation communities that are considered to be potentially unique in the world (due to the influence of long-term grazing and hay-cutting). The site has been traditionally managed for several centuries and so exhibits good conservation of structure and function. It is also designated as a European site as it supports creeping marshwort - one of only two known sites in the UK that support this plant species. The River Thames flows through the centre of the site and the hydrological regime makes an important contribution to the integrity of the site in supporting these habitats and species.

B.231 The HRA identified two potential significant impacts relating to water and water quality:

- The SAC receives groundwater supplies from the River Cherwell and the River Thames (and their catchments). Alteration to adjacent rivers or obstruction of natural groundwater flows may alter the flooding regime of the SAC and lead to a degradation of the internationally important habitats and biodiversity that it supports.

However the current groundwater recharge could be maintained using Sustainable Drainage Systems, including porous surfacing, which maintain infiltration of groundwater without exacerbating flood risk (see Policy ESD 7).

- If new development is situated next to watercourses that flow into the River Thames upstream of the SAC, it is possible that there could be a decrease in water quality flowing through the SAC during the construction and the operation of development. This could

potentially alter or prevent the nutrient enrichment of the habitats and species that the SAC supports, leading to degradation or loss.

B.232 Policy ESD 9 aims to prevent any obstruction of groundwater flows and to preserve water quality, in order to maintain the stability of the hydrological regime within the SAC and therefore its integrity as a site of international importance. The policy will be applied to development proposals likely to impact on groundwater flows or watercourses that flow into the River Thames upstream of the SAC.

Policy ESD 9: Protection of the Oxford Meadows SAC

Developers will be required to demonstrate that:

- **During construction of the development there will be no adverse effects on the water quality or quantity of any adjacent or nearby watercourse**
- **During operation of the development any run-off of water into adjacent or surrounding watercourses will meet Environmental Quality Standards (and where necessary oil interceptors, silt traps and Sustainable Drainage Systems will be included)**
- **New development will not significantly alter groundwater flows and that the hydrological regime of the Oxford Meadows SAC is maintained in terms of water quantity and quality**
- **Run-off rates of surface water from the development will be maintained at greenfield rates.**

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

B.233 Development proposals likely to affect a site of international ecological importance will need to be accompanied by a thorough Habitats Regulations Assessment of the potential effects of the development on that site of international importance, to enable

the Council to determine whether the development would result in significant adverse effects on the integrity of the site. Any development that is unable to demonstrate that it would not have a significant adverse effect upon the integrity of a European site, having taken account of proposed mitigation, will be refused. This is in accordance with the precautionary principle enshrined in the Habitats Directive.

Where there are imperative reasons of over-riding public interest and the Council is unable to conclude no adverse effect on the integrity of the SAC, the authority will

notify the Secretary of State to allow the application to be called in for determination. In these situations compensatory measures to protect the site must be put in place.



B.234 Sites of national importance comprise Sites of Special Scientific Interest (SSSIs) and National Nature Reserves. Cherwell District has 18 SSSIs but does not contain any National Nature Reserves.

B.235 Sites of regional/local importance comprise Local Geological Sites (LGSs), Local Nature Reserves (LNRs), non-statutory nature reserves and other sites of importance for nature conservation including

Local Wildlife Sites (LWSs- formerly known as County Wildlife Sites), ancient woodland, aged or veteran trees and UK Biodiversity Action Plan (BAP) Priority Habitats (habitats of principal importance for the conservation of biodiversity under Section 41 of the NERC Act). Cherwell contains 13 LGSs, 3 LNRs, 83 Local Wildlife sites (completely or partly within the District), 16 proposed LWSs and 8 proposed LWS extensions (as of August 2013). The sites are indicated on the

biodiversity map at Appendix 5: Maps, but it must be acknowledged that the number and location of sites changes over time as surveys and re-surveys take place. A living list of Local Wildlife Sites and associated maps are available at <http://www.tverc.org>. Sites of regional/local importance also include the habitats of those species of principal importance for biodiversity (as identified in Section 41 of the NERC Act).

B.236 It is not just designated sites that are of importance to the biodiversity resource of the District. Areas adjacent to designated sites can be of value as they can form part of the overall ecological unit and may provide important linkages. Also landscape features such as hedgerows, woods, trees, rivers and riverbanks, ponds and floodplains can be of importance both in urban and rural areas, and often form wildlife corridors and stepping stones. Similarly it is not just greenfield sites that can be of value; previously developed land can also make an important contribution to biodiversity. Some development can remediate contaminated land which may be having an adverse impact on ecology. It is important that any features of value are identified early in the planning process so that adequate measures can be taken to secure their protection. Developers will be expected to incorporate and enhance such features within a site wherever possible and adequate measures should be taken to protect them from damage during construction. Networks of habitats will be protected from development and where possible strengthened by it.

B.237 Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site of known biodiversity value or the biodiversity/natural environment of the local area. A biodiversity survey and report will also be required where it is likely that previously unrecorded biodiversity interest may be present which could be affected by the development. All developments around Bicester will require surveys carried out for the brown hairstreak butterfly. Surveys should include consideration of the site's value as a wildlife corridor and the contribution it makes to ecological networks. In addition to identifying biodiversity impacts, biodiversity surveys and reports should identify opportunities to deliver biodiversity enhancements.

B.238 There are a number of features which can be incorporated into developments to encourage biodiversity including green roofs and walls, SUDs, using native and locally characteristic species in landscaping schemes, using landscaping to link up existing areas supporting biodiversity and including features such as bird and bat boxes. The Council is compiling further guidance on the incorporation of features to encourage biodiversity which will form part of the Sustainable Buildings in Cherwell SPD.

B.239 Consideration will be given to the introduction of a tariff based approach to securing biodiversity improvement through development. Further information on the use of planning obligations to secure contributions from development towards biodiversity will be contained in the final Developer Contributions SPD.

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

Protection and enhancement of biodiversity and the natural environment will be achieved by the following:

- **In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources**
- **The protection of trees will be encouraged, with an aim to increase the number of trees in the District**
- **The reuse of soils will be sought**
- **If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted.**
- **Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated**
- **Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity**
- **Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity**
- **Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity**
- **Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value**

- **Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution**
- **Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably**
- **A monitoring and management plan will be required for biodiversity features on site to ensure their long term suitable management.**

Policy ESD 11: Conservation Target Areas

B.240 Conservation Target Areas in Oxfordshire have been mapped by the Thames Valley Environmental Records Centre (TVERC) in consultation with local authorities and nature conservation organisations in Oxfordshire. The Target Areas have been identified to focus work to restore biodiversity at a landscape scale through the maintenance, restoration and creation of UK BAP priority habitats, and this is their principle aim. They therefore have a major role to play in achieving Strategic Objective 15 (Section A: Strategy for Development in Cherwell). Addressing habitat fragmentation through the linking of sites to form strategic ecological networks can help species adapt to the impact of climate change, and therefore Conservation Target Areas can also contribute to the achievement of Strategic Objective 11. Conservation Target Areas represent the areas of greatest opportunity for strategic biodiversity improvement in the District and as such development will be expected to contribute to the achievement of the aims of the target areas through avoiding habitat fragmentation and enhancing biodiversity.

B.241 Ten Conservation Target Areas lie wholly or partly within Cherwell District. The boundaries of the Conservation Target Areas are indicated on the Policies Map (Appendix 5: Maps).

B.242 General targets for maintenance, restoration and creation of habitats have been set for each area, to be achieved through a combination of biodiversity project work undertaken by a range of organisations, agri-environment schemes and biodiversity enhancements secured in association with development. These targets are in the process of being made more specific in terms of the amount of each habitat type to be secured within each Conservation Target Area (see Wild Oxfordshire's website <http://wildoxfordshire.org.uk/biodiversityconservation-target-areas>). Habitat improvement within each area will contribute towards achieving County targets, which in turn will contribute towards regional biodiversity targets identified by the South East England Biodiversity Forum. A lead partner has been appointed for several of the Conservation Target Areas to co-ordinate action.

B.243 Biodiversity enhancements sought in association with development could include the restoration or maintenance of habitats through appropriate management, new habitat creation to link fragmented habitats, or a financial contribution towards

biodiversity initiatives in the Conservation Target Area. Biodiversity enhancement within the Conservation Target Areas will be considered through the review of the current Planning Obligations Draft SPD and the funding of infrastructure through CIL or other tariff system. Biodiversity offsetting is

being explored at national level through a number of pilot projects, as a way of compensating for biodiversity loss in an effective way. If this initiative proves successful the approach could be used to secure strategic biodiversity improvement.

Policy ESD 11: Conservation Target Areas

Where development is proposed within or adjacent to a Conservation Target Area biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted. Where there is potential for development, the design and layout of the development, planning conditions or obligations will be used to secure biodiversity enhancement to help achieve the aims of the Conservation Target Area.

Policy ESD 12: Cotswolds Area of Outstanding Natural Beauty (AONB)

B.244 Cherwell contains one area of national landscape importance - the Cotswolds Area of Outstanding Natural Beauty (AONBs). National designations including AONBs are to be prioritised for landscape protection as set out in national planning guidance, with the NPPF indicating that great weight should be given to conserving landscape and scenic beauty in those areas.

B.245 Only a small part of Cherwell District, around the village of Epwell, is included in the Cotswolds AONB, as shown on the Policies Map (Appendix 5: Maps). The area of AONB straddles the boundary of Sibford and Wroxton wards.

B.246 Proposals for development in the AONB should be small-scale and sustainably located and designed. Proposals which support the economies and social well-being of the AONB and its communities, including affordable housing schemes, will be encouraged provided they do not conflict with the aim of conserving and enhancing natural beauty.

B.247 The Cotswolds AONB Management Plan was prepared by the Cotswold Conservation Board and was adopted by the Council for use as supplementary guidance. The Management Plan was updated and adopted by the Board in March 2013. The main principles are that development within the AONB will:

- be compatible with the distinctive character of the location as described by the relevant landscape character assessment, strategy and guidelines

- incorporate designs and landscaping consistent with the above, respecting the local settlement pattern and building style
- be designed to respect local building styles and materials
- incorporate appropriate sustainability elements and designs
- have regard to the impact on tranquillity, including dark skies
- not have an adverse impact on the local community amenities and services and access to these
- protect, or where possible enhance, landscape and biodiversity
- be in accordance with a more sustainable pattern of development, reducing dependence on car travel.

Policy ESD 12: Cotswold Area of Outstanding Natural Beauty (AONB)

High priority will be given to the protection and enhancement of the Cotswolds AONB and the Council will seek to protect the AONB and its setting from potentially damaging and inappropriate development. The Cotswolds AONB Management Plan will be used as supplementary guidance in decision making relevant to the AONB.

Development proposals within the AONB will only be permitted if they are small scale, sustainably located and designed, and would not conflict with the aim of conserving and enhancing the natural beauty of the area.

Policy ESD 13: Local Landscape Protection and Enhancement

B.248 The Cherwell Local Plan 1996 identified Areas of High Landscape Value - land of particular environmental quality - where the Council would seek to conserve and enhance the environment. This Local Plan adopts a character-based approach to seek to conserve and enhance the countryside and landscape character of the whole District, and so Areas of High Landscape Value are not proposed to be retained. Policy ESD 13 therefore seeks to conserve and enhance the distinctive and highly valued local character of the entire District. The Council will use the CPRE's

Tranquillity Map of Oxfordshire available at <http://www.cpre.org.uk> as a guide in assessing areas of tranquillity. Further guidance will be contained within the Local Plan Part 2.

Examples of landscape types

Landscape Types

-  Clay Vale
-  Farmland Plateau
-  Farmland Slopes and Valley Sides
-  River Meadowlands
-  Upstanding Village Farmlands
-  Wooded Pasture Valleys and Slopes

B.249 Opportunities for landscape enhancement can also be provided by land in the Council's ownership, and on other land by agreement.

B.250 The relationship between the District's towns and the adjoining countryside and the avoidance of an abrupt transition from built development to open farmland requires special attention to the landscaping of existing and proposed development. This interface is important in determining the relationship between the urban areas and on the character of the countryside. Where new development will extend the built up limits of the towns the Council will seek a masterplan and well-designed approach to the urban edge. This could incorporate the enhancement of existing hedgerows and woodlands and new areas of woodland planting and hedgerows to be incorporated as part of the development, to ensure the satisfactory transition between town and country. These considerations can equally be applied where extensions to villages are required. Landscape mitigation for the proposed strategic sites will be negotiated on a site by site basis.

B.251 In order to understand the local landscape character of Cherwell a Landscape Assessment was undertaken in 1995. The findings of this assessment informed the Non Statutory Cherwell Local Plan policy and the Countryside Design Summary Supplementary Planning Guidance. These documents identified four distinct character areas - the 'Cherwell Valley', 'Ironstone Downs', 'Ploughley Limestone Plateau' and 'Clay Vale of Otmoor'. The guidance states how development can complement the most important aspects of the character of that part of the District. More recently the Oxfordshire Wildlife and Landscape Study

(OWLS) looked in detail at the landscape types across the District as well as the biodiversity resource. It identifies the 'forces for change' in a particular location and includes landscape/biodiversity strategies which set guidelines for how developments can contribute towards landscape character. Further landscape assessment work has been undertaken to inform the Local Plan and the Masterplans being prepared for Bicester and Banbury (see Appendix 3: Evidence Base).

B.252 One of the most important elements of the landscape which can add to the character and identity of an area are natural landscape features. Such features include Muswell Hill, Crouch Hill, Madmarston Hill, the River Cherwell and Otmoor, which all make those areas distinct and create a sense of place. Many form local landmarks valued by the local communities. The Council's Landscape Evidence Base documents identify the key landform and landscape features of value which include the following features around Banbury and Bicester:

- the open and agricultural setting and identity of the outlying villages surrounding Banbury and Bicester, many with locally distinctive historic cores
- ironstone ridges and valleys
- the historic villages and parkland of Hanwell and Wroxton
- Broughton Castle and Grade II Registered Park
- Crouch Hill: an important landmark overlooking Banbury and the surrounding area
- the landscape to the east of the motorway at Banbury which retains a distinct historic pattern

- Salt Way and its setting
- the Sor Brook Valley
- the setting of the Oxford Canal and River Cherwell corridor
- specific features at Bicester noted for their value include those showing notable 'time depth' including Former RAF Bicester, Wretchwick deserted medieval village, Bignell Park and the Roman roads
- Graven Hill and Blackthorn Hill which contrast with the relatively flat surrounding landform
- the River Ray floodplains.

B.253 The Council will seek to retain woodlands, trees, hedges, ponds, walls and any other features which are important to the character or appearance of the local

landscape as a result of their ecological, historic or amenity value. Proposals which would result in the loss of such features will not be permitted unless their loss can be justified by appropriate mitigation and/or compensatory measures to the satisfaction of the Council.

B.254 In order that development conserves and enhances the character of the countryside, the Council will carefully control the type, scale and design of development, including the materials used, taking into account the advice contained in the Council's Countryside Design Summary SPG and the OWLS.

B.255 In addition to this policy, many villages have conservation areas and in considering development proposals within or adjacent to them, special attention will be given to the preservation or enhancement of their character and appearance under 'Policy ESD 15: The Character of the Built and Historic Environment'.

Policy ESD 13: Local Landscape Protection and Enhancement

Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- **Cause undue visual intrusion into the open countryside**
- **Cause undue harm to important natural landscape features and topography**
- **Be inconsistent with local character**
- **Impact on areas judged to have a high level of tranquillity**

- **Harm the setting of settlements, buildings, structures or other landmark features, or**
- **Harm the historic value of the landscape.**

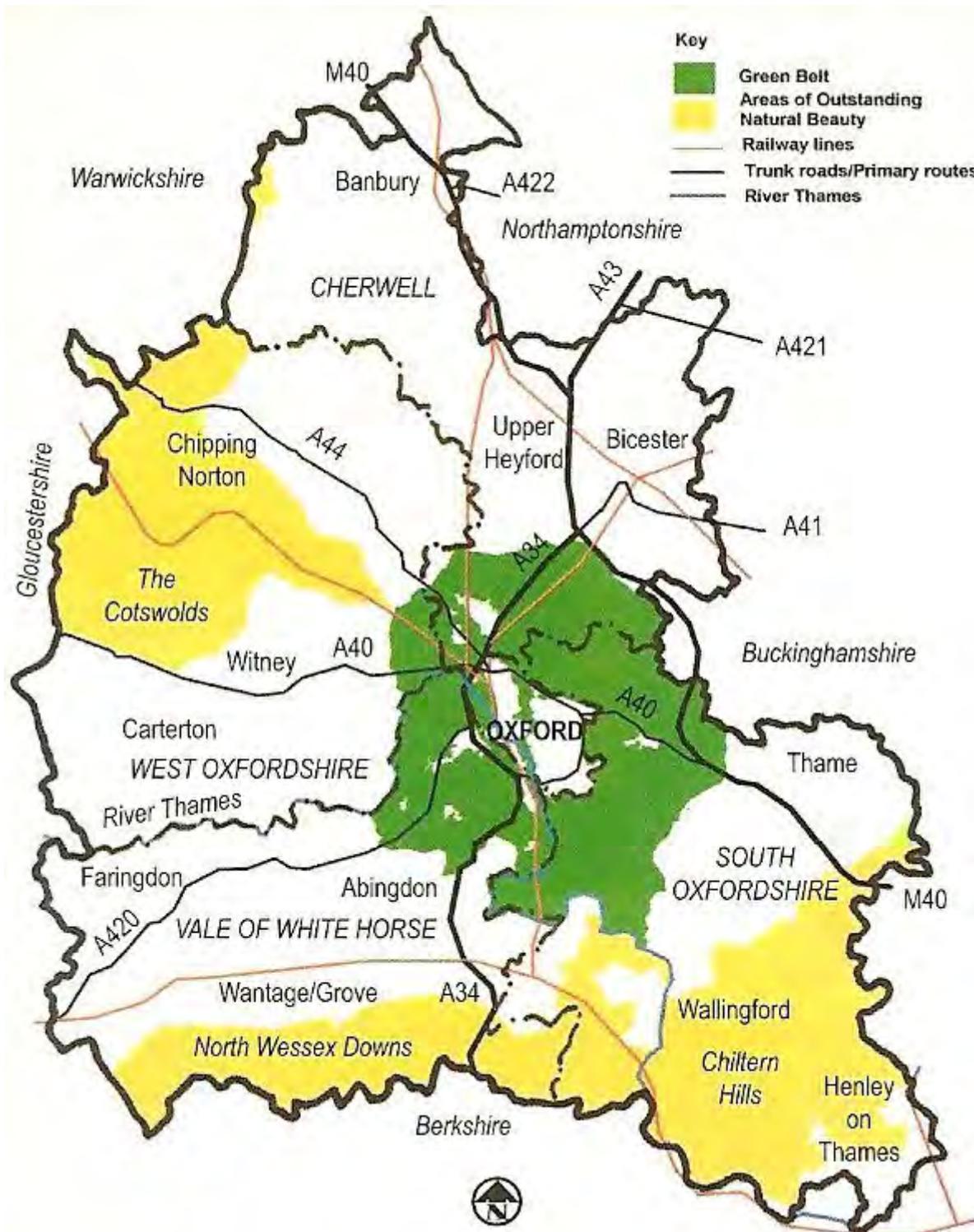
Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate.

Policy ESD 14: Oxford Green Belt

B.256 Part of the District falls within the Oxford Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. The Oxford Green Belt was designated to restrain development

pressures which could damage the character of Oxford City and its heritage through increased activity, traffic and the outward sprawl of the urban area. Similarly, the character of Oxford in a rural setting cannot be maintained without the protection of the spatial relationship of Oxford with nearby settlements and the maintenance of the character of the intervening countryside.

Map of Oxford Green Belt - for illustrative purposes only



B.257 The outer boundaries of the Oxford Green Belt were approved in 1975 and the inner boundaries within Cherwell have been carried forward since the Central Oxfordshire Local Plan of 1992. The general extent of the Oxford Green Belt is shown on the Policies Map (Appendix 5: Maps). A number of villages are washed over by the Green Belt and the villages of Kidlington, Yarnton and Begbroke (east) are surrounded by the Green Belt but excluded from it. The villages of Bletchingdon, Merton, Murcott and Weston on the Green lie partly within and partly outside the Green Belt. The boundary of the Green Belt is shown on the Policies Map (Appendix 5: Maps).

B.258 Work undertaken for the revoked South East Plan did not identify a need for strategic review of the Green Belt boundaries in Cherwell District. The plan indicated that selective review should take place to the south of Oxford and stated that if the initial area of search to the south of Oxford did not prove a suitable candidate for review, a wider review across the area could take place. A legal challenge to this section of the South East Plan was issued on the grounds that proper environmental assessment of the proposals and reasonable alternatives had not taken place. The Treasury Solicitor conceded the legal challenge but the issue was not finally resolved before revocation of the plan.

B.259 Government policy indicates that Green Belt boundaries should only be altered in exceptional circumstances. The Local

Plan’s housing requirements and development strategy can be achieved without the need for a strategic review of the Green Belt in the District. In terms of local housing need, small scale affordable housing schemes to meet specifically identified local housing need may be met through the release of rural exception sites as part of the development control process, in accordance with Policy Villages 3. Kidlington’s local housing needs are being examined in more detail through the preparation of a Kidlington Framework Masterplan which will provide evidence for Local Plan Part 2 and, potentially, a Neighbourhood Plan. A recent Employment Land Review (2012) identified a need for additional employment land in the Kidlington area. It is not anticipated that this land can be accommodated on sites outside of the Green Belt. A specific need has also been identified for the Science Park at Begbroke. Therefore, exceptional circumstances are considered to exist to justify a small scale local review of the Green Belt to meet employment needs (see 'Policy Kidlington 1: Accommodating High Value Employment Needs').

B.260 It is essential that the impact on the Green Belt is minimised, therefore priority will be given to locations that lie adjacent to existing development, avoid the coalescence of settlements, protect the vulnerable Kidlington Gap and otherwise have the least impact possible on the Green Belt.

Policy ESD 14: Oxford Green Belt

The Oxford Green Belt boundaries within Cherwell District will be maintained in order to:

- **Preserve the special character and landscape setting of Oxford**

- Check the growth of Oxford and prevent ribbon development and urban sprawl
- Prevent the coalescence of settlements
- Assist in safeguarding the countryside from encroachment
- Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Development proposals within the Green Belt will be assessed in accordance with government guidance contained in the NPPF and NPPG. Development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities. Proposals for residential development will also be assessed against Policies Villages 1 and Villages 3.

A small scale local review of the Green Belt boundary in the vicinity of Langford Lane, Kidlington and Begbroke Science Park will be undertaken as part of the Local Plan Part 2, in order to accommodate employment needs (see Policy Kidlington 1). Further small scale local review of the Green Belt boundary will only be undertaken where exceptional circumstances can be demonstrated.

Policy ESD 15: The Character of the Built and Historic Environment

B.261 Conservation of the historic environment and securing high quality urban design are very important in protecting and enhancing the character of the District and ensuring that Cherwell is an attractive place to live and work. Cherwell District is composed of four landscape character areas, which each display distinct, settlement patterns, building materials and styles of vernacular architecture to create a rural environment that is strongly locally distinctive. Each of the three urban areas also displays its own unique character.



B.262 The following features contribute to the distinctive character, appearance and high quality environment of Cherwell District:

- over 2,200 listed buildings and many others of local architectural and historical interest.
- currently 60 conservation areas

- 36 Scheduled Ancient Monuments
- 5 registered Historic Parks and Gardens and a Historic Battlefield, and 6 Historic Parks and Gardens considered as non-designated heritage assets
- three urban centres: Banbury, Bicester and Kidlington – with quite distinct characters, retaining their medieval street patterns
- the Oxford Green Belt (see 'Policy ESD 14: Oxford Green Belt')
- the Cotswolds Area of Outstanding Natural Beauty in the north-west of the District (see 'Policy ESD 12: Cotswolds Area of Outstanding Natural Beauty (AONB)')
- the District's waterways, in particular the River Cherwell and the Oxford Canal
- sites of ecological importance including 18 Special Areas for Conservation (see 'Policy ESD 9: Protection of the Oxford Meadows SAC') and Sites of Special Scientific Interest (SSSIs).

B.263 We will protect our historic environment; it is a major resource contributing to the local distinctiveness of the District. Conservation Areas and other heritage assets (including both designated and undesignated assets) form part of the historic fabric of the District and contribute to the character of the area and will be maintained. We will protect our Conservation Areas and other heritage assets from harmful growth as these help to define how the area looks and feels, both in the towns and villages. The Council has a rolling programme of Conservation Area

Appraisals and review. We will maintain a local register of Buildings at Risk and use Article 4 Directions to maintain the character of our historic villages and towns. A Register of non-designated heritage assets is also being compiled. Further information on these measures is contained in the Design and Conservation Strategy for Cherwell.

B.264 The Council will protect and enhance the special value of these features individually and the wider environment that they create. The strategic policy on landscape protection can be found under 'Policy ESD 13: Local Landscape Protection and Enhancement'. It is also important, however, to provide a framework for considering the quality of built development and to ensure that we achieve locally distinctive design which reflects and respects the urban or rural landscape and built context within which it sits.

B.265 We will ensure that the new developments, area renewal and town centre expansions are safe places to live, work and visit through design standards by using tools such as 'secured by design', also through requiring CCTV where appropriate.

B.266 Design standards for new development whether housing or commercial development are equally important. High design standards are critical in the town and village centres where Conservation Areas exist, but more generally in ensuring development is appropriate and secures a strong sense of place and clear sense of arrival at points of entry into the towns and villages. Particular sensitivity is required where development abuts or takes place within designated Conservation Areas.

B.267 It is also important to take into account heritage assets located outside of the District which may be affected by development inside the District such as Blenheim Palace, a World Heritage Site.

Policy ESD 15: The Character of the Built and Historic Environment

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- **Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions**
- **Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions**
- **Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity**
- **Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting**
- **Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged**
- **Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.**
- **Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages**

- **Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette**
- **Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features**
- **Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed**
- **Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space**
- **Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation**
- **Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation**
- **Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout**
- **Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)**
- **Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality**
- **Use locally sourced sustainable materials where possible.**

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.

B.268 The appearance of new development and its relationship with its surrounding built and natural environment has a significant effect on the character and appearance of an area. Securing new development that can positively contribute to the character of its local environment is therefore of key importance. This policy identifies a number of key issues that need to be addressed in the design of new development.

B.269 These issues are as relevant in urban areas as in rural locations and also in recent development as in historic areas. The policy seeks to protect, sustain and enhance designated and non-designated 'heritage assets'. The NPPF defines these as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. Heritage assets with archaeological interest will require the submission of relevant assessment. In sensitive locations severe constraints may direct the design approach, but in many cases the Council will not wish to prescribe a specific design solution. Designs need to be sensitive and complimentary to their surroundings but this does not require merely replicating existing styles and imitating architectural details; modern interpretation is possible if informed by a full contextual analysis and proposals promote and reinforce local distinctiveness.

B.270 Our urban areas will see significant growth during the period of the Local Plan, and will need to adapt and respond to these pressures both within their existing boundaries and beyond, while retaining their unique character and heritage. A balance will need to be struck between making best use of land and respecting established urban character and creating new and vibrant sustainable neighbourhoods. Applicants should also have regard to national guidance and best practice advice on design, including on public space, street design, trees in the street scene, public buildings, housing, work environments inclusive design, tall buildings and eco-towns, e.g. guidance published by the Commission for Architecture and the Built Environment CABI (now merged with the Design Council). English Heritage has also published much guidance on integration of development into the historic environment. Applicants will also need to have regard to policies from Oxfordshire County Council, such as the Parking Policy.

B.271 Our rural areas will need to accommodate new development which reinforces the locally distinctive character by being sensitive in its location, scale, materials and design, reflecting the traditional pattern of development within the settlement, balancing making best use of land with respect for the established character and respecting open features that make a positive contribution. A large proportion of rural settlements fall within conservation areas,

where the quality and special interest of the area is protected. Council publications, such as its Countryside Design Summary, which analyses settlement types, and Appraisals of the District's Conservation Areas, which analyse the special qualities and identify those features that make a positive contribution to the character of the place, will assist in understanding a settlement. National guidance includes Natural England's guidance on undertaking Village Design Statements.

Policy ESD 16: The Oxford Canal

B.272 The Oxford Canal is an iconic historic structure running the length of the District through the attractive valley of the River Cherwell, and is of historic, ecological and recreational significance. Following an appraisal, the length of the canal through

Cherwell District was designated as a Conservation Area in October 2012. The conservation area boundary has been drawn to include the towpath and towpath hedge, canal related earthworks and features including historic wharfs and locks, and woodland. The biodiversity value of the canal is reflected in a number of statutory and non statutory designations along the length of the canal. In terms of recreation, the canal is popular for boaters and anglers. A public footpath runs the length of the canal and a section of the route is a public bridleway. The canal and towpath is owned and maintained by the Canal and River Trust, but the responsibility for planning matters lies with the District Council. This policy for the Oxford Canal draws on the recent Design and Conservation Strategy (2012) and reflects its status as a conservation area.



B.273 'Policy ESD 8: Water Resources', 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment', 'Policy ESD 13: Local Landscape Protection and Enhancement' and 'Policy ESD 17: Green Infrastructure' will be used to protect and enhance water quality and the contribution that the canal makes to the District's landscape, ecological and recreational resource, for its entire length through the District. 'Policy ESD 15: The Character of the Built and Historic Environment' will also be used to ensure that works to existing structures are sympathetic to the historic

context and that any new development is sensitively sited and designed to ensure that the special character is preserved or enhanced. The southern section of the Oxford Canal lies within the Green Belt and Policy ESD 14 will therefore be relevant to proposals in that area. Inappropriate development in the Green Belt will only be permitted if very special circumstances can be demonstrated, as set out in the NPPF. The approach to residential canal moorings and boater's facilities on the Oxford Canal will be set out in the Local Plan Part 2.

Policy ESD 16: The Oxford Canal

We will protect and enhance the Oxford Canal corridor which passes south to north through the District as a green transport route, significant industrial heritage, tourism attraction and major leisure facility through the control of development. The length of the Oxford Canal through Cherwell District is a designated Conservation Area and proposals which would be detrimental to its character or appearance will not be permitted. The biodiversity value of the canal corridor will be protected.

We will support proposals to promote transport, recreation, leisure and tourism related uses of the Canal where appropriate, as well as supporting enhancement of the canal’s active role in mixed used development in urban settings. We will ensure that the towpath alongside the canal becomes an accessible long distance trail for all users, particularly for walkers, cyclists and horse riders where appropriate.

Other than appropriately located small scale car parks and picnic facilities, new facilities for canal users should be located within or immediately adjacent to settlements. The Council encourages pre-application discussions to help identify significant issues associated with a site and to consider appropriate design solutions to these and we will seek to ensure that all new development meets the highest design standards.

Policy ESD 17: Green Infrastructure

B.274 Green infrastructure comprises the network of green spaces and features in both urban and rural areas including the following: parks and gardens (including historic parks and gardens), natural and semi-natural green space, green corridors (including cycleways and rights of way), outdoor sports facilities, amenity green space, children’s play space, allotments, cemeteries and churchyards, accessible countryside in urban fringe areas, river and canal corridors, woodlands, nature reserves, green roofs and walls.



B.275 Securing adequate green infrastructure is an important component of achieving sustainable communities. Green Infrastructure networks can deliver both environmental and social benefits including conserving and enhancing biodiversity, recreation, landscape, water management, social and cultural benefits to underpin individual health and well-being, contributing to local distinctiveness and helping communities to be more resilient to the effects of climate change. Policy ESD 17 will be used to secure an adequate green infrastructure network in Cherwell District.

B.276 Many sites which contribute to the District's green infrastructure network are not in the Council's ownership or control and partnership working will therefore be required to plan, provide and manage the network to achieve the objectives of the policy.

B.277 Within Banbury, Bicester and Kidlington the key components of green infrastructure are areas of open space, sport and recreation, sometimes linked by public rights of way. Public rights of way are protected in law and comprise four types: footpaths, bridleways, restricted byways and byways open to all traffic (BOAT). The County Council has responsibility for Public Rights of Way, and as such publishes a Rights of Way Improvement Plan and promotes routes for walkers, cyclists and horse riders in order to encourage sustainable access to the countryside. In recognition of the health benefits of walking, cycling and horse riding this Council also promotes a number of circular walks and rides. Elsewhere in the District the dominant strategic features include the River Cherwell and Oxford Canal corridors, statutory designated sites such as Local Nature Reserves, and other areas such as RSPB Otmoor reserve and BBOWT reserves. The Conservation Target Areas (indicated on the Policies Map) are the most

important areas for biodiversity in the District where targeted conservation action will have the greatest benefit, and form an important component of the green infrastructure network of the District which can be enhanced over the period of the plan.

B.278 Assessments of open space, sport and recreation provision highlighted various deficiencies in both urban and rural areas of the District, as detailed in Section C 'Policies for Cherwell's Places'. In addition an assessment by Natural England and the Forestry Commission indicated a lack of accessible natural green space provision in the district compared to their standards, with 72% of Cherwell's households meeting none of its requirements. This reflects the relatively low numbers of country parks and common land in the District; however there are a number of smaller areas of open space, and countryside which is accessible solely by Public Rights of Way, which was not taken into account in the initial Natural England analysis. The District has developed its own local standards of provision in accordance with government advice, which differ from those advocated by Natural England. Other than provision in Banbury, Bicester and Kidlington there are few accessible large areas of green space within the District; however parks such as Blenheim, Rousham and Stowe are located in close proximity to it. The Council's proposed country park to the north of Banbury will also help to address this issue.

B.279 Protection and enhancement of open space, sport and recreation sites and sites of importance to nature conservation will assist in maintaining the green infrastructure network. Green corridors consist of canals, river corridors and hedgerows, together with public rights of way. These can provide areas for walking, cycling and horse riding and also provide opportunities for wildlife migration, which on a strategic scale can help to address

the impact of climate change on biodiversity. Development proposals will be expected to retain and enhance existing green corridors, and maximise the opportunity to form new links between existing open spaces.

B.280 Development proposals, particularly on larger sites, can offer the opportunity to improve the green infrastructure network. Policy BSC 11 usually requires open space provision on site and biodiversity enhancements secured by 'Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment' can contribute to the network by maintaining existing habitats and reducing fragmentation. The incorporation of sustainable drainage systems can contribute to green infrastructure provision and can perform dual roles of helping to alleviate flooding and being beneficial to biodiversity. New landscaping areas, particularly in the case of the strategic sites, will be required to assimilate development into the landscape and assist in the transition between the urban edge and rural areas. Effective links in these areas can enable the urban fringe to provide a recreational resource, providing accessible countryside within walking distance of urban dwellers. Proposals should include details of management and maintenance of green infrastructure to ensure areas are secured

in perpetuity. Further guidance on green infrastructure provision is provided in the South East Green Infrastructure Framework - from Policy to Practice (available at <http://strategy.sebiodiversity.org.uk>).

B.281 In Banbury and Bicester successive local plans have sought to establish a series of open spaces in the towns, and this plan includes proposals for a new country park in Banbury ('Policy Banbury 14: Cherwell Country Park'). Additional detail is contained under Section C: 'Policies for Cherwell's Places'. The key open space components of existing green infrastructure provision in Banbury and Bicester are shown on the maps for each town (Appendix 5: Maps). Green infrastructure provision will be examined in more detail and progressed through the town masterplans and the Local Plan Part 2. A county level Green Infrastructure Strategy is also being formulated with the District Council being represented on the stakeholder working group.

B.282 South of the Canalside development (Policy Banbury 1) the opportunity exists to turn part of the existing floodplain of the River Cherwell into a managed habitat. This will be explored in more detail through the preparation of the Banbury Masterplan.

Policy ESD 17: Green Infrastructure

The District's green infrastructure network will be maintained and enhanced through the following measures:

- **Pursuing opportunities for joint working to maintain and improve the green infrastructure network, whilst protecting sites of importance for nature conservation**
- **Protecting and enhancing existing sites and features forming part of the green infrastructure network and improving sustainable connectivity between sites in accordance with policies on supporting a modal shift in transport (Policy SLE 4: Improved Transport and Connections), open space, sport and recreation (Policy BSC 10: Open Space, Outdoor Sport**

and Recreation Provision), adapting to climate change (Policy ESD 1: Mitigating and Adapting to Climate Change), SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)), biodiversity and the natural environment (Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment), Conservation Target Areas (Policy ESD 11: Conservation Target Areas), heritage assets (Policy ESD 15) and the Oxford Canal (Policy ESD 16)

- Ensuring that green infrastructure network considerations are integral to the planning of new development. Proposals should maximise the opportunity to maintain and extend green infrastructure links to form a multi-functional network of open space, providing opportunities for walking and cycling, and connecting the towns to the urban fringe and the wider countryside beyond
- All strategic development sites (Section C: 'Policies for Cherwell's Places') will be required to incorporate green infrastructure provision and proposals should include details for future management and maintenance.

Section C - Policies for Cherwell's Places

C.1 Introduction

C.1 Development in and around the towns of Bicester and Banbury will ensure that the housing growth the District needs is focused on the locations that are most sustainable and most capable of absorbing this new growth.

C.2 This Plan has set clear priorities for the places at which we are looking to support growth. We need to meet the needs of the population for housing and jobs.

C.3 We are taking a 'place-based' approach that seeks to align growth and investment by showing where business, employment and residential growth will occur.

C.4 We are taking a conscious decision to concentrate growth at Bicester and to a lesser degree at Banbury, to secure economic benefits, especially in their retail, commercial and manufacturing roles. The two towns are the most sustainable locations for growth in the District and are the right places to meet the economic and social needs of the District whilst minimising environmental impacts. We are also seeking to enhance Kidlington's economic role to build on the recent development of modern business parks and its proximity to both London-Oxford Airport and Begbroke Science Park.

C.5 We want towns that are places for working and visiting, not dormitory towns that are just for sleeping. We want dynamic, successful towns that provide a full range of services to their rural hinterland.

C.6 We are looking to secure full integration of new business and residential areas with the existing towns. We wish to secure

mixed use development, not segregated functions and therefore are seeking a mix of commercial, retail and residential investment in our town centres. At the same time, new infrastructure investment will strengthen the vitality of the town centres by progressively redirecting through traffic, promoting sustainable modes and strengthening the links between the town centres and their surrounding neighbourhoods. The delivery of strategic sites provides the opportunity for a coordinated approach to the planning of infrastructure and services.

C.7 Although major growth in the villages is not appropriate as a growth approach, putting additional pressure on small communities, roads, schools and the environment, we are seeking to support the long-term sustainability of our rural areas through a measured approach to development. Our villages and rural areas are central in making Cherwell an attractive place to live, work and visit.

C.8 The following sections on Bicester, Banbury, Kidlington and our Villages and Rural Areas provide specific place shaping policies which are supported by those for Cherwell as a whole in Section B.

C.2 Bicester

C.9 Bicester is a market town which has grown rapidly in the last 50 years and where further significant growth is planned. It has good road and rail links and infrastructure and significant further investment is planned. Employment in the town is mainly in the distribution and manufacturing sectors. There is significant out-commuting from Bicester to Oxford, London and elsewhere which this Plan will help address through the provision of employment land. There are areas of military operation (past and present) which are in the process of re-organisation and some of which are of historic value. The town has retail, leisure and other services which until recently have been under provided for in some areas and where further improvement is needed. Bicester is generally less constrained than Banbury in terms of landscape sensitivity but it has areas of value and ecological importance with villages close by. Bicester Village shopping outlet in the town is an internationally significant tourist attraction.



C.10 The development of a Masterplan for Bicester, to be adopted as a Supplementary Planning Document (SPD) will provide the means to establish an integrated delivery plan for the growth of the town that respects its

setting, meets the needs for a stronger economy, housing and community facilities, and which helps deliver sustainable development. The Council will explore all potential mechanisms, including public-private partnerships, and appropriate powers for the delivery of Local Plan sites and key proposals, to secure the development vision for the town.

C.11 Work on the Bicester Masterplan has been helpful in developing a holistic town vision to help ensure the town develops in a coordinated, planned and integrated way. The Masterplan has helped forge a consensus amongst stakeholders that the town needs:

- to secure sustainable growth through new job opportunities and a growing population
- to be a desirable employment location that supports local distinctiveness and economic growth
- to be a sustainable community with a comprehensive range of social, health, sports and community functions
- a vibrant and attractive town centre with a full range of retail, community and leisure facilities
- an exemplar eco-town, building upon Eco Bicester – One Shared Vision
- a safe and caring community set within attractive landscaped spaces
- business and community networks that promote the town and the eco-development principles and
- to be developed as a continuing destination for international visitors to Bicester Village and other destinations in the area.

Meeting the Challenge of Developing a Sustainable Economy in Bicester

C.12 Bicester's economy is focused on the defence activities at MoD Bicester, on storage and distribution, on food processing and on engineering, particularly in the motorsports sector. Its proximity to and close relationship with Oxford helps the town by creating opportunities for economic development. The Cherwell Employment Land Review (2006, revised 2012) also highlights the Chilterns, M25 corridor and London as market influences.

C.13 Cherwell's Economic Development Strategy (2011 – 2016) highlights the current opportunities for Bicester to develop a 'low-carbon economy', by developing 'green' technologies and knowledge around existing and new employers, sectors and clusters - to create a centre of expertise and potential competitive advantage.

C.14 The Economic Development Strategy's vision for the future is that Bicester takes advantage of both materials engineering and biotechnology in its economic future, thanks to its location and the strength of those sectors within the wider area. These are becoming more established and the breadth of the town's knowledge economy will increase and encompass other areas of innovation and connections to local industry. An example is in the motorsport engineering strengths of Oxford & Cherwell Valley College in Bicester. There are some recent office developments that host high technology companies including the Avonbury Business Park to the north west of Bicester.

C.15 The key economic challenges facing Bicester are:

- There is a significant imbalance between homes and jobs. Out-commuting is a particular problem with a significant proportion of residents leaving the town to work. In 2001, Bicester South and Bicester North wards jointly had the second highest percentage of workers in Oxfordshire travelling 60km or over to work (8.8% each). The 2011 Census shows this continuing with over 3,000 people leaving Bicester.
- The provision of new services, facilities and infrastructure in Bicester has not kept pace with population growth.
- There is a need to make Bicester more attractive to new businesses, particularly knowledge based and high-technology companies.
- Some of Bicester's employment areas are ageing and in need of rejuvenation. A greater range of employment space is needed.
- There is a need to improve standards of education and training in Bicester, areas of which are among the worst 20% in England in terms of skills, education and training.
- The need to ensure the vitality and viability of Bicester town centre, to make it more attractive to both residents and visitors, and to enable the town centre and Bicester Village to co-exist in a mutually productive way.

C.16 The key issues section above identifies a number of the key challenges facing Bicester's economy. Bicester is also, however, in an excellent position to benefit from a number of important wider initiatives:

- funding has been put in place for infrastructure improvements including Motorway junction improvements and East-West Rail to help mitigate against significant housing and employment growth
- the Oxford - Cambridge corridor. This is an initiative to support high growth technology companies in the corridor between the two cities. The Economic Development Strategy (2011-2016) recognises that Bicester has every opportunity to become a location for higher value and knowledge based business.
- the proposed improvements to the rail network from Chiltern Railways and the East-West Rail Consortium
- North West Bicester was identified as a potential eco-town location in a national Eco-Towns Planning Policy Statement (PPS). The PPS sets out eco-town standards including a requirement to match the number of homes to jobs within the eco-town and ensure that these are easily reached by walking, cycling and/or public transport. Furthermore, the opportunity exists to use the 'eco-town' proposals to encourage a range of environmental and green technology industries and the development of employment clusters in Bicester, as part of the employment strategy for the 'eco town' and in Bicester more widely.

C.17 To meet the key economic challenges facing Bicester, we need to make it an attractive place for modern business and improve the town's self sufficiency. Our plan seeks to make the most of its locational advantages in drawing in new business and creating opportunities for knowledge and

higher value companies and businesses that will help reduce the proportion of out-commuting, provide more education and training opportunities, and contribute to improving the image of the town.

C.18 Following the analysis from the Bicester Masterplan we are looking to expand the economy of the town by:

- enabling the provision of quality employment sites for identified growth sectors
- maximising Bicester's excellent location on the road and rail network
- promoting a mix of employment and housing in appropriate locations to support the creation of sustainable neighbourhoods
- promoting employment opportunities linked to the proposed rail freight sites
- enabling the development of Bure Place Phase 2 and the new Civic venue
- promoting the provision of hotels, restaurants and leisure development opportunities
- supporting the sustainable development of Bicester Village, one of the UK's premier 'high end' international retail destinations
- planning and developing the central area of the town
- establishing mechanisms such as a Bicester Marketing Board to promote Bicester as an employment location.

C.19 Following the analysis from the Bicester Masterplan we are looking to meet the transport needs of the town by:

- delivering new strategic highway improvements including those on peripheral routes to help improve sustainable movements in the rest of the town, service the long term growth aspirations, through traffic and to service key employment sites, whilst considering any potential impacts on nearby villages
- reducing traffic congestion on Kings End/Queens Avenue and create a strong sense of place
- reducing traffic congestion into the Tesco and Bicester Village development and establishing a park and ride
- improving the linkages between Bicester Business Park, Bicester Village, Graven Hill, the town centre and improved railway station for the Town to take advantage of the improvements to East-West rail
- improving the connectivity and attractiveness of the pedestrian and cycle network across Bicester which will link strategic developments with the town centre, train stations, and other settlements
- delivering improvements to J9 and J10 of the M40 to improve journey times and help tackle congestion in Bicester and its surrounding villages
- secure an expanded Rail Freight Interchange at Graven Hill.

Meeting the Challenge of Building a Sustainable Community in Bicester

C.20 Many of the community issues facing Bicester are symptomatic of the town's transition from a small market town dependent on local industry, defence activities and farming to a rapidly expanding commuter town with newer storage, distribution and manufacturing activities benefiting from the town's location on the strategic road and rail networks. The historic central residential area of the town - Bicester Town ward (pre-1950s) - is now surrounded by new housing developments built mainly within the last 20 years. Bicester Town ward faces levels of social deprivation. The extensive out-commuting from newer housing estates creates its own problems in terms of achieving social cohesion and supporting the services, facilities and infrastructure that Bicester needs to keep pace with its rapid growth. There is a social and economic need to improve Bicester's self-sufficiency and its image as a place to live and work.

C.21 The key community challenges facing Bicester are:

- the lack of sufficient services and facilities in Bicester for a town of its size. Implementation of the town centre redevelopment scheme, and recently completed sports centre modernisation, will contribute significantly in addressing this, but there will remain a need to continue to provide more services and facilities for residents and visitors, and to improve the image of the town. Car parking in Bicester will be significantly increased by the proposed Town Centre redevelopment

- the need to increase the sense of pride and belonging to create more community cohesion
 - high levels of out-commuting and rapid housing growth make it more difficult to achieve community cohesion within new residential areas and between new and older parts of Bicester
 - household incomes for those who live in Bicester are relatively high, but wages for people who work in the area are relatively low
 - parts of Bicester suffer from problems of deprivation such as poor housing and low incomes but these problems may not be in concentrated enough measure to fall into a recognisable deprivation category
 - in the central Bicester Town ward there are many people on low incomes, a concentration of older people (Bicester presently has a relatively young population), many people with long-term illnesses and a significantly lower life expectancy than for newer housing areas
 - the need for an improved community hospital and police infrastructure
 - the need for improved library provision, facilities for young people, a museum, theatre and public art
 - Bicester has existing deficiencies in open space, sports and recreation amenities. There is a shortfall of junior football pitches, rugby pitches, parks and gardens, natural/semi-natural green space, children's play space, tennis courts, a bowling green and allotments. There are variations between wards within these deficiencies.
 - additional open space, sport and recreation provision will be required to provide for future development needs
 - there is also a long-term aspiration to provide an athletics track, indoor bowls facility and to improve synthetic turf pitch provision
 - the town's existing cemetery has very little capacity remaining with limited scope for extension and there is an urgent need for additional provision.
- C.22** Bicester will continue to grow over the next two decades. If growth is to continue at this pace and be successfully accommodated, it is important that new development integrates and interacts with existing neighbourhoods, is accessible from those neighbourhoods by non-car modes of transport, and provides for a range of uses and dwellings that will contribute to delivering mixed and cohesive communities. Existing residents, particularly those in older parts of the town must benefit from the growth of the town. There is an opportunity at Bicester to provide new housing, employment opportunities, services, facilities and infrastructure which will help reduce deprivation, improve access to services and improve health and well being.
- C.23** Following the analysis from the Bicester Masterplan we are looking to build a sustainable community by:
- promoting housing choice in sustainable neighbourhoods with local facilities
 - improving access to higher quality local employment
 - retro-fitting of existing housing stock to improve eco standards

- developing the town centre as the main retail centre and focus of community and leisure services
- expanding the schools and colleges to match the needs of residents and businesses
- enabling the development of new health care and social facilities which meet the needs of an expanded town
- expanding the sports and leisure facilities
- providing significant green space, a new cemetery, allotments, local nature reserve and community orchard as part of North West Bicester
- expanding and enhancing the town centre retail experience
- identifying a future role for the Garth offices and Garth Park.

Meeting the Challenge of Ensuring Sustainable Development in Bicester

C.24 Bicester's main environmental issues arise from its rapid and continuing growth. The amount of traffic on the roads has accelerated in recent years as a result of waves of new housing, high levels of out-commuting and the draw of developments such as Bicester Village. Traffic congestion problems affect not only Bicester's living environment but also its historic environment in and around the town centre.

C.25 In addition to the implementation of specific highway measures such as Junction 9 improvements and a south-west perimeter road, it is important that Bicester becomes

more self-sufficient. Reducing out-commuting and providing sustainable transport choices would make a significant difference to Bicester's environment. There is a need also to improve the built environment and to provide more green infrastructure both for the benefit of existing residents and to improve the image of the town to attract new business, visitors and future residents. The provision of transport initiatives, including delivering new strategic highway improvements including those on peripheral routes, will secure substantial gains for the centre of the town by reducing the flow of through traffic.

C.26 The key environmental challenges facing Bicester are:

- the need to improve the appearance of the town centre and historic core, delivering town centre redevelopment and environmental improvements to Market Square
- accommodating major growth whilst addressing constraints such as:
 - the severing effect of the town's perimeter roads
 - managing growth in a way that will not unacceptably harm important natural and historic assets
 - addressing the capacity of the sewage works and energy infrastructure
 - the character, appearance and setting of historic assets such as RAF Bicester Conservation Area and nearby villages

- ecological constraints such as designated wildlife sites, ecologically important landscapes and conservation target areas, and
- highway constraints such as traffic congestion in the town centre and at King's End / A41 and the need for improvements to M40 Junction 9 and the Bucknell Road / Howes lane junction within the town.
- accommodating growth without having an adverse effect on the Oxford Meadows Special Area of Conservation
- addressing deficiencies in 'green' infrastructure
- improving the attractiveness of the town's employment areas.

C.27 Our aim is to help improve the image of Bicester by delivering objectives set out in the Eco Bicester One Shared Vision as part of environmental improvements to the town centre and to ensure that new development is delivered to the highest environmental standards to help improve the image and attractiveness of the town. New development needs to maximise opportunities for improving and integrating with Bicester's existing built environment, respect environmental constraints, enhance Bicester's biodiversity and address deficiencies in 'green' infrastructure to sustainably accommodate rapid growth. An ecological assessment is being undertaken, to examine the potential cumulative effects of development sites on the biodiversity resource of the town including the Local Wildlife Site at Graven Hill, the Bicester Wetland Reserve Local Wildlife Site and the Ray Conservation Target Area. A

biodiversity mitigation and enhancement strategy is being formulated and will be incorporated into the Bicester Masterplan.

C.28 Supported by work on a Bicester Masterplan we are looking to ensure sustainable development by:

- improving the amenity and connectivity of the town with a network of parkland, landscaped areas and amenity space
- creating a memorable 'people place' in Market Square
- taking the eco-town concept across the whole town, by embedding the 'eco-principles' in the planning policy for North West Bicester and applying policies from Local Plan Theme Three as the standards we wish to see achieved in all new development in Bicester and across the District more widely
- encouraging a shift to more sustainable travel
- appointing a Design Panel to improve the design quality and eco credentials of development.

Bicester in 2031

C.29 By 2031, Bicester will have grown significantly to become an important economic centre in its own right and on the Oxford-Cambridge corridor. It will have become a more attractive place to live and work and will be significantly more self-sustaining both economically and socially. Bicester will have established itself as a location for higher-technology businesses building on its relationship with Oxford through the Bicester Gateway development. Its economy will have become more

knowledge based and the town's importance as a centre for retail and leisure will have increased as a result of an expansion of both the town centre and the Outlet village. Bicester will have an efficient sustainable transport network within the town which maximises connectivity between the strategic development sites, the town centre and key interchanges, particularly the railway stations, so as to achieve high levels of sustainable transport use.

C.30 Over 10,000 new homes will have been constructed up to 2031, of which a substantial number will be 'affordable'. New services, facilities and cultural and recreation opportunities will have been provided. The North West Bicester Eco-Town development will be entering its final phases of development. It will have brought with it sustainable homes and substantial infrastructure of benefit to the whole town. North West Bicester and development at Graven Hill will be contributing greatly to improving Bicester's profile by being a pioneering development, an economic driver and by delivering environmental gains. Bicester's town centre will have been redeveloped and environmental and highway improvements will have been made to Market Square. Bicester's improved economic position and the provision of new services and facilities will have contributed to reducing deprivation in the town.

C.31 The Eco Bicester One Shared Vision (2010) set out the aims and ambitions for the whole town, which the Bicester Masterplan (2012) has developed and significantly extended. In terms of the economy the Shared Vision is to create a national hub of the low carbon economy and the location of choice for business and inward investment. The Eco Bicester Shared Vision includes providing local jobs for Bicester residents and delivering sustainable travel to work, education and training

opportunities, and employment space. It also aims to understand and adapt to the environmental challenges arising from the eco-town project. The provision of green infrastructure, biodiversity and habitat creation is fundamental to Bicester and already an important component of the town.

C.32 Our strategy for delivering Bicester's vision is to:

- Bring about pioneering eco-development which will establish a new sustainable community, integrated with, and for the benefit of, the whole of Bicester.
- Ensure implementation of the permitted urban extension at South West Bicester, including the provision of a secondary school, and employment development east of the A41.
- Deliver development that will increase Bicester's self-containment, provide 'higher-value' job-opportunities and reduce the proportion of out commuting.
- Provide for new development in accessible locations that will maximise opportunities for providing sustainable transport choices, for reducing traffic congestion and for reducing the proportion of out-commuting.
- Build on the recent town centre redevelopment scheme, secure improvements to Market Square and provide for development that will improve the appearance and image of Bicester whilst ensuring accessibility to the town centre.

- Provide services, facilities and new infrastructure required to accommodate major growth and which will help reduce deprivation particularly in older parts of the town.
- Improve the attractiveness of existing employment areas and providing for new employment space that will be attractive to knowledge based and higher-technology businesses.
- Deliver strategic open space and recreation opportunities to address existing deficiencies and meet the future needs of development.
- Provide for a new cemetery.
- Integrate the Graven Hill development area within Bicester's economy and community.

What will Happen and Where

C.33 Bicester is well positioned to benefit from targeted growth. Located on the Oxford-Cambridge Corridor with two railway stations, a vision for strategic eco-development, major defence landholdings and a town centre beginning to be transformed, Bicester has an opportunity to draw in major investment, create new employment, deliver new services and facilities and provide new highway infrastructure. It has an opportunity to address its infrastructure deficiencies, to widen its economic profile and to address issues associated with high levels of out-commuting.

C.34 The South West Bicester (Kingsmere) urban extension is under construction. To the west of the site, land is available for a phase two development within the limit of the new perimeter road. Nearby, to the east

of the A41, a major employment site has been approved. Strategic housing has also been approved as a first 'exemplar' stage of the North West Bicester eco-development. The North West Bicester development will be pivotal in delivering highly-sustainable long-term growth, investment opportunities, and in widening Bicester's economic appeal.

C.35 The redevelopment of MoD Bicester to the south will enable the retention and consolidation of national defence logistic operations further south at Arncott. It will also allow effective use to be made of an extensive previously developed site with its own railway connection adjoining the existing urban edge from a Rail Freight Interchange.

C.36 Development to the south of the town, together with other opportunities to the east along the A41 corridor, will provide scope to invest in new highway infrastructure of benefit to the whole town.

Strategic Development: Bicester I - North West Bicester Eco-Town

C.37 Following the (now revoked) South East Plan's publication, North West Bicester was identified in Annex A of the Eco-towns PPS (2009) as one of the four potential locations for the development of an eco-town. An eco-town development of 6,000 homes will be developed on land identified at North West Bicester in accordance with the standards set out in the former Eco-Towns PPS. It was expected that the development will be substantially completed within the plan period but that has been reviewed as part of the housing trajectory.



C.38 The Policies map and the inset map for Bicester 1: North West Bicester Eco-Town (Appendix 5: Maps) identify the location and the area of the eco-town proposals.

C.39 Proposals should ensure:

- zero-carbon development as defined in the Eco-Towns PPS and Eco Bicester One Shared Vision
- delivery of a high quality local environment
- climate Change Adaptation - eco town standards are met on water, flooding, green infrastructure and biodiversity
- homes that achieve at least Level 5 of the Code for Sustainable Homes
- employment - At least 3,000 jobs within the plan period (approximately 1,000 jobs on B use class land on the site within the plan period). An economic strategy will be required and there should be local sourcing of labour, including providing apprenticeships during construction.
- transport - at least 50% of trips originating from the development to be made by means other than the car

- promotion of healthy lifestyles
- provision of local services and facilities
- green infrastructure and Biodiversity - 40% of the total gross site area will be provided as green space of which at least half will be public open space
- sustainable management of waste.

C.40 The development will be designed as an exemplar, incorporating best practice and provide a showcase for sustainable living. It will allow Government, business and communities to work together to develop greener, low carbon living. A masterplan for the North West Bicester site will be required to demonstrate how proposals will achieve the standards set out in the Eco-Towns PPS and Eco Bicester One Shared Vision. Development will be considered on the basis of a masterplan for the whole development area, to ensure that development takes place in an integrated, coordinated and planned way, whilst recognising that phasing of development within the overall masterplan strategy will be required. It will integrate with and complement the function and urban form of Bicester and reinforce the role of Bicester town centre as the primary retail and service centre.

C.41 The eco-town concept of more sustainable living in new communities provides the opportunity to completely rethink how transport, employment, retail and other services are provided as well as providing new homes to standards which are more challenging than would normally be required for new development. Biodiversity projects will be incorporated as part of the masterplanning process. The proposed eco-town at North West Bicester provides

the potential to test a wide range of innovative and emerging technologies due to its scale.

C.42 The Council will continue to work with central Government, the promoters of North West Bicester, the local community and other partners to ensure the delivery of an exemplary eco-town that achieves the highest environmental standards.

C.43 The North West Bicester Eco-Town is central to both our District-wide strategy and our strategy for Bicester. Delivering an eco-town is considered to be one of the most sustainable means of accommodating strategic growth at Bicester to 2031. The development will provide a new community to the highest environmental standards and with its own local services and facilities. The masterplan will include employment areas, schools, services and facilities and extensive green and public open space to maximise the opportunity for town wide economic, community and environmental gains. At the same time the Eco-Town will integrate with and complement the function and urban form of Bicester.

C.44 The land at North West Bicester is the least constrained direction of growth on the urban fringe for delivering growth on this scale. The proposals for North West Bicester will however need to consider the impact on the surrounding area including the villages of Bucknell and Caversfield.

Employment

C.45 An economic strategy will be produced to support the proposals for the eco-town at North West Bicester. It should demonstrate how access to employment will be achieved and deliver a minimum of one employment opportunity per new dwelling. For North West Bicester, this will mean providing access to work and 6,000 jobs by

the end of the delivery of the North West Bicester Eco-Town development. The Local Plan estimates that over 3,000 homes will be provided by 2031 and therefore sets a target of approximately 3,000 job opportunities associated with the project to be provided within this period.

C.46 The precise nature and location of these jobs will be set by a masterplan being prepared for the North West Bicester allocation. The draft masterplan shows that about 10 hectares of employment land is required at North West Bicester. This would provide for business space for offices, workshops, factories and warehousing (B1, B2 and B8 uses), but not for retail and leisure jobs which would be located in local centres. It is estimated that approximately 1,000 B use class jobs would be located at the North West Bicester site. The remainder would be provided through other uses including home working. Some jobs are likely to be located away from the site, for example in the town centre or on other employment sites.

North West Bicester Development Standards

C.47 The North West Bicester Eco-Town will play a major role in delivering the strategic growth identified for Bicester during and beyond the plan period. The One Shared Vision for Eco Bicester is expected to guide the delivery of higher environmental standards while the proposals for the North West Bicester Eco-Town will act as a catalyst for the transition of the town as a whole towards a more sustainable community.

C.48 The Vision aims to "Create a vibrant Bicester where people choose to live, work and spend their leisure time in sustainable ways..." (Eco Bicester One Shared Vision December 2010).

C.49 Proposals for development at North West Bicester will be required to meet the eco-town development standards set out in the Eco-Towns PPS. Other sites in Bicester will be required to meet the improving building standards set at national level and District-wide standards set out in policies ESD 1-5.

C.50 Further guidance on the approach to design and sustainable construction in Cherwell will be set out in the Sustainable Buildings in Cherwell SPD.

Policy Bicester 1: North West Bicester Eco-Town

Development Area: 390 hectares

Development Description: A new zero carbon⁽ⁱ⁾ mixed use development including 6,000 homes will be developed on land identified at North West Bicester.

Planning permission will only be granted for development at North West Bicester in accordance with a comprehensive masterplan for the whole area to be approved by the Council as part of a North West Bicester Supplementary Planning Document. The Council will expect the Masterplan and applications for planning permission to meet the following requirements:

Employment

- **Land Area** - a minimum of 10 ha, comprising business premises focused at Howes Lane and Middleton Stoney Road, employment space in the local centre hubs and as part of mixed used development
- **Jobs created** - At least 3,000 jobs (approximately 1,000 jobs on B use class land on the site) within the plan period
- **Use classes** - B1, with limited B2 and B8 uses
- It is anticipated that the business park at the South East corner of the allocation will generate between 700 and 1,000 jobs in use classes B1, B2 and B8 early in the Plan period
- **A Carbon Management Plan** shall be produced to support all applications for employment developments
- **An economic strategy** to be produced to support the planning applications for eco-town proposals demonstrating how access to work will be achieved and to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling and/or public transport

i The definition of zero carbon in eco-towns is that over a year the net carbon dioxide emissions from all energy use within the buildings on the eco-town development as a whole are zero or below.

- **Mixed use local centre hubs to include employment (B1(a), A1, A2, A3, A4, A5, C1, D1 and D2)**
- **New non-residential buildings will be BREEAM Very Good with the capability of achieving BREEAM Excellent.**

Housing

- **Number of homes - Up to 6,000 (3,293 to be delivered within the plan period)**
- **Affordable Housing - 30%**
- **Layout to achieve Building for Life 12 and Lifetime Homes standards**
- **Homes to be constructed to be capable of achieving a minimum of Level 5 of the Code for Sustainable Homes on completion of each phase of development, including being equipped to meet the water consumption requirement of Code Level 5**
- **The provision of extra care housing**
- **Have real time energy monitoring systems, real time public transport information and Superfast Broadband access, including next generation broadband where possible. Consideration should also be given to digital access to support assisted living and smart energy management systems.**

Infrastructure Needs

- **Education - Sufficient secondary, primary and nursery school provision on site to meet projected needs. It is expected that four 2 Forms of Entry primary schools and one secondary school will be required. There should be a maximum walking distance of 800 metres from homes to the nearest primary school.**
- **Health - to provide for a 7 GP surgery to the south of the site and a dental surgery**
- **Burial Ground - to provide a site of a minimum of 4 ha for a burial ground which does not pose risks to water quality (this may contribute to the Green Infrastructure requirements)**
- **Green infrastructure - 40% of the total gross site area will comprise green space of which at least half will be publicly accessible and consist of a network of well managed, high quality green/open spaces which are linked to the open countryside. This should include sports pitches, parks and recreation areas, play spaces, allotments, the required burial ground (possibly a woodland cemetery) and SUDS.**
- **Planning applications shall include a range of types of green space and meet the requirements of Policy BSC11**
- **Access and Movement - proposals to include appropriate crossings of the railway line to provide access and integration across the North West Bicester site. Changes and improvements to Howes Lane and Lords Lane to facilitate integration of new development with the town.**

- **Community facilities** – to include facilities for leisure, health, social care, education, retail, arts, culture, library services, indoor and outdoor sport, play and voluntary services. The local centre hubs shall provide for a mix of uses that will include retail, employment, community and residential provision. Education, health care, community and indoor sports facilities will be encouraged to locate in local centres and opportunities for co-location will be welcomed. Provision will be proportionate to the size of the community they serve. Each neighbourhood of approximately 1,000 houses to include provision for community meeting space suitable for a range of community activities including provision for older people and young people. A site of 0.5 ha for a place of worship to be reserved for future use.
- The submission of proposals to support the setting up and operation of a financially viable **Local Management Organisation** by the new community to allow locally based long term ownership and management of facilities in perpetuity
- **Utilities** – Utilities and infrastructure which allow for zero carbon and water neutrality on the site and the consideration of sourcing waste heat from the **Ardley Energy** recovery facility. The approach shall be set out in an **Energy Strategy** and a **Water Cycle Study**. The **Water Cycle Study** shall cover water efficiency and demand management, water quality and how it will be protected and improved, **WFD** compliance, surface water management to avoid increasing flood risk and water services infrastructure improvement requirements and their delivery, having regard to the **Environment Agency's** guidance on **Water Cycle Studies**. **Zero Carbon** (see **PPS** definition) water neutral development is sought. Development proposals will demonstrate how these requirements will be met.
- **Waste Infrastructure** – The provision of facilities to reduce waste to include at least 1 bring site per 1,000 dwellings positioned in accessible locations. Provision for sustainable management of waste both during construction and in occupation shall be provided. A waste strategy with targets above national standards and which facilitates waste reduction shall accompany planning applications.

Monitoring

- Embodied impacts of construction to be monitored, managed and minimised (ET21)
- Sustainability metrics, including those on zero carbon, transport, water and waste to be agreed and monitored for learning, good governance and dissemination (ET22).

Key site specific design and place shaping principles

- Proposals should comply with **Policy ESD15**.

- **High quality exemplary development and design standards including zero carbon development, Code Level 5 for dwellings at a minimum and the use of low embodied carbon in construction materials, as well as promoting the use of locally sourced materials.**
- **All new buildings designed to incorporate best practice on tackling overheating, taking account of the latest UKCIP climate predictions.**
- **Proposals should enable residents to easily reduce their carbon footprint to a low level and live low carbon lifestyles.**
- **Layout of development that enables a high degree of integration and connectivity between new and existing communities.**
- **A layout that maximises the potential for walkable neighbourhoods.**
- **New footpaths and cycleways should be provided that link with existing networks, the wider urban area and community facilities with a legible hierarchy of routes to encourage sustainable modes of travel**
- **A layout which makes provision for and prioritises non-car modes and encourages a modal shift from car use to other forms of travel.**
- **Infrastructure to support sustainable modes of transport will be required including enhancement of footpath and cyclepath connectivity with the town centre, employment and rail stations. Measures to ensure the integration of the development with the remainder of the town including measures to address movement across Howes Lane and Lords Lane**
- **A well designed approach to the urban edge, which relates development at the periphery to its rural setting and affords good access to the countryside, minimising the impact of development when viewed from the surrounding countryside**
- **Development that respects the landscape setting and that demonstrates enhancement, restoration or creation of wildlife corridors to achieve a net gain in biodiversity**
- **Consideration should be given to maintaining visual separation with outlying settlements. Connections with the wider landscape should be reinforced and opportunities for recreational use of the open countryside identified. Development proposals to be accompanied and influenced by a landscape/visual and heritage impact assessment**
- **Careful consideration of open space and structural planting around the site to achieve an overall improvement in the landscape and visual impact of the site**
- **No development in areas of flood risk and development set back from watercourses which would provide opportunity for green buffers. Proposals should include a Flood Risk Assessment.**
- **Maximisation of the sustainable transport connectivity in and around the site**
- **Consideration and mitigation of any noise impacts of the railway line.**
- **Good accessibility to public transport services should be provided for, including the provision of a bus route through the site with buses stopping at the railway stations and at new bus stops on the site**

- **Contributions to improvements to the surrounding road networks, including mitigation measures for the local and strategic highway network, consistent with the requirement of the Eco-Towns PPS to reduce reliance on the private car, and to achieve a high level of accessibility to public transport services, improvements to facilities for pedestrians and cyclists and the provision and implementation of a Travel Plan to maximise connectivity with existing development**
- **Provision of a Transport Assessment**
- **Measures to prevent vehicular traffic adversely affecting surrounding communities.**
- **Significant green infrastructure provision, including new footpaths and cycleways, enhancing green modal accessibility beyond the site to the town centre and Bicester Village Railway Station, and adjoining developments. Public open space to form a well connected network of green areas suitable for formal and informal recreation**
- **Preservation and enhancement of habitats and species on site, particularly protected species and habitats and creation and management of new habitats to achieve an overall net gain in biodiversity including the creation of a local nature reserve and linkages with existing BAP habitats**
- **Sensitive management of open space provision to secure recreation and health benefits alongside biodiversity gains.**
- **A Landscape and Habitats Management Plan to be provided to manage habitats on site and to ensure this is integral to wider landscape management.**
- **Careful design of employment units on site to limit adverse visual impact and ensure compatibility with surrounding development**
- **The provision of public art to enhance the quality of the place, legibility and identity**
- **The retention and respect for important existing buildings and heritage assets with a layout to incorporate these and consideration of Grade II listed buildings outside the site**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Provision of sustainable drainage in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the recommendations of the Council's Strategic Flood Risk Assessment**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5**
- **An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.**
- **A soil management plan may be required to be submitted with planning applications.**
- **Undertake a staged programme of archaeological investigation.**

Strategic Development: Bicester 2 - Graven Hill

C.51 Graven Hill to the south of Bicester is part of an extensive MoD site comprising some 600 hectares of land stretching for over 5km from the edge of Bicester to the villages of Arncott to the south and Piddington to the north east. It includes a number of distinct, built-up sites separated by areas of countryside and accommodates a number of military functions. Part of the site is a major logistics and distribution hub serving the armed forces, but with the potential from this proposed development at Graven Hill to help strengthen Bicester's economic role within the Oxford to Cambridge corridor.



C.52 Following a national Operational Efficiency Programme (OEP) in 2008, the MoD identified a need to modernise its estate, improve efficiencies, reduce costs and improve the support services to the Armed Forces. It reviewed its assets and concluded that the widely dispersed estate at Bicester was ageing and suffering from under-investment.

C.53 The MoD wishes to retain its valued presence in Bicester. It has decided to rationalise and consolidate its logistics operations with the development of a new freight and distribution interchange at Arncott. The land at Graven Hill, Bicester can then be released with the receipts used

to fund the consolidation and modernisation programme in Bicester, to improve support services to the Armed Forces.

C.54 The MoD's financial viability exercises have concluded that a mixed use scheme of some 2,100 homes with major employment would enable the required modernisation to proceed and secure between 420 and 620 additional military jobs. The land released at Graven Hill could provide a further 2,000 civilian jobs. Development of the site will identify Bicester as a prime location for investment through the creation of significant jobs-led economic growth to address the town's historic housing/jobs imbalance. The development area covered by Policy Bicester 2 will include land at Langford Park Farm. Development should be concentrated towards the eastern part of this area to take account of the potential impact of development on Langford Park Farm (which is a listed building) and the sewage works.

C.55 The Graven Hill site represents a unique sustainable development opportunity, consisting of predominantly previously developed land in single ownership that is well located in relation to the centre of Bicester, Bicester Village Railway Station and strategic development sites. It has existing infrastructure and landscaping, but previously stood separate from the town. Development of this site presents the opportunity for integration of this development area with Bicester and for its development to be undertaken in an integrated, coordinated and planned way.

C.56 Within the Graven Hill site stands the woodland topped hill itself, which is a landmark in the local landscape that could be opened up for public access providing recreational and health benefits (subject to careful management given the ecological value of the woodland and its designation as a Local Wildlife Site).

C.57 The site benefits from excellent transport connections. There are rail tracks still on the site and rail linked distribution warehouses. There are also planned transport improvements for the town including East-West Rail (to improve links between Oxford, Bicester, Milton Keynes and Bedford), and M40 J9 improvements. The site will also contribute to transport infrastructure improvements. Graven Hill could accommodate a possible relief road as one possible option for highway improvements to the town through the eastern part of the development area. New road links on the site may be either site accesses only or form part of a strategic relief road.

C.58 The proposal will also support local economic growth including the warehousing and logistics sector in a location that lends itself to both national and regional distribution. This sector is well placed to maximise the strategic accessibility from which Bicester benefits. A Bicester Rail Freight Interchange (RFI) would provide a

logical continued use of this existing employment area. The job creation impact of a RFI will make a positive and significant contribution to the employment provision for Bicester.

C.59 The delivery of rail served distribution nodes is a key part of the Government’s policy of transferring freight from roads to rail. Government policy recommends that sites with unique transport connections to develop as rail freight interchanges should be protected from other forms of development. This site is located adjacent to the A41 and within easy access of the Strategic Highway Network, ensuring that operations based at Bicester will perform well in terms of transport cost minimisation and in being able to attract rail freight from the UK and international locations. The close proximity of the improved Junction 9 on the M40 presents a unique opportunity to locate a RFI on a highly sustainable and accessible site with limited impact on residential properties.

Policy Bicester 2: Graven Hill

Development Area: 241 hectares

Development Description: This predominantly brownfield site to the south of Bicester is proposed for a mixed use development of 2,100 dwellings, significant employment land providing for high quality job opportunities, associated services, facilities and other infrastructure including the potential for the incorporation of a rail freight interchange.

Employment

- Land Area for employment – 26ha
- Jobs created – approximately 2,000 jobs
- Use classes – Mixed B1, B2 and B8 uses.

Housing

- Number of homes – Approximately 2,100

- **Dwelling mix – to be informed by Policy BSC4: Housing Mix**
- **Affordable Housing – 30%**
- **The provision of extra care housing and the opportunity for self build affordable housing.**

Infrastructure Needs

- **Education – At least a two form of entry primary school**
- **Health – no on site requirements anticipated**
- **Open Space – to include general greenspace, play space, allotments and outdoor sports provision as outlined in Policy BSC 11: Local Standards of Provision – Outdoor Recreation. Outdoor sports provision to be located in the north- west part of the site. Public open space to include the hill top area.**
- **Access and Movement–contribution to improvements to the surrounding local and strategic road networks. New points of access between site and Bicester.**
- **Community facilities – local centre to include retail provision**
- **Utilities - Off site improvements to utilities may be required.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD 15**
- **Layout of development that enables a high degree of integration and connectivity between new and existing communities, with appropriate consideration of the relationship of the development with any retained military uses**
- **A layout that maximises the potential for walkable neighbourhoods, with a legible hierarchy of routes with new footpaths and cycleways provided on site that link to existing networks beyond the site**
- **A well designed approach to the urban edge, which relates development at the periphery to its rural setting and affords good access to the countryside**
- **Development that respects the landscape setting and that demonstrates enhancement, restoration or creation of wildlife corridors, and that respects the relationship between the woodland and open areas of Graven Hill and the development through the creation of ‘green fingers’ leading into the development area**
- **Careful consideration of open space and structural planting around the site to achieve an overall improvement in the landscape and visual impact of the site**
- **Provision of a road alignment within the site to secure strategic highway improvements for Bicester**
- **Maximisation of the transport connectivity in and around the site, including the use of the rail tracks on site to serve commercial logistics and**

distribution uses, subject to consideration of noise mitigation if proximate to sensitive receptors

- **Contribution to improvements to the surrounding local and strategic road networks, good accessibility to and improvement of public transport services, including financial or in-kind contributions to bus services and bus stop infrastructure, engineered pedestrian and cyclist connectivity to the A41 underpass to facilitate potential routes to the town centre, improved facilities for pedestrians and cyclists to cross the A41, and the provision of a Travel Plan to maximise connectivity with existing development**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Development should take account of the flood compensation works within the site**
- **Provision of a buffer between new development and the sewage works, including a nature reserve**
- **Protection of the character, appearance and setting of Langford Park Farm**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments**
- **Biodiversity protection and enhancement measures should be implemented in any future development. Protected species surveys for bats and great crested newts will be required, and sufficient mitigation measures agreed prior to planning permission being granted**
- **An archaeological field evaluation to assess the impact of the development on archaeological features**
- **Good accessibility to public transport services should be provided for, including the provision of a bus route through the site with buses stopping at the railway stations and at new bus stops on the site**
- **Significant sustainable access provision including footpaths and cycleways, enhancing green modal accessibility beyond the site to the town centre, Bicester Village Railway Station, adjoining developments and linking the development to the existing Public Rights of Way Network**
- **Public open space to form a well connected network of green areas suitable for formal and informal recreation**
- **Provision of opportunities for Green Infrastructure links beyond the development site to the wider town and open countryside**
- **Preservation and enhancement of protected habitats and species on site and creation and management of new habitats to achieve an overall net gain in biodiversity**
- **Sensitive management of recreational access to Graven Hill woodland whilst acknowledging recreational tourism and health benefits.**
- **An Ecological and Landscape Management Plan to be provided to manage the woodland and other habitats onsite**
- **Careful design of employment units onsite to limit adverse visual impact on the new development and the wider area**

- The provision of public art to enhance the quality of the place, legibility and identity
- Remediation of contaminated land
- The retention or appropriate treatment of on-site and off-site heritage assets and their settings, particularly given the archaeological interest in and beyond the site, the heritage significance of the MOD site and also in relation to listed buildings beyond the site
- The provision of extra care housing and the opportunity for self-build housing
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5
- Recycling and potential reuse of demolition materials where possible
- Adoption of a surface water management framework to reduce run off to greenfield rates
- Consideration of the requirements in the Council's SFRA including the use of SuDS in accordance with Policy ESD7: Sustainable Drainage Systems (SuDS) specifically combined infiltration and attenuation techniques in the north western corner of the site, and attenuation techniques across the vast majority of the site.

Strategic Development: Bicester 3 - South West Bicester Phase 2

C.60 Phase I of the South West Bicester urban extension (now known as Kingsmere) is under construction. It will provide 1,742

new homes, new primary and secondary schools, public open space, health and sports facilities, employment, a hotel, and other local facilities. As part of the development, a new perimeter road has been constructed.



C.61 A 28 hectare area of land to the west of the main development was originally identified by the Council for formal sports facilities. These facilities are now being provided within the main Phase 1 development site making the unused land available for development.

C.62 The development area offers an opportunity to provide new homes, services and facilities integrated with the Phase 1 development. It is a relatively unconstrained site with low landscape sensitivity, no substantive flooding issues, and which has relatively low ecological value other than that provided by a small number of hedgerows and trees.

C.63 Development would be contained within the 'inside' of the new perimeter road avoiding further encroachment into the wider countryside. The site is in an accessible location relatively close to the town centre. The occupiers of new housing will have access to the secondary school, other services and facilities, public open space, places of employment and health village already planned for provision within Phase 1. The site is well located with immediate access to the new perimeter road, and the potential to extend Phase 1 bus services, cycleways and footpaths. It also has good accessibility to places of employment, services and facilities elsewhere in Bicester.

C.64 The Phase 2 development will provide additional services and facilities, provide an opportunity to extend green corridors, and

provide improved access to the countryside with links to a new community woodland

between the perimeter road and Chesterton village.

Policy Bicester 3: South West Bicester Phase 2

Development Area: 29 hectares

Development Description: 726 homes with associated services, facilities and other infrastructure.

Housing

- **Number of homes- Approximately 726**
- **Dwelling mix - to be informed by Policy BSC4:Housing mix**
- **Affordable Housing - 30%**
- **The provision of extra care housing and the opportunity for community self-build affordable housing.**

Infrastructure Needs

- **Education - 2 FE Primary School, contributions towards secondary school provision**
- **Health - to be provided at North West Bicester**
- **Open Space - to include general greenspace, play space, allotments and outdoor sports provision as outlined in Policy BSC 11: Local Standards of Provision - Outdoor Recreation**
- **Access and Movement - link to Phase 1 bus service to Bicester Village Railway Station and Park and Ride at Phase 1**
- **Community facilities - convenience store, a community facility/enhanced community facilities as part of Phase 1**
- **Utilities - extension of Phase 1 connections. Off site improvements to utilities may be required.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **A distinctive residential neighbourhood for Bicester that integrates well with the existing phase 1 development at South West Bicester**
- **Layout of development that enables a high degree of integration and connectivity with direct vehicular (including cycle) and pedestrian linkages between South West Bicester Phases 1 and 2 and to existing networks**
- **A transport assessment and Travel Plan to accompany development proposals**

- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities, with a legible hierarchy of routes, with new footpaths and cycleways provided on site that link to existing networks beyond the site**
- **Good accessibility to public transport services should be provided by ensuring that the bus routes and bus stops to be provided within the site are accessible by pedestrians and cyclists via effective footpaths and cycle routes**
- **Development that respects the setting of Chesterton Conservation Area and the wider landscape setting**
- **Retention of hedgerows and the preservation and enhancement of the biodiversity value of the site, with the enhancement, restoration and creation of wildlife corridors provided for through an ecological survey**
- **Development set back from the minor watercourse along the site's northern boundary to meet Environment Agency requirements**
- **A surface water management framework and the incorporation of infiltration Sustainable Drainage Systems (SuDS) to reduce surface water, control drainage and protect a Minor Aquifer (subject to further ground investigation)**
- **Public open space to form a well connected network of green areas suitable for formal and informal recreation**
- **Retention of the existing Public Right of Way which crosses the site**
- **Provision of opportunities for Green Infrastructure links beyond the development site to the wider town and open countryside**
- **A well designed approach to the urban edge, which relates development at the periphery to its rural setting and Chesterton village and affords good access to the countryside**
- **Development proposals should seek to protect cultural heritage and archaeology, including in the conversion of any important farm buildings where possible especially with regard to the conversion of Whitelands Farm and associated buildings, located to the southwest of the allocation.**
- **The provision of public art to enhance the quality of the place, legibility and identity**
- **Land to be provided for and assist in facilitating a community woodland between Chesterton village and the Development Area**
- **Provision of sustainable drainage in accordance with 'Policy ESD 7: Sustainable Drainage Systems (SuDS)'. taking account of the recommendations of the Council's Strategic Flood Risk Assessment**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5.**
- **An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary**
- **A soil management plan may be required to be submitted with planning applications.**

- Take account of the Council's SFRA for the site
- Development proposals to be accompanied and influenced by a landscape/visual and heritage impact assessments.

Strategic Development: Bicester 4 - Bicester Business Park

C.65 There is a sustainable opportunity for the provision of strategic employment space to the south of Bicester Town Centre and adjoining the A41. The Bicester Business Park site has planning permission for a 60,000m² business park incorporating offices (B1) and hotel (C1) use. This development area is located immediately to the east of the South West Bicester (Kingsmere) urban

extension, less than 1 km from Bicester Village Railway Station and close to major retail uses and town centre facilities. The site has immediate access to the strategic highway network (Oxford-Aylesbury) with Junction 9 of the M40 motorway situated about 3 km to the south. Major growth is planned nearby with the redevelopment of Graven Hill (Policy Bicester 2: Graven Hill, phase 2 of the South West Bicester extension (Policy Bicester 3: South West Bicester Phase 2 and the expansion of the centre of the town.



C.66 Although full implementation of the permitted scheme requires the completion of Junction 9 improvements, phase 1 of the highway works has been completed. The

Council wishes to support the development of this important site and in doing so will work with County Council who have agreed junction improvements.

Policy Bicester 4: Bicester Business Park

Development Area: 29.5 hectares

Development Description: This site to the south west of Bicester, bounded by the A41 to the north and west, is proposed for employment generating development in the form of a high quality B1 office scheme.

Employment

- **Jobs created - up to approximately 6,000 jobs. Site constraints and implementation of alternative use planning permissions may reduce numbers slightly.**
- **Use classes - B1a (Office).**

Infrastructure needs

- **Open space - structured open space and planting that provide a strong landscape setting, support SUDS and improvements to the microclimate**
- **Access and Movement - M40, Phase 2 improvements to Junction 9. Contributions to improvements to the surrounding local and strategic road networks.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **A distinctive commercial development that provides a gateway into the town**
- **A high quality design and finish, with careful consideration given to layout, architecture, materials, colourings and building heights to reduce overall visual impact**
- **Layout that enables a high degree of integration and connectivity between new and existing development particularly the mixed use urban extension at South West Bicester to the west, the garden centre to the south, and, to the north, Bicester town centre and Bicester Village retail outlet**
- **Consideration of the operational characteristics of the sewage treatment works, including ensuring that there will be no adverse amenity impact on occupiers of the development**
- **Provision for safe pedestrian access from the A41 including facilitating the crossing of the A41 to the north and west, and the provision and upgrading of footpaths and cycleways that link to existing networks to improve connectivity generally and to develop links between this site, nearby development sites and the town centre.**
- **Take account of the Council's SFRA for the site**

- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments**
- **Good accessibility to public transport services should be provided for, including the accommodation of new bus stops to link the development to the wider town**
- **A Transport Assessment and Travel Plan to accompany development proposals**
- **A sequential approach should be followed; where possible, buildings should be located away from areas at high risk of flooding but where it is necessary development should be made safe without measures increasing flood risk elsewhere. Up to date information should be used for a Flood Risk Assessment (FRA).**
- **Development that does not encroach within 8m of the watercourse banks**
- **Adoption of a surface water management framework to reduce surface water run off to greenfield rates**
- **Structural planting and landscape proposals within the site to provide for the enhancement, restoration and creation of wildlife corridors and to limit visual impact of new buildings and car parking on the existing character of the site and its surroundings, including viewpoints along the A41 to the west and north (where the road is more elevated) and along the southern boundary (important in longer distance views of the site)**
- **Provision of opportunities for Green infrastructure links beyond the development site to the wider town and open countryside**
- **Biodiversity should be preserved and enhanced**
- **The provision of public art to enhance the quality of the place, legibility and identity**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5**
- **Full mitigation of flood risk in compliance with Policy ESD 6: Sustainable Flood Risk Management including the use of SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)) specifically attenuation SuDS techniques, taking account of the Council's Strategic Flood Risk Assessment**
- **Provision for a staged programme of archaeological work in liaison with statutory consultees, given the archaeological potential on site**
- **An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary**
- **A soil management plan may be required to be submitted with planning applications**

Strategic Development: Bicester 5 - Strengthening Bicester Town Centre

C.67 Bicester Town Centre and the Primary Shopping Frontage will remain unchanged in this Local Plan (see Map Bicester 5, Appendix 5).

C.68 Changes to the boundaries of the Town Centre and Primary Shopping frontage will be explored in the Local Plan Part 2.

C.69 Informed by work on the Bicester Masterplan an 'Area of Search' has been identified in the centre of Bicester (Map Bicester 5).

C.70 The aim of this is to:

- support the viability and vitality of the existing town centre
- encourage economic activity
- assist with the connectivity between the existing town centre, a new Bicester Village Railway Station, Bicester Village and adjoining existing and proposed residential areas
- improve the character and appearance of the centre of Bicester and the public realm.

C.71 Much of the centre, including Sheep Street and Market Square, lies within the Bicester Conservation Area. There are an increasing number of vacancies in Bicester town centre and town centre improvements will contribute towards addressing this issue.

C.72 Partial redevelopment of the town centre has been achieved with the recent Bure Place redevelopment scheme and a second phase of development is planned (see

Policy Bicester 6). Phase I is anchored by a major food retailer and a new cinema and will provide impetus for further investment. However, work for the emerging Bicester Masterplan has identified how the area to the south of the town centre could also be improved to consolidate and expand the town centre to provide space to help accommodate Bicester's growth needs. It could also enable improvements to the connectivity of the existing town centre with a redeveloped Bicester Village Railway Station, Bicester Village and potential new public open space and provide for improved accessibility to new residential developments to the south of the town.

C.73 In 2010 the Council commissioned an update to its 2006 PPS6 Retail Study. In 2012 a further study was commissioned which identifies the capacity for comparison and convenience retail floorspace in the District up to 2031. No additional capacity for convenience retail floorspace is identified for Bicester on top of the floorspace identified as part of the Bicester town centre expansion (Policy Bicester 6: Bure Place Town Centre Redevelopment Phase 2). However, the study does identify more need for comparison retail within the town.

C.74 Bicester Village will have a role in the improvement of central Bicester by continuing to bring tourists to the town and also potentially through involvement in further re-development proposals. Bicester Village is therefore included within the 'Area of Search'. Any further development at Bicester Village would be required to complement and help improve connectivity with the existing town centre and not undermine its vitality and viability. Conditions will be attached to planning permissions if necessary.

C.75 Delivering these policy aims will require the implementation of an Action Plan to be prepared as part of the Bicester Masterplan.

Policy Bicester 5: Strengthening Bicester Town Centre

Shopping, leisure and other 'Main Town Centre Uses' will be supported within Bicester town centre. Residential development will be supported in appropriate locations in Bicester town centre except where it will lead to a loss of retail or other main town centre uses.

The change of use of sites used for main town centre uses in the town centre for residential development will normally be permitted if proposals contribute significantly to the regeneration of the town centre. Mixed use schemes will be encouraged.

Only A1 and A3 uses will be permitted on the ground floor in the primary shopping frontage. Residential development will be encouraged within the primary shopping frontage above ground floor level.

The Council will review the town centre boundary through the Local Plan Part 2. Prior to this retail and other main town centre uses will only be supported within the Area of Search if they form part of new schemes which help deliver the aims for central Bicester set out above. In order to maintain the retail viability of the existing town centre, A1 uses should only be small units and form a small part of wider development proposals.

Residential development will also be supported within the Area of Search in appropriate locations.

Development should have particular regard to enhancing the character of the Conservation Area.

In all cases proposals for town centre uses will be considered against Policies SLE 2, ESD 10 and ESD 15.

Strategic Development: Bicester 6 - Bure Place Town Centre Redevelopment Phase 2

Manorsfield Road to the west, St. John's Street to the north and Crown Walk to the south.

C.76 The redevelopment of Bicester Town Centre has started with the redevelopment of Bure Place, a site within the town centre bounded by Sheep Street to the east,



C.77 A Phase I development is now complete and involved the diversion of the town brook and associated landscaping, and

the development of a new supermarket, cinema, restaurants, other shops, a car park and a new bus interchange.

C.78 Phase 2 of the redevelopment is to be undertaken as a partnership between the Council, Sainsbury's and Stockdale Land. Oxfordshire County Council will become a partner for phase two with a view to providing a new library and civic offices. The provision of the new civic buildings will provide the opportunity for a new public focal point to be provided and will further assist in improving the attractiveness and vitality of Bicester Town Centre, strengthening the town centre function in accordance with Policy Bicester 5.

Policy Bicester 6: Bure Place Town Centre Redevelopment Phase 2

The Council will work with the County Council and other partners to deliver new civic buildings as a second stage to the Bicester town centre development involving new public space and a library. Proposals will be considered against Policy ESD15 and other relevant policies in the Plan.

Strategic Development: Bicester 7 - Meeting the Need for Open Space, Sport and Recreation

C.79 The evidence base studies have identified a number of existing deficiencies and future shortfalls of open space, sport and recreation provision in Bicester.



C.80 Some of these deficiencies can be met through improvement to the quality of and access to existing facilities and using existing areas of one type of open space to meet deficiencies in another type. In addition some new provision will be required to meet Bicester's growth; the potential locations will be identified in the Bicester Masterplan and Local Plan Part 2.

C.81 The Playing Pitch Strategy Action Plan (2008) indicated that existing deficiencies in playing pitch provision could be addressed through conversion of adult to junior football pitches, developing dual use agreements for community access to schools facilities, and

new pitches to be provided as part of the committed development at South West Bicester. Existing deficiencies identified in the Green Space Strategy (2008) were partially updated in 2011 (see Appendix 3 Evidence Base). Some of the existing deficiencies in open space provision will require the allocation of land through the Local Plan process, as follows:

- 11.69 ha parks and gardens
- 2.87 ha natural/semi-natural green space
- 8.18 ha allotment provision.

C.82 The Playing Pitch and Green Space Strategy estimated that the following additional provision was required to meet needs to 2026:

- 4 junior football pitches
- 2 mini-soccer pitches
- 2 additional cricket pitches
- 2 additional rugby pitches
- 7ha park
- 3.4ha natural/semi-natural space through new provision/public access agreements to privately owned sites
- 4.2ha of amenity open space
- 6.58ha of children's play space to be met through new equipped play areas and additional play opportunities using other open space
- 1 Multi Use Games Area

- 3 tennis courts
- 2.6ha of allotments.

C.83 The Playing Pitch and Green Space Strategies were formulated before the amount and preferred distribution of development in Bicester over an extended plan period had been established, and, as a result, future needs are being updated. Indoor sports provision needs are being updated. Initial indications are that there is the potential for provision of an additional sports hall to meet demand to 2031, with some unmet demand for swimming pool provision.

C.84 'Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision', 'Policy BSC 11: Local Standards of Provision- Outdoor Recreation' and 'Policy BSC 12: Indoor Sport, Recreation and Community Facilities' will all be used to help address existing deficiencies in provision and future development needs, in addition to 'Policy Bicester 7: Meeting the Need for Open Space, Sport and Recreation'.

C.85 The proposed strategic allocations shown on the Policies Map (Appendix 5: Maps) will be expected to make provision on site for open space and recreation to meet the needs of the new development. Whilst new development can only be expected to make provision for its own needs, the most effective way of planning for some of the current and future requirements may be through integrating provision with the planning of strategic sites. Overall open space provision and green infrastructure requirements are being examined in more detail as part of the Bicester Masterplan work. Any additional non-strategic allocations required will be contained in the Local Plan Part 2.

C.86 The proposed urban edge park is the continuation of a long term objective to address the poor distribution of open space in Bicester. The policy aims to maximise the value of existing open spaces by increasing their accessibility and linking them to each other through a network of footpaths/cycleways, and create new areas of open space to contribute towards the network of provision, improving green infrastructure links. The core of the network is currently centred to the north, south and east of the town centre, formed by areas such as Pingle Field, Bicester Fields, and land in the Town Council's ownership adjacent to Skimmingdish Lane. Committed development at South West Bicester will contribute to the network. In addition there are a number of areas in private ownership used informally for recreation purposes which contribute to the network, albeit there is currently no secured public access.

C.87 The proposed strategic allocations at North West Bicester, Graven Hill, South West Bicester, South East Bicester and at North East Bicester provide a major

opportunity to extend the network around the town, and in combination with the urban edge park should offer the opportunity to help address the existing shortfalls in parks and gardens and natural/semi-natural provision together with some of the estimated future needs of the town. The proposed network will be investigated further to enable land allocations to be indicated in more detail within the Bicester Masterplan and Local Plan Part 2 as appropriate.

C.88 Stratton Audley Quarry (Elm Farm Quarry) is the subject of an extant planning permission for infilling to form a country park, with the planning consent having been partially implemented. In view of the site's designation as a Local Wildlife Site only low intensity recreation use of the site is likely to be appropriate. However the site is close to the edge of Bicester making it easily accessible to the town's residents and could assist in the establishment of long distance links from the town to the villages and countryside beyond.

Policy Bicester 7: Meeting the Need for Open Space, Sport and Recreation

As part of measures to address current and future deficiencies in open space, sport and recreation provision in the town we will:

- **Seek to establish an urban edge park around the outskirts of the town, by protecting the existing network of green spaces and securing new open space and linear route provision linked with public footpaths/cycleways, to create a circular route with connections to the town centre and the countryside beyond**
- **Seek to establish a community woodland between the South West Bicester link road and Chesterton**
- **Encourage proposals for the restoration and use of Stratton Audley Quarry for informal outdoor recreation, provided that the proposals are compatible with the site's designation as a Local Wildlife Site and partial SSSI.**

Strategic Development: Bicester 8 – Former RAF Bicester

C.89 The Former RAF Bicester is an inter-war airfield situated immediately to the north-east of Bicester. Historically it comprised a 'Domestic Site' and 'Technical Site' together with the large open space of the flying field. English Heritage described the site as “the best preserved bomber airfield dating from the period up to 1945”. The whole of the site is a conservation area, which was reviewed and extended in 2008, and most of the buildings and structures are protected by listing and scheduling. In addition a Local Wildlife Site and proposed extension to the Local Wildlife Site covers a large part of the site.



C.90 The Council worked with the MOD and English Heritage and prepared a planning brief for the site in 2009. This brief recognises the complex issues, and the unique opportunities, raised by the site and the need to maintain and re-use its historic

buildings and the flying field. The brief proposes a 'conservation-led' approach to the site, recognising that finding a use which can best preserve the sensitive historic fabric of the buildings may require a flexible approach in terms of the use to which the buildings are put.

C.91 Planning permission has been granted for the conversion of the Domestic Site to the south of Caversfield village for residential use and this is being implemented. The main technical site and flying field have also recently been sold by the MoD, thereby ending the 'RAF' status of the site.

C.92 Policy Bicester 8 seeks to secure appropriate uses for a long-lasting 'conservation-led' approach to the technical site and flying field. It aims to establish uses that will be complementary to, and help enhance, the character and appearance of the conservation area and the nationally important heritage value of the site. It seeks to encourage a mix of uses that will best preserve the sensitive historic fabric and layout of the buildings and the openness of the grass airfield. However, the need to allow some flexibility in the interests of securing an economically viable future for the site is recognised.

C.93 The Planning Brief indicates that employment uses on the technical site could be appropriate although it does also propose a range of other uses including aviation, museum, cultural, sport and community uses.

Policy Bicester 8: Former RAF Bicester

The Council will encourage conservation-led proposals to secure a long-lasting, economically viable future for the Former RAF Bicester technical site and flying field.

It will support heritage tourism uses, leisure, recreation, employment and community uses. The development of hotel and conference facilities will also be supported as part of a wider package of employment uses.

All proposals will be required to accord with the approved Planning Brief for the site and take into account the Bicester Masterplan.

They must maintain and enhance the character and appearance of the conservation area, protect listed, scheduled and other important buildings, their setting, and protect the sensitive historic fabric of the buildings and preserve the openness of the airfield. The biodiversity of the site should be protected and enhanced and habitats and species surveys (including a Great Crested Newt survey) should be undertaken. The continuation of gliding use will be supported. Opportunities for improving access to the countryside will be encouraged. The Council's SFRA should be considered. Proposals should be considered against Policy ESD 15.

Strategic Development: Bicester 9 – Burial Site Provision in Bicester

C.94 Bicester cemetery is nearing capacity and there is limited opportunity to increase this. It is evident that a site for a new cemetery needs to be secured as a matter of urgency. Bicester Town Council has already undertaken a considerable amount of investigative work and although work is continuing, it is estimated that a site of approximately 4 hectares is required to accommodate a cemetery and area for green

burial. It is anticipated that a site will be provided within the North West Bicester Eco-Town area (See Policy Bicester 1: North West Bicester Eco-Town).

C.95 We will continue to work with Bicester Town Council to identify and secure a suitable site as part of strategic development at Bicester, to enable delivery of new burial facilities for the town at the earliest opportunity. Potential land will be surveyed to confirm initial findings on the suitability of ground conditions and inform the decision on where these new burial facilities should be located.

Policy Bicester 9: Burial Site Provision in Bicester

A new cemetery is required to meet the needs of both the existing population and future development in the town. As such developer contributions will be sought from new development in the town towards the establishment of the facility. Further details will be contained in the Developer Contributions SPD.

Detailed investigations will be required to determine the suitability of ground conditions for cemetery use.

Strategic Development: Bicester 10 - Bicester Gateway

C.96 Development on the Bicester Gateway site has the potential to contribute towards building and reinforcing a modern knowledge economy for Cherwell and surroundings, securing a location for science and research and technology transfer and commercial application.

C.97 This site has the potential to be a major high quality employment area at this critical gateway to the town. Being a major development site at the southern edge of Bicester will require exemplary building quality and design to provide a strong sense of arrival to the town and a statement of the sort of economy we have aims to secure for inward investors or local companies in need of land for expansion.

C.98 There is an opportunity to encourage the knowledge economy in Cherwell by enabling businesses which have or want links to the Oxford cluster, as well as direct spin out companies from successful research and development, to locate in Bicester. Oxford is constrained by its historic environment and by the Green Belt. Bicester is only 10 miles from Oxford, with good transport links between the two.

C.99 Development of this site will provide employment in Bicester helping to reduce the number of people out commuting to Oxford and London. The development will also complement the proposed employment development at Silverstone and will form part of the technology corridor from Oxford to Northamptonshire and Oxford to Cambridge.

Policy Bicester 10: Bicester Gateway

Development Area: 18 hectares

Development Description: Knowledge economy employment development to the south of the existing retail area (Wyvale Garden Centre), adjacent to the A41.

Employment

- **Jobs created – approximately 3,500. Site constraints may reduce numbers slightly**
- **Use classes – B1 Business uses: high tech knowledge industries.**

Infrastructure Needs

- **Open Space – structured open spaces and planting that provide a strong landscape setting, support SUDs and improvements to the microclimate**
- **Access and Movement – M40, Phase 2 improvements to Junction 9. Contributions to improvements to the surrounding local and strategic road networks, including safeguarding land for future highway improvements to peripheral routes on this side of the town.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15.**
- **A well designed modern area with the provision of high quality property to attract and retain 'best in class' technology companies.**
- **A high quality design and finish, with careful consideration given to layout, architecture, materials and colourings and careful consideration given to building heights to reduce overall visual impact.**
- **Conservation and enhancement of the setting of Alchester Roman Town Scheduled Ancient Monument and the setting out of opportunities to better reveal its significance.**
- **Layout that enables a high degree of integration and connectivity between new and existing development particularly the mixed use urban extension at South West Bicester to the west, the garden centre to the north, and, further to the north, Bicester Village retail outlet and Bicester town centre.**
- **Provision of opportunities for Green Infrastructure links beyond the development site to the wider town and countryside.**
- **Provision and encouragement for sustainable travel options as the preferred modes of transport rather than the private car, and provision of a Travel Plan. Good accessibility to public transport services should be provided for.**
- **The provision of a detailed transport assessment tailored to assess in detail the impact of the proposed use class and floorspace on the strategic road network.**
- **Provision for safe pedestrian and cyclist access from the A41 including facilitating the provision and upgrading of footpaths and cycleways that link with existing networks to improve connectivity generally, to maximise walking and cycling links between this site and nearby development sites and the town centre.**
- **Accommodation of bus stops to link the development to the wider town.**
- **Maximisation of walking and cycling links to the adjoining mixed use development at South West Bicester as well as the garden centre to the north.**
- **Contribution to the creation of a footpath network around Bicester.**
- **Flood plain land in the eastern parts of the site to be used for informal recreation and ecological benefit in order to enhance Bicester's green infrastructure network, in the form of 'blue corridors' which provide open space near watercourses and provide a natural wetland buffer between the development and the adjacent nature reserve.**
- **Development should not encroach within 8m of the watercourse banks.**
- **Adequate investigation of, protection of and management of priority and protected habitats and species on site given the ecological value of the site, with biodiversity preserved and enhanced. An ecological survey should be undertaken, investigating the cumulative impacts of**

development at this site and at other sites on the Local and District Wildlife Sites in the vicinity.

- Provision for a staged programme of archaeological work in liaison with statutory consultees, given the archaeological potential close to the site.
- The provision of public art to enhance the quality of the place, legibility and identity.
- Structural planting and landscape proposals within the site to include retention of existing trees and hedgerows, the enhancement, restoration or creation of wildlife corridors, and to limit visual impact of new buildings and car parking on the existing character of the site and its surroundings.
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.
- A sequential approach should be followed; where possible, buildings should be located away from areas at high risk of flooding but where development is necessary, the development should be made safe without measures increasing flood risk elsewhere. Up to date information should be used for a Flood Risk Assessment (FRA).
- Adoption of a surface water management framework to reduce surface water run off to greenfield rates.
- Full mitigation of flood risk in compliance with Policy ESD 6: Sustainable Flood Risk Management including the use of SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)) specifically infiltration SuDS techniques in the far south western corner of the site, combined infiltration and attenuation techniques in the north western and south eastern areas, and attenuation techniques in the central and north eastern area of the site, taking account of the Council's Strategic Flood Risk Assessment. A Flood Risk Assessment should investigate opening the culverted watercourse that crosses through the east of the site to reduce flood risk and improve its ecological value.
- An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.
- A soil management plan may be required to be submitted with planning applications.
- Take account of the Council's SFRA for the site.
- No built development will be located in Flood Zone 3b and the principle set out in Policy ESD 6 will be followed.
- Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.
- A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities.
- Planting of vegetation along strategic route ways to screen the noise.

Strategic Development: Bicester II – Employment Land at North East Bicester

C.100 The site provides the opportunity to restore the balance of housing and jobs provision in Bicester by providing for B1, B2

and B8 uses in a sustainable location in close proximity to the town's existing areas of employment and residential uses.

C.101 Careful design and landscaping is required to ensure development respects and preserves the setting and character and appearance of the Former RAF Bicester Conservation Area.

Policy Bicester II: Employment Land at North East Bicester

Development Area: 15 hectares

Development Description: Employment development

Employment

- **Jobs created – approximately 1,000. Site constraints may reduce numbers slightly.**
- **Use classes – B1, B2 and B8 uses.**

Infrastructure Needs

- **Open space – structured open spaces and planting that provide a strong landscape setting, support SUDs and improvement to the microclimate**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15.**
- **Layout of development that enables a high degree of integration and connectivity between new and existing development, including adjoining employment areas, nearby residential areas and the town centre.**
- **Good accessibility to public transport services should be provided for including providing bus stops for the site.**
- **Provision of new footpaths and cycleways to connect with the existing footpath/cycleway links around the site including along Skimmingdish Lane, to Launton Road and to services and facilities in Bicester's wider urban area.**
- **Retention and enhancement of existing Public Rights of Way, and the provision of links from the development and Bicester's urban area to the wider Public Rights of Way network.**
- **A green buffer with planting immediately adjacent to the Care Home and beyond this, B1a development to surround the Care home in order to protect residential amenity.**

- **A detailed Transport Assessment to be undertaken and Travel Plan to be provided focusing on maximising access by means other than the private car including demonstration of the provision of adequate cycle parking. Consultation with the Local Highways Authority regarding potential future improvements to Skimmingdish Lane and any design implications for the development frontage.**
- **A high quality, well designed approach to the urban edge which functions as a high profile economic attractor but which also achieves a successful transition between town and country environments.**
- **Buildings that provide for an active frontage to Skimmingdish Lane and a strong gateway at the site entrance.**
- **The site lies adjacent to a designated Local Wildlife Site and a proposed Local Wildlife Site. Ecological surveys must be undertaken to identify habitats and species of value and any mitigation measures required. Features of value, including existing mature hedgerows and important trees, should be preserved, retained and enhanced and the proposals should result in a net gain in biodiversity.**
- **Development that respects the landscape setting, and that demonstrates the enhancement, restoration or creation of wildlife corridors, and contributes towards creation of a green infrastructure network for Bicester.**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.**
- **A comprehensive landscaping scheme to limit visual intrusion into the wider landscape, particularly given the need to conserve the open setting, character and appearance of the Former RAF Bicester Conservation Area.**
- **Conserve or enhance the setting of the RAF Bicester Conservation Area and adjoining Scheduled Ancient Monument.**
- **Preparation of an archaeological and cultural heritage assessment to inform development proposals.**
- **A high quality design and finish, with careful consideration given to layout, architecture, materials and colourings and careful consideration given to building heights to reduce overall visual impact.**
- **The provision of public art to enhance the quality of the place, legibility and identity.**
- **Adoption of a surface water management framework to maintain run off at Greenfield rates.**
- **Take account of the Council's Strategic Flood Risk Assessment for the site.**
- **A Flood Risk Assessment should be undertaken. Use of SuDS in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS). Detailed site analysis and ground investigation should be undertaken to establish if infiltration techniques are acceptable; it is likely that attenuation techniques will be more appropriate due to the underlying geological composition and groundwater vulnerability, taking account of**

the recommendations of the Council’s Strategic Flood Risk Assessment and the Assessment for the site. Appropriate buffers should be provided alongside surface watercourses.

- No built development will be located in Flood Zone 3b and the principles set out in Policy ESD 6 will be followed.
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.
- An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.
- A soil management plan may be required to be submitted with planning applications.

Strategic Development: Bicester 12 – South East Bicester

C.102 The site at South East Bicester consists of mainly open farmland. It is adjacent to a Scheduled Ancient Monument (Wretchwick Deserted Medieval Settlement) and is in the vicinity of the Ray Conservation Target Area which extends into the site to the north. Development on this site will require careful design consideration, due to its location next to the historic asset and proximity to an ecologically important area.

C.103 The landscape studies found the site to have medium-high capacity to accept development in areas apart from those with ecological and archaeological importance. The Council considers the site offers an opportunity for mixed used development to the South East of Bicester that will enable the delivery of important infrastructure in the area to support wider proposals for the town.

Policy Bicester 12: South East Bicester

Development Area: 155 hectares

Development Description: A mixed use site for employment and residential development to the east of the ring road to the south east of Bicester

Employment

- Land Area – Approximately 40 hectares
- Jobs created – Approximately 3,000
- Use classes – Mixed B1, B2 and B8 uses (primarily B8 uses).

Housing

- **Number of homes - 1,500**
- **Dwelling mix - to be informed by Policy BSC4: Housing mix**
- **Affordable Housing - 30%**
- **The provision of extra care housing and the opportunity for community self-build affordable housing.**

Infrastructure Needs

- **Health - No on site requirements are anticipated**
- **Open space - to include general greenspace, play space, allotments and outdoor sports provision as outlined in Policy BSC11: Local Standards of Provision - Outdoor Recreation**
- **Access and Movement - contributes to improvements to the surrounding local and strategic road networks. Safeguarding of land for future highway capacity improvements to peripheral routes.**
- **Community facilities - Mixed use local centre to include a multi-use community hall, convenience store and small scale employment premises**
- **Schools - to include the provision of a primary school on site and financial or in kind contributions to secondary school provision**
- **Utilities - off site improvements to utilities may be required.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15.**
- **The development of a comprehensive masterplan for the allocated site in consultation with the Council, Oxfordshire County Council, English Heritage, the Local Nature Partnership (Wild Oxfordshire) and local communities.**
- **Commercial buildings with a high quality design and finish, with careful consideration given to layout, architecture, materials, colourings and to building heights to reduce overall visual impact.**
- **Development proposals should protect cultural heritage and archaeology, in particular the Grade II listed Wretchwick Farmhouse and Wretchwick Deserted Medieval Settlement, a Scheduled Ancient Monument, and incorporate an appropriate landscape buffer, to maintain the SAM's open setting. In consultation with Historic England, appropriate public access and interpretation facilities should be provided.**
- **Provision of open space in accordance with Policy BSC11: Local Standards of Provision - Outdoor Recreation, particularly to allow for access to the monument.**
- **Retention and enhancement of hedgerows and the introduction of new landscaping features that will ensure the preservation and enhancement of biodiversity. resulting in an overall net gain. Development should demonstrate the enhancement, restoration or creation of wildlife corridors.**

- **A well designed approach to the urban edge, which relates development at the periphery, and affords good access, to the countryside.**
- **The provision of public art to enhance the quality of the place, legibility and identity.**
- **A proposal that is well integrated, with improved, sustainable connections between existing development and new development on this site.**
- **New footpaths and cycle ways should be provided for that link to existing networks and the wider urban area. This includes links from the site into Bicester town centre and to facilitate access to railway stations, secondary schools, other community facilities and places of employment. Connectivity with Launton Road, Langford Village and London Road should be improved.**
- **A legible hierarchy of routes should be established to encourage sustainable modes of travel and the development layout should maximise the potential for walkable neighbourhoods and incorporate cycle routes.**
- **Protection of the line and amenity of existing Public Rights of Way. Connectivity and ease of access from the development to the wider Public Rights of Way network.**
- **Good accessibility to public transport services should be provided for, including a through route for buses between the A4421 Charbridge Lane and the A41 Aylesbury Road, with effective footpaths and cycle routes to bus stops, including a financial contribution towards the provision of a bus service through the site and new bus stops with effective footpaths and cycle routes to bus stops from dwellings and commercial buildings.**
- **A transport assessment and Travel Plan to accompany development proposals.**
- **Public open space to form a well-connected network of green areas suitable for formal and informal recreation.**
- **Provision of opportunities for Green Infrastructure links within and beyond the development site to the wider town and open countryside including appropriate improvements to connectivity between areas of ecological interest.**
- **Adequate investigation of, protection of and management of protected habitats and species on site given the ecological value of the site, with biodiversity preserved and enhanced.**
- **The preparation and implementation of an Ecological Management Plan to ensure the long term conservation of habitats and species within the site.**
- **A scheme, to be agreed with the Council, for the protection of existing wildlife habitats and species during construction of the development.**
- **Ensure that there are no detrimental impacts on downstream sites of Special Scientific Interest through hydrological, hydro chemical or sedimentation impacts.**
- **The northern section of the site within the Conservation Target Area should be kept free from built development. Development must avoid**

adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD 11 to secure a net biodiversity gain.

- Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.
- A flood risk assessment should include detailed modelling of the watercourses. Development should be excluded from flood zone 3 plus climate change and public open space/recreation areas located near watercourses to create 'blue corridors'.
- Take account of the Council's Strategic Flood Risk Assessment for the site.
- The incorporation of SUDS (see Policy ESD 7: Sustainable Drainage Systems (SuDS)), taking account of the recommendations of the Council's Strategic Flood Risk Assessment. Detailed site specific analysis and ground investigation to determine whether infiltration SuDS techniques are acceptable; due to underlying geology and groundwater vulnerability attenuation techniques are likely to be required.
- Development that considers and addresses any potential amenity issues which may arise – including noise impact from the rail line to the far north. The introduction of buffers/barriers/screening and the location of uses should be carefully considered to mitigate potential nuisances.
- The provision of a scheme, to be agreed with the Council, for the appropriate retention and re-use of existing farm buildings.
- An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.
- A soil management plan may be required to be submitted with planning applications.
- An archaeological field evaluation to assess the impact of the development on archaeological features.

Strategic Development: Bicester 13 – Gavray Drive (re-adopted)

C.104 The majority of the site is part of the River Ray Conservation Target Area. Part of the site is a Local Wildlife Site and is situated to the east of Bicester town centre. It is bounded by railway lines to the north and west. The site comprises individual trees, tree and hedgerow groups, and

scrubland/vegetation. The Langford Brook water course flows through the middle of the site.

C.105 The central and eastern section of the site contains lowland meadow, a BAP priority habitat. There are a number of protected species located towards the eastern part of the site. There are several ponds and a small stream, known as the Langford Brook, which runs from north to south through the middle of the site. A

range of wildlife has been recorded including butterflies, great crested newts and other amphibians, reptiles, bats and birds.

C.106 There are risks of flooding on some parts of the site therefore mitigation measures must be considered. There is also a risk of harming the large number of recorded protected species towards the eastern part of the site. Impacts need to be minimised by any proposal. Approximately

a quarter of the site is within Flood Zones 2 and 3 therefore any development would need to be directed away from this area.

C.107 Although there are a number of known constraints such as Flood Zone 3, River Ray Conservation Target Area and protected species, this could be addressed with appropriate mitigation measures by any proposal.

Policy Bicester 13: Gavray Drive (re-adopted)

Development Area: 23 hectares

Development Description: a housing site to the east of Bicester town centre. It is bounded by railway lines to the north and west and the A4421 to the east

Housing

- **Number of homes - 300 dwellings**
- **Affordable Housing - 30%.**

Infrastructure Needs

- **Education – Contributions sought towards provision of primary and secondary school places**
- **Open Space – to include general greenspace, play space, allotments and sports provision as outlined in Policy BSC11: Local Standards of Provision – Outdoor Recreation. A contribution to off-site formal sports provision will be required.**
- **Community – contributions towards community facilities**
- **Access and movement – from Gavray Drive.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15.**
- **A high quality development that is locally distinctive in its form, materials and architecture. A well designed approach to the urban edge which relates to the road and rail corridors.**
- **Development must avoid adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD11 to secure a net biodiversity gain.**

- **Protection of the Local Wildlife Site and consideration of its relationship and interface with residential and other built development.**
- **Detailed consideration of ecological impacts, wildlife mitigation and the creation, restoration and enhancement of wildlife corridors to protect and enhance biodiversity. The preparation and implementation of an Ecological Management Plan to ensure the long-term conservation of habitats and species within the site.**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.**
- **The preparation of a structural landscaping scheme, which incorporates and enhances existing natural features and vegetation. The structural landscaping scheme should inform the design principles for the site. Development should retain and enhance significant landscape features (e.g. hedgerows) which are or have the potential to be of ecological value. A central area of open space either side of Langford Brook, incorporating part of the Local Wildlife Site and with access appropriately managed to protect ecological value. No formal recreation within the Local Wildlife Site.**
- **Provision of public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation.**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside.**
- **Retention of Public Rights of Way and a layout that affords good access to the countryside.**
- **New footpaths and cycleways should be provided that link with existing networks, the wider urban area and schools and community facilities. Access should be provided over the railway to the town centre.**
- **A linked network of footways which cross the central open space, and connect Langford Village, Stream Walk and Bicester Distribution Park.**
- **Ensure that there are no detrimental impacts on downstream Sites of Special Scientific Interest through hydrological, hydro chemical or sedimentation impacts.**
- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities.**
- **A legible hierarchy of routes to encourage sustainable modes of travel. Good accessibility to public transport services with local bus stops provided. Provision of a transport assessment and Travel Plan.**
- **Additional bus stops on the A4421 Charbridge Lane will be provided, with connecting footpaths from the development. The developers will contribute to the cost of improving local bus services.**
- **Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment.**
- **Provision of public art to enhance the quality of the place, legibility and identity.**

- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.**
- **Take account of the Council's SFRA for the site.**
- **Consideration of flood risk from Langford Brook in a Flood Risk Assessment and provision of an appropriate buffer. Use of attenuation SuDS techniques (and infiltration techniques in the south eastern area of the site) in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's SFRA.**
- **Housing must be located outside Flood Zone 3 and the principles set out in Policy ESD 6 will be followed.**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing.**
- **An archaeological field evaluation to assess the impact of the development on archaeological features.**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.**

C.3 Banbury

C.108 Banbury is the District's largest town with its own sub-region. It is a focus for major retail developments, employment, housing and cultural and community uses that attract large numbers of people.



C.109 Banbury is a market town with an historic core and is expected to see continued growth over the period of the Local Plan. The growing population will have consumer, employment and community needs. Whilst most employment and housing growth will take place on the edge of the town, the Plan seeks to also take active steps to strengthen the town centre. The town centre of Banbury will adapt and evolve to meet the new growth and changing needs, demands and patterns of activity.

C.110 Banbury faces topographic and historic landscape constraints important to the setting of the town including the River Cherwell valley to the east, a steep sided valley and villages to the west, rising landform and village conservation areas to the north and an open aspect and village to the south beyond the Salt Way. These are all barriers to growth that have shaped how the town has grown and which will affect its growth in the future. More recently, the M40 motorway has also become a significant factor in identifying directions of growth and the need for focused urban renewal has become more pressing. The identified strategic development sites in this section of the Plan reflect these constraints and issues; particularly the need to retain Banbury's historic landscape context and character.

C.111 The development of a Masterplan for Banbury, to be adopted as a Supplementary Planning Document (SPD) will provide the means to establish an integrated delivery plan for the growth of the town that respects its setting, meets the needs for a stronger economy, housing and community facilities, and delivers sustainable development. The Council will explore all potential mechanisms, including public-private partnerships, and appropriate powers for the delivery of Local Plan sites and key proposals, to secure the development vision for the town.

Meeting the Challenge of Developing a Sustainable Economy in Banbury

C.112 Banbury's economy is focused on manufacturing, distribution, service industries, local government and health. Generally it has had very low levels of unemployment and a high demand for labour. However, there is a need to further diversify its economy, to attract more highly skilled businesses, to increase the levels of education, training and ambition in the town

and to continue addressing the impact of the recent recession. In recent years the major manufacturers Hella (automotive parts) and SAPA (aluminium) have left the town with the loss of about 800 jobs.

C.113 The key economic issues facing Banbury are:

- ensuring the town remains competitive so that it retains and attracts major employers
- addressing the impact of recession on the unemployment level: the claimant count has reduced in Cherwell since it rose fairly sharply in 2009 but it remains higher in Cherwell than in other rural Oxfordshire Districts. In areas of Grimsbury and Castle Ward and Banbury Ruscote ward unemployment as a percentage of working age population was at 8.2% and 7.4% respectively, again the highest in Oxfordshire.
- the need to improve standards of education and training: five areas within Banbury Ruscote ward and one in Banbury Neithrop are in the worst 10% in England in terms of skills, education and training. GCSE performance is below county and national averages. A third of residents have no qualifications. There is an above average concentration of people employed in low-skilled and lower paid occupations.
- maintaining a strong manufacturing sector but further diversifying the economy and creating more higher skilled and knowledge based job opportunities
- the need to improve the overall attractiveness of the town as a place to live and work
- the need to improve the appearance and vitality of the town centre outside of the Castle Quay shopping centre
- Banbury has undergone considerable growth over the last 20 years and the Council's Economic Development Strategy (2011-2016) (EDS) envisages this as continuing in the long-term. The EDS considers that there will be a reduction in the size of the town's manufacturing sector (in common with UK trends) however since much of this is in higher value and specialised areas which are more dependent upon skilled input, it is of great importance that the sector remains an important local employer. The town has a strong industrial heritage and the EDS sees this evolving over the 21st century into a robust engineering economy driven by flagship sectors such as motor sport and advanced materials.
- some of Banbury's employment areas/sites are in need of investment and there are vacant buildings. Development should take place on existing employment sites wherever possible to help regenerate these and ensure land is used efficiently.

C.114 A key challenge for the Local Plan will be to ensure that the needs of both existing employers seeking to relocate and expand, and new businesses moving to the area can be met, by ensuring that the redevelopment of sites and buildings on existing sites within the town is encouraged by planning policies. This is a particular issue as this Local Plan seeks to regenerate the Canalside area of the town. This 26 hectare area includes a number of existing businesses and it will be important that there are sites and help available to relocate any of these that wish to develop locally.

C.115 Banbury has the largest supply of employment land in the District and the Council's Employment Land Review (2006, updated 2012) identified a range of available sites totalling over 46 hectares. In this Local Plan Bicester will be the focus for new employment land to respond to its significant planned housing growth and to reduce out-commuting. Banbury also has valued landscapes on the edge of the town where growth is not appropriate. Whilst many of the sites in Banbury are non-strategic, one site is considered to be of strategic importance to securing Banbury's long term supply of employment land and is identified in this Local Plan (Policy Banbury 6: Employment Land West of M40). Planning permission has recently been granted for new employment uses on this site. Another site at Junction 11 of the M40 will provide for mixed employment uses. Existing employment sites such as the vacant former Hella site could be occupied by smaller and medium size businesses, such as those that relocate from the Canalside site. Proposals for the town centre set out in this plan will also provide jobs particularly in the retail and leisure sectors.

C.116 Providing for economic growth and diversification is necessary to increase the number of economically active residents, to lower unemployment to pre-recession levels, to provide more training opportunities and to encourage more ambitious educational attainment in Banbury. This will help provide a broader range of employment opportunities and potential access to more highly skilled jobs. Our plan seeks to build on the current manufacturing strength of the town with support for new business units for small-medium enterprises (SME's). We wish to encourage a wider range of employers into the town, particularly higher skilled and higher technology businesses, by providing suitable employment land, delivering regeneration and improving the

quality of the built environment, to help create the conditions that will help reduce deprivation and improve the attractiveness of Banbury as a place to live, work and visit.

Strengthening Town Centre Vitality

C.117 This Plan seeks to ensure that the town centre remains the primary focus for new development; particularly retail uses together with other appropriate town centre uses such as employment, community, leisure and residential development being accommodated in accordance with the principles of the NPPF.

C.118 In addition to the town centre there are out-of-centre retail locations including freestanding supermarkets, retail parks and neighbourhood centres. Banbury's role within the District is also supported by Bicester and Kidlington, together with other local centres that provide a hierarchy of facilities to serve Cherwell's population.

C.119 The existing and future role of Banbury has been considered in relation to the competition experienced from other centres outside the District. The principal centres that currently compete with Banbury are as follows:

- Leamington Spa - 22 miles
- Stratford upon Avon - 27 miles
- Oxford - 28 miles
- Northampton - 32 miles
- Milton Keynes - 35 miles.

C.120 These centres generally fulfil a similar role to Banbury within their respective catchment areas, although Oxford and Milton

Keynes are identified as higher level regional centres. Other centres such as Northampton are also growing rapidly which is increasing the level of competition experienced by Banbury (and also Bicester and Kidlington). In addition to this, significant commercial development is being delivered in Oxford City Centre which will significantly enhance the commercial offer in the city centre.

C.121 This competition illustrates the need to maintain the renewal and strengthening of the town centre.

C.122 We will strengthen Banbury town centre to be the focus of the town. This plan will ensure that it remains a pleasant place to spend time and a usable space for all members of the community which brings people together and fosters a stronger sense of belonging. This plan builds on the heritage and natural assets of the town, but will also encourage change. It must be a place that people choose to use and enjoy. Therefore we will:

- create more natural flows of people between its various quarters, creating a single whole rather than a group of unrelated parts
- bring together a broad mix of uses including open space, commercial, residential, leisure, shopping, and education, to ensure there is a human dimension throughout the day
- ensure the town is accessible from a variety of transport options

- make features and focal points of our key assets including our waterside areas, and our built and cultural heritage, to create and maintain uniqueness and a sense of community ownership
- promote a wide variety of activities at all times of the year.

C.123 In general terms, mixed-use (residential, commercial and retail) development will be favoured to ensure that there is an active ground floor commercial use.

Meeting the Challenge of Building a Sustainable Community in Banbury

C.124 Banbury faces some challenging community and social issues. Increasing opportunities in the Ruscote, Neithrop and Grimsbury and Castle wards is a priority and many of Banbury's main social issues are related, but not confined, to the complex problems of deprivation. This includes educational attainment, teenage pregnancy, anti-social behaviour, child well-being and access to services and facilities and affordable housing. This Local Plan provides for new development in a way that helps deal with Banbury's social issues and provides necessary community facilities, working in combination with the Council's 'Brighter Futures in Banbury' project which has been established to improve outcomes. In particular, the proposals for area renewal around Woodgreen and the wider Bretch Hill area are concerned with renewing the physical and community fabric of the area, to help reduce social disadvantage, improve health and well-being, educational attainment and employment outcomes. This approach will be extended to other wards within Banbury over the life of this plan and beyond.

C.125 The key community issues facing Banbury are:

- The need to ensure social opportunities increase in a number of wards in Banbury, particularly Ruscote ward and two areas of Banbury Grimsbury and Castle Ward which are in the 20 per cent most deprived areas nationally according to the Index of Multiple Deprivation 2010.
- The need to foster social cohesion, integration and equal opportunity: Banbury has a diverse population, with higher concentrations of people of non-white ethnic origin than elsewhere in the District, many of whom live in the more deprived areas.
- The need to reduce the incidences of teenage pregnancy, anti-social behaviour and to improve educational attendance and attainment.
- The need for a replacement library.
- The need for affordable housing and a more diverse private rented housing sector.
- The need to improve access to services and facilities and to address deficiencies. A new ground is needed for Banbury United Football Club, and the town is lacking 11 junior football pitches, 1 cricket pitch, children's play space, allotments and tennis court provision. There are deficiencies in natural/semi-natural green space. Accessibility to open space and recreation opportunities is also mixed. Improved cultural facilities are also needed.

- Additional open space, sport and recreation provision will also be required to provide for future development needs.
- New cemetery space is also needed.

C.126 The Sustainable Community Strategy emphasises the importance of increasing opportunity across all wards in Banbury, reducing crime, anti-social behaviour and providing affordable housing and better training and employment opportunities. It looks to improve the skills and aspirations of young people and the opportunities open to them. It aims to provide better access for diverse communities to services and the provision of affordable recreational opportunities to help residents of all ages stay healthy. Retention of Banbury's Horton General Hospital remains of particular importance as a valued community facility and given the distance to alternatives.

Meeting the Challenge of Ensuring Sustainable Development in Banbury

C.127 Banbury's rapid post-war and continuing expansion has placed great pressures on its environment. The quality and distinctiveness of Banbury's town centre, its residential areas, green spaces and employment areas are important to the well-being of existing residents and in attracting new businesses and drawing people to the town. Growth has pushed the built-up perimeter of the town close to major landscape and other constraints and managing further expansion is a major challenge. Improving the town's river / canal corridor and continuing with regeneration to improve the environment and make effective and efficient use of land is also

necessary. Banbury has some deficiencies in 'green' infrastructure which also need to be addressed.

C.128 Banbury's key environmental challenges are:

- managing growth in a way that will not unacceptably harm important natural and historic assets
- the need to manage traffic congestion and to provide more opportunities to travel using more sustainable modes
- improving footpaths and cycle ways to encourage walking and cycling
- preserving and enhancing the quality and distinctiveness of the urban area including the historic street pattern of the town centre
- recognising the river and canal as an asset and improving the river / canal corridor to improve the setting of the town centre
- make more efficient and effective use of land and enhance its ecological value
- improving access to natural and semi-natural green space
- the need for more publicly accessible woodland and protecting existing areas of urban woodland
- protecting the ecological value and the historic rural character of Salt Way.

C.129 The major environmental challenges at Banbury are managing growth in a way that will not unacceptably harm areas of sensitive landscape around the town; which will preserve and, where possible, enhance

natural and historic assets; plus its green spaces to provide more wooded areas and to minimise the impact of new development on the natural environment which will enhance biodiversity, improve the quality and distinctiveness of the built environment and which will maximise the opportunity for more sustainable traffic management and reducing carbon emissions. In particular we will regenerate land east of Banbury town centre and west of the railway line to improve the setting of Banbury town centre, the river/canal corridor and make effective and efficient use of underused land.

Banbury in 2031

C.130 By 2031, Banbury will have become a larger and more important economic and social focus for its residents, for business, and for a large rural hinterland.

- The town will have a more diverse economic base and new employment areas will have been established with levels of deprivation reduced.
- Over 7,000 new homes will have been constructed by 2031 of which a substantial number will be 'affordable'. New services, facilities and cultural and recreation opportunities will have been provided. A new football ground will have been provided.
- The town centre will be vibrant, regionally competitive and at the heart of the town; a place that builds on our heritage and natural assets. The quality and distinctiveness of the built environment will have improved, particularly as a result of Canalside regeneration and the construction of new urban extensions. There will be more opportunity to travel on foot, by cycle and by bus and traffic management measures will have been implemented.

- There will be more natural and semi-natural open space accessible to the public including new wooded areas and a green corridor or 'lung' will have been created through the town, with effective screening and access.
- Electrification of the railway line through Cherwell will encourage investment and regeneration at Banbury.
- plan new development in a way that will improve access to natural and semi-natural green space and promote opportunities for new publicly accessible wooded areas
- provide for new development in accessible locations which will provide good opportunities for improving and accessing public transport services, for delivering and using new cycleways, for travelling on foot and for minimising the impact on the highway network and traffic congestion

C.131 To achieve this vision, our strategy for Banbury is to:

- bring about Canalside regeneration for the benefit of the whole town
- ensure implementation of the permitted urban extension at Bankside
- support the role of the town centre by creating opportunities for further growth to meet the needs of local people
- help reduce the level of deprivation by securing benefits achieved through specific development proposals and by economic growth and diversification
- secure a site that will deliver a new ground for Banbury United Football Club in an accessible location
- provide for new development that will bring with it new open space and recreation opportunities

What will Happen and Where

C.132 Mixed use strategic development sites delivering housing, services and facilities and contributions to local infrastructure are considered to be the most sustainable way of meeting Banbury's housing needs and addressing the issues facing the town. We have sought to identify sites which will maximise benefits in terms of providing new homes and affordable housing, address deprivation, encourage economic growth and achieve good urban design, and to balance this with the need to minimise the use of natural resources, the harm to nearby villages and the surrounding the landscape, and the pressure on the road network.

C.133 A major strategic site of some 1,090 dwellings has already been permitted for the south east of Banbury at Bankside and will be delivered with a new primary school, park, playing fields, shops, community facilities and employment opportunities. A further extension of the site and the relocation of the town's football club next to the existing rugby club will complete development in this area. The now completed redevelopment of the former Cattle Market site will be complemented by major Canalside regeneration close to the

town centre. An extension to the west of the town will be accompanied by proposals to help the regeneration of the wider Bretch Hill area and extensions to the north of the town will bring about new housing and community facilities.

Strategic Development: Banbury I - Banbury Canalside

C.134 Banbury Canalside is the name given to the land between Banbury Town Centre and Banbury Railway Station. The successful regeneration of Canalside and its potential to act as a catalyst for change in the town has been a key component of Cherwell District Council's planning and regeneration aims for a number of years.



C.135 Canalside represents a major opportunity to redevelop a substantial area close to the town centre, to secure improved access to the town's railway station, the reintegration of the canal as a central feature of the town, and to provide new residential, commercial and retail development.

C.136 Canalside is a highly sustainable location for housing development close to the town centre, railway station, bus station, leisure centre, parks, a supermarket, health centre and community centre. Its redevelopment will make effective use of brownfield land, contribute towards the remediation of contaminated land and significantly reduce the need for less sustainable greenfield development on the edges of the town.

C.137 Given the complexities of the site, a separate SPD is in preparation which will form the basis for developing an Action Plan to take forward this regeneration scheme.

Policy Banbury I: Banbury Canalside

Development Area: 26 hectares

Development Description: Provision of new homes, retail, office and leisure uses, public open space, pedestrian and cycle routes including new footbridges over the railway line, river and canal, and multi-storey car parks to serve Banbury railway station. Re-development would bring about significant environmental benefits in terms of improving the appearance of the built environment, the town centre, and the quality of the river and canal corridor. The wider community will have access to new services and facilities and Banbury's economy will benefit with the increase in the number of visitors to the town.

Housing

- **Number of homes - Approximately 700. Dwelling mix - approximately 70% houses 30% flats. Generally, flats and smaller homes to the north and west of the site, larger family homes to the south and east**
- **Affordable Housing - 30%**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing.**

Employment

- **Land Area - 15,000m²**
- **Use classes - Commercial uses (only limited new B1a office use classes). Town centre uses (in the northern part of the site - see Policy Banbury 7).**

Infrastructure Needs

- **Education - Contributions will be required to primary and secondary education provision**
- **Health - No health requirements anticipated**
- **Open Space - High quality open spaces that follow the canal and river corridor and support greater connectivity of the area and provided in line with Council requirements**
- **Access and Movement - Use of existing junctions at Station Approach (from Bridge Street), Canal Street (from Windsor Street), Lower Cherwell Street (from Windsor Street) and Tramway Road (or a realigned Tramway Road) with a new junction off Swan Close Road provided west of Tramway Road. Provision of a bus only link provided from Station Approach to an extended Tramway Road. Improvements to Windsor Street, Upper Windsor Street and Cherwell Street corridor**
- **Community facilities - Nursery. A contribution towards indoor sports provision may be required.**
- **Utilities - Key constraints to development are located within the area to the east of the Oxford Canal. A twin foul rising main is also present, crossing the site from Canal Street to the football ground and there are also multiple existing services located in other places. The anticipated costs associated with relocating or realigning the other existing apparatus throughout the site are unlikely to be significant or 'abnormal' for a development of this type in a town centre location.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**

- **A distinctive residential proposition for Banbury that integrates well and helps make connections with the adjoining town centre and Railway Station**
- **An appropriate location for higher density housing to include a mixture of dwelling styles and types**
- **A high quality design and use of innovative architecture, including the use of robust and locally distinctive materials, which reflect the character and appearance of Banbury, respect the setting of the retained historic buildings and in particular reference the canal side location**
- **Taking advantage of the accessibility of the town centre, an age friendly neighbourhood with extra care housing and housing for wheel chair users and those with specialist supported housing needs**
- **Retail, commercial and leisure uses focused in the north of the site adjacent to the town centre and station, not including any significant convenience retail**
- **Units sized and located to attract small specialist leisure and niche retailers which combine to create a destination**
- **Selected leisure and entertainment uses including art spaces and galleries, restaurants and cafes**
- **The potential inclusion of live/work units**
- **A noise survey will be required to accompany any planning application**
- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities. New footpaths and cycleways should be provided that link to existing networks, with provision of a designated pedestrian and cycle route from the station to the town centre over the canal and river and a new pedestrian / cycle bridge over the railway**
- **New pedestrian and cycle bridges erected over the Oxford Canal and the River Cherwell to enable and encourage walking and cycling through the site**
- **The River Cherwell should be maintained in a semi natural state and mature trees should remain**
- **Provision of a landscape corridor along the edge of the river to facilitate a footpath and cycleway on one or both sides for the length of the river through Canalside to link the open countryside of the Cherwell Valley to the south with Spiceball Park to the north**
- **Open/urban spaces provided in various locations within the site and new trees planted**
- **High quality open spaces that follow the canal and river corridor and support greater connectivity of the area**
- **The implementation of proposals in the Movement Strategy including improved junction arrangements on Bridge Street and Cherwell Street to improve traffic capacity but also to facilitate pedestrian movement between the town centre and Canalside**

- **Buildings fronting Windsor Street enabling pedestrian permeability of the site to correspond with the proposed highway improvements which include frequent informal crossing points along Windsor Street**
- **Parking provision that complies with County Council's Parking Standards for new Residential Developments Policy and will not exceed maximum standards. Some car free areas or areas of reduced levels of parking with innovative solutions to accommodating the private car**
- **Good accessibility to public transport services should be provided for, including the provision of a bus route through the site with buses stopping at the railway Station and at new bus stops on the site**
- **A transport assessment and Travel Plan to accompany development proposals**
- **Development fronting on to the canal and public access to and from the canal**
- **The continued use of canal boats for leisure purposes with a canal basin and mooring facilities located in the northern part of the site with the opportunity to enhance facilities and mooring in this area.**
- **Preservation and enhancement of the biodiversity value of the site, with the enhancement, restoration or creation of wildlife corridors (recognising the importance of the river and canal corridors)**
- **Retention and integration of the most valuable historic buildings/structures including the Grade II Listed Old Town Hall and the bridge over the river.**
- **The integration of existing historic buildings, which will enrich the environment and maintain the long term character of the area**
- **Public art should be provided and there is the opportunity for this to be creatively engaged through the creative refurbishment of existing buildings and new bridges to the canal**
- **Appropriate treatment and remediation of contaminated land**
- **Provision of sustainable drainage in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the recommendations of the Council's Strategic Flood Risk Assessment**
- **Compliance with policies ESD 1-5 on climate change mitigation and adaptation**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Development proposals to be accompanied by a landscape and visual impact assessment together with a heritage assessment.**

Additional requirements for this large complex site include:

- **Development proposals will be expected to be in accordance with a Supplementary Planning Document (SPD) for the site. Ideally proposals should come forward for the whole site accompanied by a detailed masterplan but applications for parts of the site may be permitted provided that they clearly demonstrate their proposals will contribute towards the creation of a single integrated community. Applications**

should cover significant land area within the site in order to achieve continuity in design and delivery of the vision. Reduced levels of open space may be considered if it can be demonstrated that high quality urban spaces are being provided within the scheme and strong links are being provided to the open areas to the north and the south by improvements to the Canal walkway.

- The Council will expect an application to demonstrate it has complied with the SPD and has taken into account the known or anticipated implications of the proposals on adjoining areas. The Council will expect applications to comply with the requirements for each character area in the SPD, but will not expect applications to necessarily cover the same geographical area.
- The Council believes that the most effective and equitable means of promoting development at Canalside will be based on an outline planning application being made by consortia of key landowners and/or their developer partners, supported by a masterplan. It is expected that key landowners will have agreed a means of capturing and mutually benefiting from the uplift in land values as a result of a successful development scheme.
- The Canalside area falls primarily within Flood Zones 2 and 3 at present. It has been subject to flooding in recent years and the Environment Agency (EA) has completed a scheme to provide flood alleviation to the town centre. The scheme will provide a defence for flood events up to the 1 in 200 year (0.5% annual probability) by constructing a flood storage area upstream of the town centre and bunds in places in the Canalside area. To assess the potential flood risk in the Canalside area, a level 2 Strategic Flood Risk Assessment has been undertaken to assess both the fluvial flood risk to the development proposals from the River Cherwell and the flood risk associated with the Oxford Canal. This confirms that with the implementation of the Flood Alleviation Scheme and the implementation of other measures on the site the site can be redeveloped safely. Applications will be required to follow the requirements set out in the Strategic Flood Risk Assessment and a detailed Flood Risk Assessment (FRA) for the site will be required with any planning application.
- The proposals for Canalside mean that nearly all existing land uses, buildings and businesses could be removed in the long term. One of the Council's key priorities is to ensure that businesses remain in Banbury or the District. The actual amount of land needed to accommodate operational businesses at Canalside is not significant and there are several options available to businesses. In terms of locations where businesses may wish to relocate to this could include within vacant units/premises elsewhere or in new buildings elsewhere. This could include on existing employment sites (through intensification) such as on the former SAPA and Hella sites, or in/on new buildings/sites allocated in the Council's Local Plan or Local Plan Part 2 such as on land near the motorway. The re-development of Canalside will provide businesses with the opportunity

to expand and invest for the future and the Council's Economic Development team will assist any businesses to relocate. The redevelopment of Canalside is a long term plan and therefore it is possible some businesses may want to remain on a temporary basis for some time. All of the existing businesses could be relocated but the Council will encourage existing businesses which are offices, retail units and community uses which are conducive to the aims of this Policy and the SPD to remain and occupy new buildings on the site, potentially helping them to expand and prosper in this town centre location. A number of the older buildings and the site of former industrial premises, offer considerable opportunities for re-use or re-development for industrial enterprises. Some of the industrial uses (B use classes) could remain and 700 dwellings can be delivered on the site with some of these remaining on the site. The particular uses and businesses that remain will be explored further in the SPD for the site which will include further consultation with landowners and businesses.

Strategic Development: Banbury 2 - Hardwick Farm, Southam Road (East and West)

C.138 The development area East and West of Southam Road at Hardwick Farm is a sustainable location for housing growth on the northern periphery of Banbury. The site is bounded to the east by the M40 and by a cemetery to the west.

C.139 The design of the development will need to respect the landscape sensitivity of the site, especially to the west where only the south east corner of the site is considered suitable for built development. The topography of the area rises to the north and the potential visual impact will need to be addressed. Careful consideration will be needed to the nearby heritage assets including Hardwick House, a listed building and an area of archaeological potential to the north of Noral Way (Hardwick Deserted Medieval Village) in the creation of a high quality neighbourhood.

Policy Banbury 2: Hardwick Farm, Southam Road (East and West)

Development Area: 32 hectares

Development Description: The Development Area east and west of the Southam Road is located in a sustainable location, close to existing employment uses and north of Banbury town centre. Residential development (of approximately 600 dwellings) will be permitted provided it can be demonstrated that high quality design has been applied to address the potential landscape/visual impact issues and that careful consideration has been given to minimise the impact on historic assets/ potential archaeological

sensitivity of the sites. A masterplan for the whole development area (east and west) should be submitted which demonstrates that proposals meet with the design and place shaping principles set out below; the masterplan should also demonstrate the successful integration of the development area with the rest of the town as well as an integrated approach between the areas east and west.

Housing

- **Number of homes: approximately 600 including no more than 90 homes to the western side of Southam Road**
- **Dwelling mix: A variety of dwelling types (see Policy BSC 4: Housing Mix)**
- **Affordable Housing - 30%**
- **The provision of extra care housing and the opportunity for community self-build affordable housing.**

Infrastructure Needs

- **Education – primary school required on site, location to be negotiated, with contributions towards secondary school provision**
- **Health – no requirements anticipated**
- **Open Space – to include general greenspace, play space, allotments and onsite or offsite outdoor sports provision as outlined in Policy BSC 11: Local Standards of Provision- Outdoor Recreation**
- **Community facilities – ideally an onsite community facility to include a community hall and with potential for a local shop. Off site contributions towards community hall at Hanwell Fields may also be required in addition. However the precise nature of the provision remains to be negotiated.**
- **Utilities – off site improvements to utilities network may be required.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **A high quality residential District for the north of Banbury that is designed in configuration with the landscape setting and well integrated with the adjacent commercial and residential uses**
- **A well considered approach to mitigating the landscape sensitivities through good design, including consideration of lower density building typologies, building height and form**
- **Development that respects the landscape setting with particular attention to the west of Southam Road where the visual sensitivity is considered to be greater. Careful consideration should be given to address the topographical changes on the site to ensure minimal visual impact**

- **The landscape sensitivity needs to be fully understood and should include a full landscape and visual impact assessment which establishes the zones of visual impact and the development envelope**
- **A lower housing density is anticipated on parts of the site due to landscape constraints**
- **Development that retains and enhances significant landscape features (e.g. hedgerows) which are or may be of ecological value; and where possible introduces new features (e.g. green buffer along the watercourse) to enhance, restore or create wildlife corridors and therefore preserve, enhance and increase biodiversity in the area**
- **A great crested newt survey will be required**
- **An archaeological survey will be required due to close proximity to heritage assets. Development should respect and have minimal impact on the historic environment, including listed buildings (Hardwick House) and area of archaeological potential north of Noral Way (Hardwick Deserted Medieval Village)**
- **Layout of development that enables a high degree of integration and connectivity between new and existing communities**
- **New footpaths and cycleways should be provided that link to existing networks, the wider urban area and community facilities, with a legible hierarchy of routes to encourage sustainable modes of travel**
- **Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops including the provision of a bus route through the site with buses stopping at the railway station and at new bus stops on the site**
- **A transport assessment and Travel Plan to accompany development proposals**
- **Consideration needs to be given to the traffic calming of Southam Road, including safe pedestrian crossing points and provision for walkers and cyclists to ensure ease of movement between the two sites.**
- **Development that considers and addresses any potential amenity issues which may arise- including noise impact from the M40 (forming the north-east boundary), and any issues arising from the crematorium (to the north). The introduction of buffers/barriers/screening and the location of uses should be carefully considered to mitigate potential nuisances**
- **Public open space to form a well-connected network of green areas within the site suitable for formal and informal recreation, with the opportunity to connect to the Cherwell Country Park (Policy Banbury 14: Cherwell Country Park)**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside**
- **The provision of public art to enhance the quality of the place, legibility and identity**
- **A well designed approach to the urban edge, which relates development at the periphery to its rural setting and affords good access to the countryside**

- **The incorporation of SuDS in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the Council's Strategic Flood Risk Assessment. The Council's Level 2 SFRA recommends for the east of Southam Road; combined infiltration and attenuation techniques are likely to be suitable in the north western corner, central and eastern areas, and attenuation SuDS techniques for the western, north eastern, south western, and south eastern areas. To the west of Southam Road, the Level 2 SFRA recommends combined infiltration and attenuation techniques are suitable for the north eastern corner, with the rest of the area incorporating attenuation SuDS techniques**
- **The Council's Level 2 SFRA asks for the adoption of a surface management framework as part of the masterplan to reduce surface water runoff**
- **The requirements in the level 2 SFRA need to be considered including the provision of dry access and egress and taking into account the Council's Emergency Plan**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.**

Strategic Development: Banbury 3 - West of Bretch Hill

C.140 Helping to create opportunity for all and positively renew and regenerate areas with challenging social conditions in parts of Banbury is important to the delivery of the objectives of the Local Plan. This strategic development to the west of Bretch Hill will positively contribute to improving opportunities in western Banbury by providing new housing and associated facilities and improvements to the built environment. It will also enhance the built environment and provide opportunities for contributions and linkages to long-term community based projects and schemes designed to specifically help community development.

C.141 Accommodating development in this area has challenges due to issues of landscape sensitivity. The ridges and slopes and historic

environment to the west of Banbury, and the rural character of, and important views from, the Banbury Fringe Circular Walk in this area will all warrant a very carefully designed development. The boundary of the site shown extends to Stratford Road to the north and the bridleway to the west. However, the whole of this area will not be developed. It is important that the rural character of the bridleway is maintained and that open space and landscaping is used to protect the character, appearance and setting of the Drayton Conservation Area, the listed Drayton Arch, the registered Wroxton Abbey Historic Park and Garden and the listed Withycombe Farmhouse to the south. The relationship with the wider landscape will also need careful consideration. Whilst some impact will be inevitable, the wider growth of the town and potential community benefits are considered to be overriding justification for strategic development in this area.

Policy Banbury 3: West of Bretch Hill**Development Area: Approximately 26.5 hectares****Development Description: Land west of Bretch Hill will be developed with approximately 400 homes to provide an integrated extension to the Bretch Hill area, to provide a mix of housing together with physical and social infrastructure.****Housing**

- **Number of homes: Approximately 400**
- **Dwelling mix - to be informed by Policy BSC4:Housing Mix**
- **Affordable Housing - 30%**
- **The provision of extra care housing and the opportunity for community self build affordable housing.**

Employment

- **Inclusion of some small scale enterprise space.**

Infrastructure Needs

- **Education - contributions will be required towards the expansion of existing primary schools. Contributions may also be sought towards provision of additional secondary school places.**
- **Health - improvements to existing surgery/on site provision**
- **Open Space - to include general greenspace, play space, allotments and outdoor sports provision as outlined in Policy BSC 11: Local Standards of Provision- Outdoor Recreation**
- **Access and Movement - A transport assessment and travel plan will be required to assess the transportation implications of the proposed development and identify mitigation measures. The existing Bretch Hill bus service may need amending/improving to serve the site. Vehicular access to the site should be provided from the existing development to the east of the site depending on the movement strategy of the Banbury Masterplan.**
- **Community facilities - contributions will be required towards the improvement of existing community facilities in the area. This will include a contribution towards improvement of indoor sports provision at Woodgreen.**
- **Police- Thames Valley police will require an on site drop in facility (or alternative contribution)**
- **Utilities - off site improvements to utilities network may be required.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15. An archaeological survey will be required.**
- **Development must respect the landscape setting, particularly the major ridgeline to the west of the site and the undulating landscape to the south-west. A landscape and visual impact assessment will be required.**
- **Development must respect the historic environment, including listed buildings (Withycombe Farmhouse, Drayton Arch and Park Farm Barns), Drayton Conservation Area and Wroxton Abbey parkland and their settings. Development must respect and enhance significant landscape features (e.g. hedgerows) which are or may be of ecological value; and where possible introduce new features to enhance, restore or create wildlife corridors. Ecological surveys should be used to identify wildlife corridors and features to be protected, including badger, bat and bird surveys. Overall, biodiversity should be preserved and enhanced.**
- **Existing trees and hedgerows and the area of woodland in the north east corner of the site should be retained**
- **New planting will be required to take place at an early stage to ensure planting is established prior to development being completed**
- **A well designed and soft approach to the urban edge will be required, which relates development at the periphery to its sensitive landscape setting and affords good access to the countryside. The development should improve the appearance of Banbury's western edge within the landscape**
- **The development layout should enable a high degree of integration with the Bretch Hill area to the east and connectivity between new and existing communities, including the provision of footpaths and cycleways that link with existing networks.**
- **New footpaths and cycleways should be provided that link to existing networks, the wider urban area and community facilities with a legible hierarchy of routes to encourage sustainable modes of travel**
- **Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops**
- **A transport assessment and Travel Plan to accompany development proposals**
- **Development should bring about wider community benefits for the Bretch Hill area**
- **Proposals should include provision of extra care housing and the opportunity for self-build affordable housing**
- **A layout that maximises the potential for walkable neighbourhoods with a legible hierarchy of routes. Existing public rights of way should be preserved and enhanced.**
- **A green buffer should be provided either side of the bridleway that marks the western boundary of the site, to safeguard the rural character of the bridleway marking the western boundary of the site and forming part of**

the **Banbury Fringe Circular Walk** which should be maintained and kept separate from the development

- **Public open space should form a well connected network of green areas within the site suitable for formal and informal recreation and connected with wider strategic landscaping. This should protect the landscape setting and provide a green north/south linear park along the western portion of the site. Formal recreation would be best located at the northern end of the site**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside**
- **Careful consideration should be given to the relationship of the development with existing streets and houses to the east**
- **Careful consideration should be given to the relationship between the existing edge of Bretch Hill and new development to ensure that the impact on existing residents is minimised**
- **Careful consideration should be given to building heights in relation to the landscape setting**
- **The provision of public art to enhance the quality of the place, legibility and identity**
- **A surface water management framework should be prepared to maintain runoff rates to greenfield run off rates and volumes**
- **Sustainable drainage should be provided for, including the use of SuDS in accordance with 'Policy ESD 7: Sustainable Drainage Systems (SuDS)'. The Council's Strategic Flood Risk Assessment and a site specific flood risk assessment should include consideration of whether infiltration SuDS techniques are suitable or whether attenuation techniques would be appropriate, informed by a site geological investigation**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan will be required.**

Strategic Development: Banbury 4 - Bankside Phase 2 (Links to Policy Banbury 12: Land for the Relocation of Banbury United FC)

C.142 A south-eastern urban extension to Banbury, providing some 1,090 new homes, has been granted planning permission and will be developed over the coming years.

The development will change the existing rural character of the area north-east of Bodicote on the eastern side of Oxford Road but will provide much needed family homes, including affordable housing. It will also bring about new services and facilities, canalside facilities, and an extensive area of public open space. In this changing context, there is capacity for this area to receive some additional development.

C.143 A Phase 2 development in this area would enable the consolidation of new infrastructure such as school provision, sport facilities and public open space together with the Phase 1 scheme. Land adjacent to the site would also be available to provide a new football ground for Banbury United to replace the existing ground which would be redeveloped as part of the proposals for Canalside (Policy Banbury 1: Banbury Canalside). This would provide the potential for some joint sharing of facilities such as car parks with the Banbury Rugby Club already located off Oxford Road at Bodicote.

C.144 The Phase 2 site comprises mostly 'Best and Most Versatile' agricultural land (grade 2 with some grade 3b). However, the site has relatively low landscape

sensitivity, no substantive flooding issues, and relatively few ecological constraints. Development will provide the opportunity to enhance biodiversity in this area including through the possibility of surface water attenuation as part of a Sustainable Urban Drainage System (SuDS)

C.145 The site will benefit from the provision of new services and facilities, a new employment area and a large valley park to be provided within Phase 1. There is potential to extend Phase 1 bus services, cycleways and footpaths to provide good accessibility to key destinations in the south of the town, particularly secondary schools, a major supermarket, GP surgeries and the hospital.

Policy Banbury 4: Bankside Phase 2

Development Area: 27 hectares

Development Description: 600 homes with associated services, facilities and other infrastructure.

Housing

- **Number of homes - Approximately 600**
- **Dwelling mix - to be informed by Policy BSC4: Housing Mix**
- **Affordable Housing - 30%**
- **The provision of extra care housing and the opportunity for community self-build affordable housing.**

Infrastructure

- **Education - contribution to expansion of Phase 1 school and contributions to secondary education provision**
- **Provision of vehicular, cycle and pedestrian access directly from the site into site Banbury 12**
- **Open Space - to include general greenspace, play space, allotments and outdoor sports provision as outlined in 'Policy BSC 11: Local Standards of Provision- Outdoor Recreation'. Account will be taken of open space provision in the Phase 1 scheme.**

- **Access and Movement** – bus route extension from Phase I
- **Community facilities** – local centre, contributions towards the enhancement of community facilities to be provided as part of phase I may be preferable to a community facility being provided on site. A contribution towards indoor sports provision may be required.
- **Utilities** – extension and enlargement of Phase I connections and pumping station if required.

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **Layout of development that enables a high degree of integration and connectivity with Bankside Phase One**
- **A layout that maximises the potential for walkable neighbourhoods with a legible hierarchy of routes with footpaths and cycleways provided on site with good linkages for cyclists and pedestrians to the wider urban area, existing networks and community facilities**
- **Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops and the provision of a bus route through the site**
- **A Transport Assessment and Travel Plan to accompany development proposals**
- **Development that respects the identity of Bodicote village**
- **Development that respects the Cherwell Valley landscape setting, the importance of Banbury's southern approach, and which protects important views from the south and east**
- **Development that ensures that important valley views from the park within Phase I are secured and retained**
- **A surface water management framework and the incorporation of attenuation Sustainable Urban Drainage Systems (SuDS) in accordance with 'Policy ESD 7: Sustainable Drainage Systems (SuDS)' and taking account of the recommendations of the Council's Strategic Flood Risk Assessment, to reduce surface water, control drainage and protect a Minor Aquifer (subject to further ground investigation)**
- **The retention of the line of Ash trees on the site's western boundary**
- **The protection of other important trees, the retention of hedgerows where possible to provide wildlife corridors, and the preservation and enhancement of the biodiversity value of the site. Development should demonstrate the enhancement, restoration or creation of wildlife corridors**
- **Public open space to form a well-connected network of green areas within the site suitable for formal and informal recreation. Outdoor sports provision should ideally be located in close proximity to the existing pitch provision at Banbury Rugby Club or the proposed relocation site for Banbury United Football Club (Policy Banbury 12: Land for the Relocation of Banbury United FC)**

- **Layout and design that ensures a satisfactory relationship between this development site and the proposed relocation site for Banbury United Football Club**
- **Development of the Design Code for Phase One with careful consideration of street frontages to ensure an appropriate building line and incorporation of active frontages. A well designed approach to the urban edge, which relates development at the periphery to its rural setting, creates clearly defined but soft boundaries, and affords good access to the countryside**
- **Protection of the rural character of the Public Right of Way along the site's southern boundary**
- **A green buffer to be provided to the north and east of the development and to the south to the east of the Rugby Club**
- **The incorporation of well-designed noise attenuation techniques in view of the site's proximity to the M40 motorway**
- **Provision of public art to enhance the quality of the place, legibility and identity**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Consideration of potential linkages to the Bankside Phase I community park and linear park identified under Policy Banbury 11**
- **Retention and enhancement of existing Public Rights of Way, and the provision of links from the development and Banbury's urban area to the wider Public Rights of Way network including the Oxford Canal Towpath**
- **Provision of vehicular, cycle and pedestrian access directly from the site into site Banbury 12**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments**
- **An archaeological field evaluation to assess the impact of the development on archaeological features.**

Strategic Development: Banbury 5 - North of Hanwell Fields

C.146 An area of land to the north-west of Banbury has been identified for development as an extension to the recent Hanwell Fields development. The 26 hectare site lies immediately north of Dukes Meadow Drive,

a carefully designed residential spine road which links Warwick Road to the west (adjoining the site) with Southam Road to the east. The road presently marks the northern extent of the town. The site will be developed in a planned, coordinated, integrated way using a single masterplan for the area as a whole.

C.147 The site benefits from its proximity to employment areas, a secondary school, supermarkets and a retail park in the north of the town. It is large enough to accommodate some small scale employment uses in addition to providing local services and facilities to complement those nearby in Hanwell Fields and to the south in Hardwick. It can be readily connected to, and integrated with, existing residential development to the south and there is also the potential to improve local bus services to the wider area.

C.148 The site includes grade 2 and 3a 'Best and Most Versatile' agricultural land and has ecological value in its small areas of woodland, hedgerows and semi-improved grassland. Bats and badgers have also been recorded. Whilst the site is of some landscape value it is considered capable of accommodating some development and has no flooding issues. There is scope for wildlife mitigation and biodiversity enhancement through the replacement and improvement of existing features and the extension of green corridors.

C.149 Hanwell village is situated about 500m to the north and the southern boundary of its Conservation Area is approximately 400m from the site. The village also hosts a community observatory. Development of

the site can be achieved without harm to the character and appearance of the Conservation Area but the existence of a local ridgeline means that new houses could protrude into the skyline when viewed from the north. Careful design will therefore be necessary to ensure harm to the historic environment is avoided and the impacts on the character of the rural area and local amenity are minimised. This should include the enhancement of the band of semi-mature trees on the site's northern and western boundaries and detailed consideration of building heights and lighting schemes. The improvement of woodland to the north would help permanently establish a green buffer between the site and Hanwell.

C.150 It will also be important that development respects the design and layout of the Hanwell Fields development, sits well in the rural landscape, and ensures that a 'soft' urban edge is created in view of the site's prominent position at a northern gateway to Banbury.

C.151 Land North of Hanwell Fields has been identified as having the potential to provide up to 544 homes and associated services, facilities and other infrastructure, set out in the policy below.

Policy Banbury 5: North of Hanwell Fields

Development Area: 26 hectares

Development Description: Located at the northern edge of Banbury, this residential-led strategic development site will provide approximately 544 dwellings with associated facilities and infrastructure in a scheme that demonstrates a sensitive response to this urban fringe location.

Housing

- **Number of homes - Approximately 544**
- **Dwelling mix - to be informed by Policy BSC4:Housing Mix**

- **Affordable Housing - 30%**
- **The provision of extra care housing and the opportunity for community self build affordable housing.**

Infrastructure Needs

- **Education - contributions will be required towards the expansion of existing primary schools. Contributions may also be sought towards provision of additional secondary school places.**
- **Health - Health needs would be best met by expansion/improvement of existing surgeries or development of a branch surgery**
- **Open Space - to include general greenspace, play space, allotments and outdoor sports provision as outlined in 'Policy BSC 11: Local Standards of Provision- Outdoor Recreation'. Additional playing pitches can be provided towards the western edge, and children's play space on a phase by phase basis**
- **Access and Movement - Access off existing roundabout and Warwick Road. Extension and improvement of existing bus services.**
- **Community facilities - A contribution towards indoor sports provision may be required**
- **Utilities - Two new electrical substations will be required; Hanwell Fields water booster station will need to be upgraded, Hardwick Hall booster pumps will need to be upgraded, SuDS will be required, off-site improvements to the sewerage networks may be required**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **Layout of development that enables a high degree of integration and connectivity with the Hanwell Fields development to the south**
- **A high quality residential District for the north of Banbury that is designed with consideration to the landscape setting and well integrated with the adjacent residential area**
- **Development should actively address Dukes Meadow Drive, providing active frontage and surveillance onto this route**
- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities**
- **New footpaths and cycleways should be provided that link with existing networks, the wider urban area and community facilities with a legible hierarchy of routes to encourage sustainable modes of travel**
- **Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops including the provision of a bus route through the site and new bus stops on the site**
- **Provision of a transport assessment and Travel Plan including to maximise connectivity with existing development, including linkages with and**

improvements to existing public transport servicing Hanwell Fields and the Hardwick area

- **A well designed, 'soft' approach to the urban edge, which integrates with the design and layout of the Hanwell Fields development and which respects the rural, gateway setting**
- **The maintenance of the integrity and quality of the strategic landscaping for the Hanwell Fields development**
- **Retention of the two Public Rights of Way and a layout that affords good access to the countryside**
- **Retention and enhancement of the semi-mature band of trees on northern and western boundaries and establishment of a green buffer between the site and Hanwell village**
- **Public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside**
- **Detailed consideration of ecological impacts, wildlife mitigation including relocation of a bat roost and the creation, restoration and enhancement of wildlife corridors to preserve and enhance biodiversity**
- **Development that retains and enhances significant landscape features (e.g. hedgerows) which are or may be of ecological value; and where possible introduces new features**
- **Careful design of the height and extent of built development to minimise adverse visual impact on the setting of Hanwell village and Hanwell Conservation Area**
- **An archaeological survey will be required due to close proximity to heritage assets**
- **Provision of appropriate lighting and the minimisation of light pollution in order to avoid interference with Hanwell Community Observatory based on appropriate technical assessment**
- **Provision of public art to enhance the quality of the place, legibility and identity**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5**
- **Use of attenuation SuDS techniques (and infiltration techniques in the south eastern area of the site) in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's Strategic Flood Risk Assessment**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing**
- **If necessary, the satisfactory incorporation of 3 existing dwellings into the scheme**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan**

- Take account of the Council's SFRA for the site
- Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments.

Strategic Development: Banbury 6 – Employment Land West of M40

C.152 The Council's aspirations for a new strategic employment site in this highly prominent location adjoining the M40 motorway and close to Junction 11 are in

the process of being released. Planning permission for B2 and/or B8 uses on 5.5 hectares of land in the northern part of the site has been implemented. A planning application has now been approved on the land extending further south covering most of the allocation in the Local Plan. If any new applications are submitted for the site the following policy will apply.



C.153 The strategic road network and local distributor routes can be readily accessed from this area and be done so avoiding lorry

movements through residential areas. Although an edge of town site, it is also within walking distance of the town centre

and bus and railway stations. Development in this area provides an opportunity for high visibility economic investment, the remediation of land that is potentially contaminated (tertiary treatment of sewage), and the bringing into effective use land that would otherwise be unsuitable for residential purposes due to the impacts of neighbouring land uses. Land will be reserved for a new

road connection that enables traffic to bypass the town centre, enabling more sustainable movements within other parts of the town.

C.154 Policy Banbury 6 therefore seeks to deliver this land for economic development in the interest of delivering jobs and investment in a highly sustainable location.

Policy Banbury 6: Employment Land West of M40

Development Area: 35 hectares (in total)

Development Description: Located on the eastern edge of Banbury in an important position adjoining the M40, this strategic site provides for 35 hectares of mixed employment generating development. A variety of employment types will be sought to reflect the need for diversity and resilience in the local economy expressed in the Economic Development Strategy.

Employment

- **Use classes – B1 (Office), B2 (General Industrial) and B8 (Storage and Distribution)**
- **Land area – 35 ha (6 hectares already built)**
- **Jobs – approximately 2,500 (35 hectares).**

Infrastructure Needs

- **Open space – Incidental**
- **Access and Movement - route to be reserved for future road connection. Necessary contributions to other transport improvements to be sought.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **A high quality commercial District for the east of Banbury that has high connectivity to major transport routes and is well integrated with the adjacent commercial uses**
- **Layout of development that enables a high degree of integration and connectivity between new and existing development, including adjoining employment areas, nearby residential areas and the town centre**
- **Provision of new footpaths and cycleways that link to existing networks**
- **Protection of the amenity of the public footpath network including satisfactory treatment of existing footpaths on the site and diversion**

proposals where appropriate. Development should seek to connect the site to the existing footpath network to the west and east.

- **Good accessibility to public transport services should be provided for**
- **Contributions to the cost of establishing bus services to this area, linking with residential parts of Banbury, to reduce over-dependence on the car and consequent congestion on the road network**
- **Satisfactory access arrangements including a detailed transport assessment and Travel Plan given the location of the site close to the strategic road network**
- **Development that reserves the land for a future highway connection to bypass the town centre**
- **A high quality, well designed approach to the urban edge which functions as a high profile economic attractor but which also achieves a successful transition between town and country environments**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments**
- **Development that respects the landscape setting, that demonstrates the enhancement, restoration or creation of wildlife corridors, and the creation of a green infrastructure network for Banbury**
- **A comprehensive landscaping scheme including on-site provision to enhance the setting of buildings onsite and to limit visual intrusion into the wider landscape, particularly given the key views afforded into the site from higher ground in the wider vicinity**
- **Adequate investigation (through an ecological survey) treatment and management of protected habitats and species onsite to preserve and enhance biodiversity including habitat creation**
- **A high quality design and finish, with careful consideration given to layout, architecture, materials and colourings to reduce overall visual impact**
- **The height of buildings to reflect the scale of existing employment development in the vicinity**
- **Provision of public art to enhance the quality of the place, legibility and identity**
- **An archaeological survey will be required due to close proximity to heritage assets**
- **Development must not adversely affect the significance of the Banbury No 9 Filling Factory Scheduled monument on the east side of the M40 or the associated archaeological remains of the filling factory on the west side of the motorway, which although not scheduled, are regarded by English Heritage as being of national importance and which therefore should be considered in the same way as a Scheduled Monument.**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Full mitigation of flood risk in compliance with Policy ESD 6: Sustainable Flood Risk Management including the use of SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)), specifically attenuation SuDS**

techniques, taking account of the recommendations of the Council's Strategic Flood Risk Assessment

- Development should be rolled back to outside the modelled Flood Zone 3 envelope to create 'blue corridors' which provide public open space / recreation areas near watercourses
- Adoption of a surface water management framework to reduce run off to greenfield rates
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5
- An assessment of whether the site contains contaminated land including a detailed site survey where necessary
- An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.
- A soil management plan may be required to be submitted with planning applications.

Strategic Development: Banbury 7 - Strengthening Banbury Town Centre

C.155 Banbury town centre is the largest shopping and service centre in the hierarchy of the District's centres. It is a regional centre which draws in visitors from south Warwickshire, and south Northamptonshire, as well as from a rural hinterland within Oxfordshire. The town centre has substantial shopping floorspace as well as leisure, cultural, commercial and civic uses.



C.156 The historic heart of the town centre is the Market Place, and much of the town centre lies within the Banbury conservation area. The town centre has, however, grown significantly in recent years to the east with the opening of the Castle Shopping Centre in 1974 and its expansion into the Castle Quay Shopping Centre in 2000. There are an increasing number of vacancies in Banbury town centre. Focusing development in the town centre will contribute to addressing this issue.

C.157 The Council has worked with the Banbury Town Centre Partnership to develop a strategy for Banbury and this has informed the preparation of the Local Plan. The spatial strategy identifies a vision for the town centre and from this a number of themes emerge:

- We need to create more natural flows of people between the various quarters of the town centre.

- We need to encourage a broad mix of uses within the town centre and ensure there is a 'human dimension' throughout the day.
- The town centre should be accessible by a variety of transport options.
- We should make the most of our assets (our waterways, built and cultural heritage) using features and focal points to create and maintain the uniqueness and sense of community ownership.
- We should promote a wide variety of activities at all times of the year.
- We need to reflect and adapt to changes yet protect the asset of the town centre.
- The Retail Assessment carried out in 2012 identified a number of sites where it was considered that there is development potential. This work has been further supported by other work for the Canalside, Bolton Road and Spiceball Development Areas. On the basis of this work, the following sites are identified as being of strategic importance in meeting the Plan's objectives:
 - Canalside (Policy Banbury 1) - This area is identified as a strategic housing allocation to deliver a housing-led mixed-use regeneration of this area. This area will form an important link between the railway station and new housing to the south and the heart of the town centre.
 - Bolton Road Development Area (Policy Banbury 8) - This is a major opportunity for the regeneration of this area through mixed use development.
 - Banbury Spiceball Development Area (Policy Banbury 9) - Including land at the former Spiceball Sports and Leisure Centre, this site provides a unique opportunity to regenerate this area and introduce new retail and provision for the night economy as well as improved arts and cultural uses within an expanded town centre.

C.158 Land at Calthorpe Street also provides the opportunity to regenerate this historic part of the town centre which has experienced vacancies. It provides the opportunity to deliver a mixed use scheme including car parking. Opportunities for the site will be explored further in the Banbury Masterplan.

C.159 In addition, the Banbury Bus Station is an important site that links the existing Castle Quay shopping centre, Canalside and the Spiceball Development Area. It will be redeveloped within this plan period as part of a major investment programme to strengthen the town centre.

C.160 The boundary for the town centre is to be extended to facilitate additional town centre development that will broaden the attraction of central Banbury and assist economic growth. The existing boundary combines the town centre shopping area and town centre commercial area as previously set out in the Non-Statutory Cherwell Local Plan 2011 (see Map Banbury 7, Appendix 5).

This Local Plan extends the town centre to include the Spiceball Development Area (Policy Banbury 9).

C.161 The Plan also includes an area of search in the interest of extending the town centre into the northern part of the Canalside site (Policy Banbury 1) which includes the railway station. The regeneration of the Canalside area provides an opportunity to improve the attractiveness of the eastern edge of the town centre and take advantage of the river and canal corridor. Detailed planning of the Canalside area is continuing and therefore an area of search has been identified for further consideration in the Local Plan Part 2. This will be supported by further work through the Banbury Masterplan and Canalside SPDs.

C.162 Land at Bolton Road (Policy Banbury 8), another key development site, already lies within the town centre.

C.163 The Primary Shopping Frontage is that defined in the Non-Statutory Local Plan 2011 (reproduced at Map Banbury 7, Appendix 5). Any further, non-strategic review of the Town Centre Shopping Area, the Town Centre Commercial Area or the Primary Shopping Area will be undertaken through preparation of Local Plan Part 2.

C.164 In 2010 the Council commissioned an update to its 2006 PPS6 Retail Study and this identifies the capacity for comparison and convenience floorspace in each of the District's urban centres up to 2026. In the light of recent changes facing the retail sector this study has itself been followed by a further examination of retail needs through to 2031 and the opportunity that exists to strengthen Banbury's retail offer. In 2012 a study was commissioned and produced by CBRE which identifies the capacity for comparison and convenience retail floorspace in the District to 2031. A strategy for sites to accommodate retail floorspace is identified for Banbury. With proposals at Spiceball expected to deliver a new supermarket and some A3 uses and Bolton Road proposed to deliver new dwellings on a significant proportion of the site, land at Calthorpe Street is likely to contribute to ensuring that the retail needs of an expanding town are met. Following the CBRE study our Plan aims to help strengthen the retail base of the town centre, supporting the growth of retailers, particularly independent retailers and the night economy, to encourage dwell time and help generate new employment. The Local Plan identifies land within Banbury town centre that will help meet Banbury's identified need as well as positioning Banbury to compete on a regional basis.

Policy Banbury 7: Strengthening Banbury Town Centre

Shopping, leisure and other 'Main Town Centre Uses' will be supported within the boundary of Banbury town centre. Residential development will be supported in appropriate locations in the town centre except where it will lead to a loss of retail or other main town centre uses.

The change of use of sites used for main town centre uses in the town centre for residential development will normally be permitted if proposals contribute significantly to the regeneration of the town centre. Mixed use schemes will be encouraged.

A1 uses will not be permitted within the existing Town Centre Commercial Area.

Only A1 and A3 uses will be permitted on the ground floor in the primary shopping frontage. Residential development will not be permitted within the primary shopping frontage unless above ground floor level.

The Council will identify an extension to the Town Centre within the defined 'Town Centre Extension - Area of Search'. Prior to this retail and other main town centre uses will only be supported within the 'Area of Search' should they form part of a package of proposals to help deliver the aims for Banbury Canalside and be in accordance with Policy Banbury I.

In all cases proposals for town centre uses will be considered against Policies SLE2, ESD10 and ESD15.

Strategic Development: Banbury 8 – Bolton Road Development Area

C.165 Land at Bolton Road will be developed to provide new shopping, residential and other town centre uses. The site lies immediately to the west of the Castle Quay Shopping Centre and to the north of Parsons Street. It comprises a large multi-storey car park, a number of smaller car parks and service areas associated with commercial units fronting Parsons Street, a former car repair workshop, a Bingo Hall and a number of historic outbuildings.

C.166 The PPS6 Assessment carried out for the Council in 2006, its subsequent review 'The Retail Study Update 2010' and the initial Bolton Road site analysis identified that this site could offer suitable accommodation for larger retailers and should be given the greatest priority by the Council. The site offers an ideal opportunity to provide significant additional retail floorspace adjacent to the current Shopping Centre and presents

the potential to provide a link through to Parsons Street to improve pedestrian circulation in this area capitalising on the recent pedestrianisation of Parsons Street.

C.167 The Council is preparing a masterplan for the Bolton Road site in the form of a Supplementary Planning Document (SPD). It will set out the capacity and mix of uses that should be supported on the site to ensure a comprehensive and viable scheme that sits well with the Conservation Area that it sits alongside. The aim is to secure a mix of convenience and comparison shopping on the site, together with other uses including high quality residential and leisure uses at the heart of Banbury. The site will connect and integrate with the Castle Quay shopping centre, and link through to Parsons Street, strengthening the role of the independent sector to increase footfall. We intend to secure a high quality mixed use development on the site which would also provide the option for food retailing. The site provides the opportunity to provide high quality residential development in a town centre location.

Policy Banbury 8: Bolton Road Development Area

Development Area: 2 hectares

Development Description: Bolton Road is located in a prominent location on the northern edge of Banbury Town Centre. The Council will seek the redevelopment of the area to include a range of town centre and high quality residential uses that will regenerate and enliven this part of the town centre. Proposals should respect and enhance the historical setting, and include the creation of a high quality public realm, which ensures successful integration and connectivity with the rest of the town centre.

Employment

- **Use classes:**
 - **Retail:** including small scale class A1, A3 including boutique stores
 - **Hotel (C1)**
 - **Leisure (D2)**
 - **Ancillary Residential (C3)**
 - **Car parking.**

Housing

- **200 dwellings** – Residential use would be acceptable in conjunction with the wider retail and leisure proposal.

Infrastructure Needs

- **Education** – Contributions towards primary and secondary school provision
- **Access and Movement** – Improved links between the site and Parsons Street
- **Community facilities** – Replacement of the Bingo hall is required. A contribution towards indoor sports provision may be required.
- **Utilities** – off site improvements to utilities network may be required.

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **A high quality landmark mixed use development in Banbury Town Centre that will support the regeneration of this area and its integration in to the wider town centre**
- **Pedestrian and cycle linkages that enable a high degree of integration and connectivity with existing networks, particularly between Parsons Street,**

North Bar Street and Castle Street integrating these areas through well considered connections, building configuration and public realm

- **Residential development that is designed to a very high quality considering the impact on the conservation area**
- **A transport assessment and Travel Plan to accompany development proposals**
- **Provision of high quality routes to allow for accessibility to public transport services and sustainable modes of travel**
- **A high quality design, with the use of high quality materials in light of the adjoining historical setting**
- **A design which respects and enhances the conservation area and the historical grain of the adjoining areas especially the Grade II listed building to the west of the site**
- **The creation of a high quality public realm with careful consideration of street frontages and elevation treatment to ensure an active and vibrant public realm**
- **Height and massing sensitive to the surroundings, ensuring there is no adverse effect on important views/vistas**
- **There is an opportunity for low key, high end development, formed along new lanes that connect the area to Parsons Street**
- **Architectural innovation is expected where large scale buildings and car parking areas are proposed to ensure that these objectives are met**
- **Provision of public art to enhance the quality of the place, legibility and identity**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **The incorporation of SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)), taking account of the Council's Strategic Flood Risk Assessment**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5.**
- **An archaeological field evaluation to assess the impact of the development on archaeological features.**

Additional requirements for this site include:

Development proposals will be expected to be in accordance with a Supplementary Planning Document (SPD) for the site. A comprehensive approach to site planning and delivery is preferred with proposals being for the whole site accompanied by a detailed masterplan. A phased approach may be permitted provided that they clearly demonstrate that proposals will contribute towards the creation a single integrated community and coherent development. In order to achieve continuity in design and delivery of the vision, a small-scale piecemeal approach would not be appropriate.

The Council will expect an application to demonstrate it has complied with the SPD and has taken into account and planned for the known or anticipated implications of the proposals on remaining areas.

Strategic Development: Banbury 9 - Spiceball Development Area

C.168 The land to the immediate north east of the Castle Quay Shopping Centre is home to a range of uses including the Mill Arts Centre, the Banbury Museum and the site of the former Spiceball Sports and Leisure Centre. On the other side of the river a new Spiceball Leisure Centre was completed in December 2009.



C.169 With the Museum and Arts Centre already established and the former sports centre site cleared, land between the canal and river is uniquely placed to deliver a shared vision of the District and County Councils: to deliver a further extension to the town centre to provide new retail and leisure uses, provide opportunities for a strengthened night economy, and enhance the appeal of central Banbury to both residents and visitors. It will be important that development in this area capitalises on its excellent linkages with the existing town centre and in particular the recreational potential of its canal and river front location. A high standard of design will be essential.

C.170 The Council is working with the County Council to deliver this project and will work with other stakeholders in shaping the proposals.

Policy Banbury 9: Spiceball Development Area

Development Area: 5 hectares

Development Description: Land between the canal and river Cherwell to the north east of the Castle Quay Shopping Centre will be developed to provide a mixture of town centre uses, comprising new retail and leisure uses associated with strengthening the night economy of the centre of Banbury.

- **Use classes - Retail (including small A1, A3), Hotel (C1), Leisure (D2), Car parking.**

Infrastructure Needs

- **Open Space** – to be focused on the canal/river corridor and linking with existing open space to contribute to the objective of creating a linear park and thoroughfare from the north of the town to Bankside in the south
- **Access and Movement** – access achieved from existing Spiceball park Road
- **Utilities** – off site improvements to utilities network may be required.

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD10 and ESD15**
- **Well-designed retail premises and leisure services should form a key element of this mixed use development**
- **A high quality landmark mixed retail and leisure development that supports the growth of the Town Centre to the north of the Oxford Canal and helps integrate and improve access to the existing Spiceball Leisure Centre**
- **A refurbished Mill Arts Centre**
- **A new library for Banbury**
- **A public space focusing on the Oxford Canal and/or river and improved pedestrian access to the new Spiceball Centre from the town centre**
- **Public transport should be provided for, including the provision of new bus stops**
- **New footpaths and cycleways should be provided, that link to existing networks**
- **Additional car parking with opportunities for commercial and residential uses above**
- **A Transport Assessment and Travel Plan to accompany development proposals**
- **The creation of a high quality public realm with careful consideration of street frontages and elevation treatment to ensure an active and vibrant public realm**
- **Architectural innovation is expected with large scale buildings and car parking areas to ensure that these objectives are met**
- **Height and massing sensitive to the surroundings, ensuring there are no adverse effects on important views/vistas**
- **A design which respects and enhances the adjoining historical setting, especially the Mill arts centre and other historic canal related heritage**
- **A design which maximises the opportunity of the Canal, providing active uses and more footfall in this area**
- **Pedestrian and cycle linkages that are fully integrated with a new, high quality public realm and enable a high degree of integration between the town and Spiceball Leisure Centre**

- **Provision for public art, relating to the canal to enhance the quality of the place, legibility and identity**
- **The Oxford Canal Towpath should be improved to encourage movement north to Spiceball Country Park and south to the Canalside area and the Bus Station**
- **Sustainable modes of travel should be encouraged**
- **A Flood Risk Assessment will be required for any future planning application**
- **Provision of sustainable drainage including the use of SuDS in accordance with 'Policy ESD 7: Sustainable Drainage Systems (SuDS)' and taking account of the Council's Strategic Flood Risk Assessment (SFRA), and the Level 2 SFRA**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5.**

Additional requirements for this site include:

A comprehensive approach to site planning and delivery is preferred with proposals for the whole site being accompanied by a detailed masterplan. A phased approach may be permitted provided it can be clearly demonstrated that proposals will contribute towards the creation of a single integrated and coherent development. In order to achieve continuity in design and delivery of the vision, a small-scale, piecemeal approach would not be appropriate.

Applications should take into account and plan for the known or anticipated implications of proposals on remaining areas.

Strategic Development: Banbury 10 - Bretch Hill Regeneration Area

C.171 The Bretch Hill area is centred on Ruscot Ward. This is a ward with relatively low levels of income and employment, while poorer health and well-being and lower education and training outcomes are particular issues in this area of the town. The 'Brighter Futures in Banbury' initiative brings together key agencies to address such issues in the town and a number of projects are being pursued targeting western Banbury, together with Grimsbury in eastern Banbury.

C.172 Helping to create opportunity for all and positively renew and regenerate areas with challenging social conditions in parts of Banbury is important to the delivery of the objectives of the Local Plan. The strategic development to the west of Bretch Hill (Policy Banbury 3: West of Bretch Hill) will positively contribute to improving opportunities in western Banbury by providing new housing and associated facilities and improvements to the built environment. It will also provide opportunities for contributions and linkages to long-term community based projects and schemes designed to specifically help community development.

C.173 A number of opportunities exist to further improve the Bretch Hill area and the identification of a regeneration area focused on Ruscote Ward and part of Neithrop Ward under ‘Policy Banbury 10: Bretch Hill Regeneration Area’ below is intended to promote development proposals that would help to address some of the issues in this part of the town.

C.174 The area of Bretch Hill will be regenerated through housing investment and new retail, community facilities and other investment from a multi-agency partnership. Area renewal will help improve the community fabric of the area, help reduce social disadvantage, improve health and well-being, educational attainment and employment opportunities. This development area takes forward many elements of the ‘Brighter Futures in Banbury’ initiative on a multi-agency basis.

C.175 Planning permission will be granted for small scale redevelopment/renewal proposals that would result in improvements to the existing housing stock, retail and community facilities and services, and local employment, including opportunities for redevelopment in the Woodgreen area. An Area Action Plan will be prepared as the required means of delivery.

C.176 The Sanctuary Group owns and manages a significant proportion of the affordable housing in the area, which

provides the opportunity for further improvements to the housing stock. Neighbourhood Planning Front Runner status has secured funding for a community led self build housing scheme at the Fairway Methodist site. This is the first scheme to be developed under the Council’s “Build!” programme and the land will be owned by the Community Land Trust (CLT) being established to facilitate community-led housing on a wider scale. The policy encourages further development proposals which would include an element of self build and community involvement, to progress the aims of “Build!” and the CLT.

C.177 Proposals which would provide local employment opportunities will be encouraged and the proposed development to the west of Bretch Hill (Policy Banbury 3: West of Bretch Hill) will include local recruitment of labour.

C.178 Local retail and community facilities in the Woodgreen area are in the ownership of Cherwell District Council and Oxfordshire County Council, which provides the opportunity for improvements and regeneration to maximise the use of buildings by co-locating/ sharing of facilities, ensuring the facilities can be used for longer periods of time, providing better accessibility and improved facilities.

Policy Banbury 10: Bretch Hill Regeneration Area

Development Area: Development area is indicative

Development Description: Development proposals will be permitted within the Bretch Hill regeneration area for small scale redevelopment/renewal that would result in improvements to the existing housing stock, retail and community facilities and services, and provide local employment. This will

include opportunities for redevelopment in the **Woodgreen** area, through investment from a multi-agency partnership. Development proposals incorporating elements of the following will be encouraged:

Housing

- Improvement/renewal of existing stock where opportunities exist e.g. **Sanctuary Group** improvement programme
- Small scale redevelopment where opportunities exist e.g. **Orchard Way** flats, **Woodgreen**
- Opportunities for community led self build housing in accordance with the “**Build!**” programme and **Community Land Trust** initiatives
- Development proposals including an element of shared ownership /shared equity properties.

Employment

- Increased opportunities for local employment and career progression through apprenticeships.

Infrastructure Needs

- **Education** – opportunities to improve educational attainment
- **Health** – improvements to existing surgery may be required
- **Open Space** – improvement/enhancement of open space/recreation facilities
- **Access and Movement** – Improved access to facilities. Enhance existing bus services to the town centre and improve links to employment sites through promoting greater awareness of opportunities to travel by bus, enhancing public transport infrastructure in **Bretch Hill** and walking and cycling links to bus stops
- **Community facilities** – Improvement of existing community facilities at the **Sunshine Centre** and facilities in the **Woodgreen** area. Opportunities for community involvement and services to be managed by local people will be encouraged.

Key site specific design and place shaping principles

- Proposals should comply with **Policy ESD10** and **ESD15**
- Layout of new development should enable a high degree of integration and connectivity with the existing communities and support improved walking and cycling connections to the **Town Centre**
- Development proposals should assist in addressing problems of deprivation in the existing community and aid community development

- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5**
- **Provision of public art to enhance the quality of place, legibility and identity.**

Strategic Development: Banbury 11 - Meeting the Need for Open Space, Sport and Recreation

C.179 There are existing deficiencies and future shortfalls in open space and recreation provision which will need to be addressed in part through the Local Plan. The action plans contained in the Playing Pitch and Green Spaces Strategies recommended deficiencies being met through a combination of improvements to the quality of and access to existing facilities, using existing areas of one type of open space to meet deficiencies in another type (e.g. locating play equipment on some areas of amenity open space), and the provision of new areas of open space.

C.180 Open space should form an integral part of new development and 'Policy BSC 11: Local Standards of Provision - Outdoor Recreation' indicates that provision should usually be made on site. The proposed strategic sites shown on the Policies Map (Appendix 5: Maps) will be expected to make provision on site for open space and recreation to meet the needs of the new development. The precise composition and size of green space provision will be determined in relation to the overall size of development, the character of the site, the overall green space provision in the locality and with reference to the minimum standards of provision set out in Policy BSC 11: Local Standards of Provision - Outdoor Recreation.

C.181 Whilst new development will only be expected to make provision for its own needs, meeting existing deficiencies requires land to be allocated through the Local Plan process. Based on the deficiencies identified in the Playing Pitch Strategy and the Green Space Strategy (as updated by the 2011 Open Space review) land is required for the following:

- 3 junior football pitches
- 1 cricket pitch
- 9.75 ha of allotments
- 8.81 ha of natural/semi-natural green space.

C.182 The Playing Pitch and Green Space Strategy estimated that the following additional provision was required to meet development needs to 2026:

- 6 junior pitches
- 2 mini-soccer pitches
- 2 cricket pitches
- 3 rugby pitches
- 3.3 ha park on the north west outskirts of the town

- 3.7 ha of natural/semi-natural space through new provision/public access agreements to privately owned sites
- 3.5 ha of amenity open space
- 5.41 ha of children's play space to be met through new equipped play areas and additional play opportunities using other open space
- 2 multi-use games areas (MUGAs)
- 2 tennis courts
- 1 bowling green
- 2.1 ha of allotments.

C.183 The Playing Pitch and Green Space Strategies were based on allocations in the draft Core Strategy and future needs are being updated to reflect the amount and preferred distribution of development in the District for an extended plan period through to 2031.

C.184 The most effective way of planning to meet current and future requirements is through integrating provision with the planning of the strategic sites. For example, the proposed strategic allocation on land west of Bretch Hill should provide the opportunity to contribute towards provision of a park on the north west outskirts of the town, which could assist in landscaping the proposed development and improving the urban fringe, in addition to providing a facility for the local population. The intended components of open space and recreation provision of the strategic sites are briefly summarised in the site allocation policies. Overall open space provision and green infrastructure requirements are being examined in more detail as part of the Banbury Masterplan work and any additional

non-strategic allocations will be contained in the forthcoming Local Plan Part 2. Further work is also being undertaken in relation to indoor sports provision.

C.185 'Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision', 'Policy BSC 11: Local Standards of Provision - Outdoor Recreation' and 'Policy BSC 12: Indoor Sport, Recreation and Community Facilities' will be used to help address existing deficiencies in provision and future development needs, in addition to 'Policy Banbury 11: Meeting the Need for Open Space, Sport and Recreation'.

C.186 The strategy retains the long-term objective of seeking to establish a series of open spaces based on the Oxford Canal and River Cherwell linked by public footpaths/cycleways. The Cherwell Country Park proposal (Policy Banbury 14: Cherwell Country Park) represents a major expansion of the public green space available to the citizens of Banbury. The river canal corridor provides the opportunity for flat, traffic free and pleasant footpath cycleway routes linking residential areas to employment areas, the town centre, railway station and bus station. The provision of these routes is an important measure in seeking to reduce the need to travel by private car. Contributions towards the provision of these routes and areas of open space will be sought from developers when it can be shown to be necessary in order to ensure that the development is adequately served by sustainable transport modes in a safe, segregated environment.

C.187 The regeneration of Canalside (Policy Banbury 1: Banbury Canalside) and Spiceball Development Area (Policy Banbury 9: Spiceball Development Area) will provide the opportunity to form public access routes alongside the canal and river, together with new areas of open space, improving the amenity and appearance of the area. Much of the land in the river /canal corridor lies

within the flood plain and there may be other opportunities to improve the open space network; for example the Council's proposed country park and community woodland at Wildmere Wood (Policy Banbury 14: Cherwell Country Park), which has the

potential to contribute to the green infrastructure network of the town, improving the river corridor by providing a screen for the M40 to the north and Wildmere Industrial Estate to the south.

Policy Banbury 11: Meeting the Need for Open Space, Sport and Recreation

As part of measures to address current and future deficiencies in open space, sport and recreation provision in the town we will:

- **Retain the long-term objective of seeking to establish a series of open spaces based on the Oxford Canal and River Cherwell linked by public footpaths/cycleways, with the intention of creating a linear park and thoroughfare from the north of the town and Grimsbury reservoir to the new park to be provided as part of the committed development south of Bankside. Development that would prejudice this objective will not be permitted.**
- **Identify a site for the relocation of Banbury United Football Club (see 'Policy Banbury 12: Land for the Relocation of Banbury United FC').**

Strategic Development: Banbury 12 - Land for the Relocation of Banbury United FC

C.188 Banbury United Football Club is an important sporting and community asset with a long history. 'The Puritans' have over 20 teams including youth squads and a team for people with learning difficulties. The club presently occupies the Spencer Stadium at Station Approach but has been in need of a new ground for a number of years. The proposals for Canalside regeneration (Policy Banbury 1: Banbury Canalside) mean that an alternative site needs to be secured.



C.189 Land to the south of Banbury Rugby Club at Oxford Road, Bodicote is available. The site is in a suitable location on a main

transport corridor. The Local Plan identifies a site larger than required for the football club and the remaining land is considered suitable for a new secondary school to serve the town. There is also the potential for some sharing of facilities with the adjacent

rugby club. Sport England will be consulted on the proposals. In developing proposals, consideration will need to be given to the detailed traffic and amenity impacts arising from the proposed use of the site.

Policy Banbury 12: Land for the Relocation of Banbury United FC

An area of land to the east of the Oxford Road at Bodicote, to the south of Banbury Rugby Club, will be secured for the relocation of Banbury United Football Club and for sport and recreation use.

Development proposals for relocation of the football club will need to be accompanied by:

- **An assessment of the potential effects on the local community**
- **A transport assessment and travel plan to ensure the site is accessible by sustainable modes of transport and the traffic impact of the development is minimised**
- **A detailed survey of agricultural land quality and a soil management plan to ensure that soils are retained on site or re-used off site**
- **An ecological assessment including appropriate mitigation**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments**
- **A lighting strategy designed to limit upward glare in order to avoid adverse effects on nearby residents and wildlife.**

Vehicular access to the football ground shall be provided from Oxford Road.

The remaining land not required for the football club is considered suitable for a new secondary school to serve the town.

Strategic Development: Banbury 13 – Burial Site Provision in Banbury

C.190 As indicated above, additional burial site provision will be required during the Local Plan period to meet the needs of the

town. The Town Council has carried out initial investigations and has requested that land be allocated to provide increased burial capacity. However, this does not require a strategic land allocation to be made in the Local Plan and will therefore be progressed as part of the Local Plan Part 2.

Policy Banbury 13: Burial Site Provision in Banbury

An extension to the existing cemetery is required to meet the needs of both the existing population and future development in the town. As such developer contributions will be sought from new development in the town towards the establishment of the facility. Further details will be contained in the Developer Contributions SPD.

Detailed investigations will be required to determine the suitability of ground conditions for cemetery use.

Strategic Development: Banbury 14 – Cherwell Country Park

C.191 The Council has for some time held aspirations for a new community woodland to be established on the fringe of Banbury. It owns land at Wildmere Wood, immediately to the north of Wildmere Industrial estate, and the completion of the Banbury Flood Alleviation scheme to the north has provided the opportunity for the Council and the Environment Agency to work in partnership to design and implement a scheme for a new country park, designed to benefit both residents of and visitors to the town. The site is approximately 3 miles from the town centre and will be located in close proximity to the proposed Banbury Gateway retail development site. A Grade 2 listed lock and Lock Cottage on the Oxford Canal is located at the north end of the proposed country park.

C.192 The site comprises approximately 33ha of unused pastureland and includes the flood alleviation scheme comprising earth embankments to the east of the M40 corridor and a flood storage area with flood control structures adjacent. Additional land

acquired by the Council will enable the provision of a country park, including new woodland planting and to the north of the M40 there will be areas of wetland meadow, reedbeds and scrapes.

C.193 A visitor car park will be provided accessed via the Environment Agency's maintenance access to the Flood Alleviation Scheme embankment off the A361 Daventry Road. A network of existing rights of way and permissive paths will enable public access to most areas of the park and will also allow access to Wildmere Wood, currently inaccessible due to its position between the industrial estate, railway line embankment and private land.

C.194 Provision of a country park with new woodland planting will help meet deficiencies in natural/semi-natural provision identified in the evidence base, and will also contribute to the objectives of the Council's BAP. It will also help contribute to the objective of establishing a series of linked open spaces through the town based on the river canal corridor (Policy Banbury 11: Meeting the Need for Open Space, Sport and Recreation).

Policy Banbury I4: Cherwell Country Park**Development Area: 33 hectares**

Development Description: Land to the north of Wildmere Road industrial estate and east of the M40 will be developed as a country park, with a permissive footpath network with DDA access.

Infrastructure Needs

- **Access and Movement - A visitor car park is proposed off the A361 Daventry Road which will allow access to the Flood Alleviation Scheme Embankment permissive footpath and the proposed parkland between the canal, M40 and railway. Pedestrian and maintenance access will be provided between the existing Wildmere Wood and the new Country Park's permissive path system linking with the canal towpath, and the bridleway on the defunct Daventry Road.**

Key site specific design and place shaping principles

- **Woodland planting will form a major component of the scheme**
- **The scheme will include the creation of new habitats such as wetland scrapes, grassland and meadows.**

Strategic Development: Banbury I5 - Employment Land North East of Junction I I

C.195 This strategic employment site in this highly prominent location adjoining the M40 motorway and close to Junction I I is allocated for employment. This new employment site will ensure that the economic strengths of Banbury in manufacturing, high performance engineering and logistics can be maintained. The strategic road network and local distributor routes

can be readily accessed from this area and be done so avoiding lorry movements through residential areas. Although an edge of town site, it is also within walking distance of the town centre and bus and railway stations. Development in this area provides an opportunity for high visibility economic investment and the bringing into effective use land that would otherwise be unsuitable for residential purposes. Policy Banbury I5 therefore seeks to deliver this land for economic development in the interest of delivering jobs and investment in a highly sustainable location.

Policy Banbury I5: Employment Land North East of Junction I I**Development Area: 13 hectares (in total)**

Development Description: Located on the north eastern edge of Banbury in an important position adjoining the M40 and the A361, this strategic site comprises 13 hectares of land for mixed employment generating development. A variety of employment types will be sought to reflect the need for diversity and resilience in the local economy expressed in the Economic Development Strategy.

Employment

- **Jobs created** – approximately 1,000
- **Use classes** – B1 (Office), B2 (General Industrial) and B8 (Storage and Distribution).

Infrastructure Needs

- **Open space** - Incidental
- **Access and Movement** – access to A361 and M40 via Junction 11. Necessary contributions to other transport improvements will be sought, including improvements to bus services, walking and cycling routes. Contributions will also be required to improve operation of Junction 11 and Hennef Way junctions and to improved bus services.

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **A high quality commercial District** for the east of Banbury that has high connectivity to major transport routes and is well integrated with the adjacent commercial uses
- **Layout of development** that enables a high degree of integration and connectivity between new and existing development, including adjoining employment areas, nearby residential areas and the town centre
- **Provision of new footpaths and cycleways** that link to existing networks to link the site with the Banbury urban area
- **Protection of the amenity of the public footpath network** including satisfactory treatment of existing footpaths on the site and diversion proposals where appropriate
- **Good accessibility to public transport services** should be provided to link the site with the Banbury urban area and provide an alternative to travel by car
- **Satisfactory access arrangements** including a detailed transport assessment and Travel Plan given the location of the site close to the strategic road network
- **A high quality, well designed approach to the urban edge** which functions as a high profile economic attractor but which also achieves a successful transition between town and country environments

- **Development that respects the landscape setting, that demonstrates the enhancement, restoration or creation of wildlife corridors, and the creation of a green infrastructure network for Banbury**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments**
- **A comprehensive landscaping scheme including on-site provision to enhance the setting of buildings onsite and to limit visual intrusion into the wider landscape, particularly given the key views afforded into the site from higher ground in the wider vicinity**
- **Include planting of vegetation along strategic route ways to screen the noise**
- **Adequate investigation (through an ecological survey) treatment and management of priority habitats and protected species onsite to preserve and enhance biodiversity**
- **A high quality design and finish, with careful consideration given to layout, architecture, materials and colourings to reduce overall visual impact**
- **The height of buildings to reflect the scale of existing employment development in the vicinity**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Full mitigation of flood risk in compliance with Policy ESD 6: Sustainable Flood Risk Management including the use of SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)), specifically attenuation SuDS techniques, taking account of the recommendations of the Council's Strategic Flood Risk Assessment**
- **Adoption of a surface water management framework to reduce run off to greenfield rates**
- **Demonstration of climate change mitigation and adaptation measures including demonstration of compliance with the requirements of policies ESD 1 - 5**
- **An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary.**

Strategic Development in South West Banbury

C.196 The Development Area known as Banbury South West comprises a number of adjoining development sites which will, collectively, deliver up to 1,495 dwellings in local communities with strong links to the town centre. The developments will bring forward affordable housing, a new primary

school and local centre as well as formal and informal open space and other infrastructure benefits.

C.197 The Banbury South West Development Area is bounded by the existing urban edge of Banbury and Salt Way to the north, by White Post Road to the east, and extends to Crouch Farm to the west. The A361 bisects the development sites in a north south direction.

C.198 The broad layout and design of the developments within the Banbury South West Development Area will reflect the existing character and form of the landscape and will contribute to the creation and enhancement of local green infrastructure networks. Proposals should demonstrate:

- strong design and place shaping principles
- how development does not compromise but complements adjoining development – existing and proposed
- facilitates or contributes to the delivery of necessary infrastructure.

C.199 Each individual development site will provide the necessary infrastructure to support itself to avoid placing any constraint or unreasonable burden upon either preceding or subsequent development sites that collectively comprise the Banbury South West area. Each development site will therefore contribute as necessary to the delivery of infrastructure within the area through onsite provision or an appropriate off-site financial contribution towards provision elsewhere in the Banbury South West areas to be secured through s106 agreement or CIL. This approach will ensure that individual sites are capable of coming forward independently, yet in a complementary manner.

C.200 Each individual development site is supported by its own site-specific policy that sets out the necessary infrastructure required for that specific development to provide the necessary confidence regarding the relationship between each of the sites that collectively comprise the Banbury South West area and to ensure timely and appropriate provision of infrastructure alongside the delivery of development.

Strategic Development: Banbury 16 – South of Salt Way - West

C.201 This site is located to the south of Salt Way, to the west of the A361 Bloxham Road. Public rights of way cross the site from north to south and run along part of the eastern site boundary, whilst the public right of way of the Salt Way, an important historical, ecological and recreational route, runs along the site's northern boundary.

C.202 Part of Salt Way is a proposed new Local Wildlife Site and is a non-designated heritage asset. There is BAP habitat (broadleaved woodland) along the northern site boundary and some stretches of the eastern boundaries, and dense hedgerows around the site boundary. There are records of protected species in the locality. Crouch Farm, to the west of the site, is Grade II listed and there are further listed buildings in the wider vicinity (Wykham Park Farm). The site is located in an area of archaeological potential where a number of Iron Age and Roman sites have been recorded.

C.203 Crouch Hill (together with its setting), to the north west of the site, is an important historical and topographical landscape landmark in Banbury and is considered to be a non-designated heritage asset. Site Banbury 16 provides the opportunity to develop the south west of Banbury in a coordinated and integrated way, delivering the necessary facilities and infrastructure in a timely manner. The westernmost extent of the site identified as Banbury 16 reflects the existing development to the north at Waller Drive, and follows existing field boundaries. Beyond this, development would have significant landscape and visual impacts including upon the setting of Crouch Hill.

Policy Banbury 16: South of Salt Way - West**Development Area: 8 hectares****Development Description: Development of land at South of Salt Way – west will deliver up to 150 dwellings with associated facilities and infrastructure.****Housing**

- **Number of homes - Up to 150 dwellings**
- **Affordable Housing - 30%.**

Infrastructure Needs

- **Education – contributions will be required towards the expansion of existing primary schools and/or the provision of the new school at Banbury 17. Contributions will also be sought towards provision of secondary school places;**
- **Open Space – to include general greenspace, play space, allotments and sports provision as outlined in Policy BSC11: Local Standards of Provision – Outdoor Recreation. Contributions towards off site provision for allotments and sports provision to be provided to the south of site Banbury 17 will be required in lieu of provision on site;**
- **Community – contributions will be required towards the improvement of existing community facilities in the area;**
- **Access and movements – A transport assessment and travel plan will be required to assess the transportation implications of the proposed development and to identify appropriate mitigation measures – Access to be created off the Bloxham Road (A361).**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **Development must respect the landscape setting and provide an appropriate development interface with Salt Way (any buffer is likely to be some 10-20 metres in accordance with the approach adopted at land east of Bloxham Road and south of Salt Way)**
- **Existing natural features and additional structural planting will reinforce the landscape framework upon which to structure development parcels**
- **A linked network of cycle and footways to provide access into Banbury**
- **Layout of development that enables a high degree of integration and connectivity with existing development**
- **A high quality locally distinctive residential District for the south west of Banbury that is designed with consideration to the landscape setting and well integrated with the adjacent residential area**

- **Consideration of the impact of development on Crouch Hill**
- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities**
- **New footpaths and cycleways should be provided that link with existing networks, the wider urban area and community facilities with a legible hierarchy of routes to encourage sustainable modes of travel**
- **The existing footpath extending from the southern corner of the site to Salt Way should be enhanced to enable a circular link from the new footpath/ bridleway to be provided at the southern edge of site Banbury 17 to Salt Way**
- **Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops**
- **Bus stops should be provided on Bloxham Road, with good walking routes. The developers will be required to contribute to the cost of improved public transport**
- **Provision of a transport assessment and Travel Plan to maximise connectivity with existing development, including linkages with and improvements to existing public transport**
- **A well designed, 'soft' approach to the urban edge, which respects the rural setting**
- **Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments**
- **Retention of Public Rights of Way and a layout that affords good access to the countryside**
- **Retention and enhancement of existing hedgerows and trees**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside**
- **Public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation**
- **Detailed consideration of ecological impacts, wildlife mitigation, restoration and enhancement of wildlife corridors to preserve and enhance biodiversity. Ecological Surveys to accompany any development proposal**
- **Planting of vegetation along strategic route ways to screen the noise**
- **Development that retains and enhances significant landscape features (e.g. hedgerows) which are or may be of ecological value; and where possible introduces new features**
- **Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment**
- **Provision of public art to enhance the quality of the place, legibility and identity**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5**

- Take account of the Council's Strategic Flood Risk Assessment for the site
- Full mitigation of flood risk in compliance with Policy ESD 6: Sustainable Flood Risk Management including use of SuDS techniques in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's Strategic Flood Risk Assessment
- The provision of extra-care housing and the opportunity for community self-build affordable housing
- A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan
- An archaeological field evaluation to assess the impact of the development on archaeological features.

Policy Banbury 17 – South of Salt Way – East

C.204 This site is located to the south of Salt Way, to the east of the A361 Bloxham Road. It includes the land adjoining the A361 for which planning permission has already been granted for 145 dwellings. There is a dense hedgerow along the site's northern boundary, the Salt Way, which is a proposed new Local Wildlife Site. Salt Way is a public right of way of important historical and recreational significance running along the northern boundary of the site; a number of other public rights of way cross the site from north to south.

C.205 The Salt Way is a non-designated heritage asset. There are dense hedgerow boundaries within the site, of good condition, and areas of BAP habitat and individual woodland parcels around the boundaries of the site. Wykham Farmhouse, to the south of the site, is Grade II listed.

C.206 The development of site Banbury 17 combines two adjoining sites that have the potential to be developed as part of a single development area. Banbury 17 provides the opportunity to develop the south west of Banbury in a coordinated, integrated and

planned way, delivering the necessary facilities and infrastructure in a timely manner.

C.207 Structure planting and landscaping will be required along the site's southern boundary in order to mitigate the visual impacts of the site upon the Sor Brook Valley.

C.208 A new footpath bridleway will be required to be provided running from east to west along the southern boundary of the development area, incorporating links with existing footpaths to form a new circular route around the development linking back to Salt Way.

C.209 Formal outdoor sports provision is to be located to the south east of Banbury 17, ensuring that land extending towards Wykham Lane, where the potential for adverse landscape and visual impact is higher, will be kept free from built development, whilst the eastern most part of the site is to be utilised as informal open space in order to maintain an important gap between the settlements of Banbury and Bodicote, with each maintaining its separate identity and the character of Bodicote Conservation Area protected.

Policy Banbury I7: South of Salt Way - East

Development Area: 68 hectares (in total)

Development Description - Development of land south of Salt Way - East will deliver a new neighbourhood of up to 1,345 dwellings with associated facilities and infrastructure as part of South West Banbury. The site is in more than one ownership (Land east of the Bloxham Road and land west of Bodicote) but the development area forms a coherent whole. An integrated, coordinated and comprehensive planning approach will be taken with a link road between the sites in separate ownerships. The site will require a masterplan to ensure this is delivered.

Housing

- **Number of homes - Up to 1,345 dwellings (including 145 with permission)**
- **Affordable Housing - 30%.**

Infrastructure Needs

- **Education – an on-site primary school. Contributions will also be sought towards provision of secondary school places. Land also needs to be reserved to meet town wide secondary school needs.**
- **Open Space – to include general greenspace, play space, allotments and sports provision as outlined in Policy BSC I I: Local Standards of Provision – Outdoor Recreation**
- **Community – on-site provision including community and/or local retail facilities**
- **Access and movement – Principal access to be created off the Bloxham Road (A36 I). The layout should also provide a route for an east-west link to join White Post Road for local traffic**
- **A transport assessment and travel plan will be required to assess the transportation implications of the proposed development and to identify appropriate mitigation measures.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD I 5**
- **The development of a comprehensive masterplan for the allocated site in consultation with the Council, Oxfordshire County Council, the Local Nature Partnership (Wild Oxfordshire) and local communities**
- **Development must respect the landscape setting and provide an appropriate development interface with Salt Way (any buffer is likely to be 20 metres wide in accordance with the approach adopted at land east of Bloxham Road and south of Salt Way)**

- Existing natural features and additional structural planting will reinforce the landscape framework upon which to structure development parcels
- Public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation. Formal recreation should be located and phased to come forward as part of development at the southern part of the site; Informal open space is to be located where the site adjoins Bodicote village in order to create a buffer to maintain separation between the two settlements and respect the setting of the Bodicote Conservation Area
- A linked network of cycle and footways to provide access into Banbury
- A high quality locally distinctive residential District for the south west of Banbury that is designed with consideration to the landscape setting and well integrated with the adjacent residential area
- A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities
- New footpaths and cycleways should be provided that link with existing networks, the wider urban area and community facilities with a legible hierarchy of routes to encourage sustainable modes of travel
- A new footpath bridleway to be provided running from east to west along the southern boundary of the development area, incorporating links with existing footpaths to form a new circular route around the development linking back to Salt Way
- Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops including the provision of a bus route through the site and new bus stops on the site
- Provision of a transport assessment and Travel Plan including to maximise connectivity with existing development, including linkages with and improvements to existing public transport
- In addition to the provision of a bus service through the site and associated bus stops, provision is required for buses to turn around during the early part of housing delivery
- Early delivery of the A361 to A4260 Link Road is required, along with associated junctions. The developer will be required to fund the cost of additional public transport to serve the site.
- A well designed, 'soft' approach to the urban edge, which respects the rural setting
- Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessments
- Planting of vegetation along strategic route ways to screen the noise
- Retention of Public Rights of Way and a layout that affords good access to the countryside
- Retention and enhancement of existing hedgerows and trees including the boundary with the Salt Way
- Provision of Green Infrastructure links beyond the development site to the wider town and open countryside

- **Detailed consideration of ecological impacts, wildlife mitigation and the creation, restoration and enhancement of wildlife corridors to preserve and enhance biodiversity. Ecological Surveys to accompany any development proposal.**
- **Development that retains and enhances significant landscape features (e.g. hedgerows) which are or may be of ecological value; and where possible introduces new features**
- **Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment**
- **Provision of public art to enhance the quality of the place, legibility and identity**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Use of SuDS techniques in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's Strategic Flood Risk Assessment. Development proposals to be subject to a Flood Risk Assessment**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing**
- **If necessary, the satisfactory incorporation of existing dwellings into the scheme**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan**
- **The need to physically preserve the location of the Neolithic causewayed enclosure. The remainder of the archaeological features will require further investigation and recording ahead of any development, together with a programme of archaeological mitigation.**

Policy Banbury 18: Land at Drayton Lodge Farm

C.210 The site is located to the west of the Warwick road (B4100) and to the north east of the village of Drayton. The village of Hanwell is located to the north east of the site. The Warwick road is on the north eastern boundary of the site and beyond this there is residential development at Hanwell Fields. Currently there is agricultural land to the north, south, east and west of the site.

C.211 At the centre of the site is a golf club with a course, driving range and a small car park, a farm, dwellings and a small caravan park with maintained pitches, paths, hedgerows and a copse. The remainder of the site is in agricultural use. There is a small lake to the south west of the site and the North Oxfordshire Academy is located to the south east of the site. There are public rights of way throughout the site. Part of the site is an archaeological constraint priority area.

C.212 It is considered that part of the site is suitable for residential development. The field to the north of the farm and the golf driving range could be developed subject to recreation uses being replaced elsewhere. The site could be linked to the existing site with planning permission to the south and to existing and proposed development to the north east of the site.

C.213 Landscape evidence has recognised that consideration should be given to the protection of the Drayton Conservation Area which the site abuts to the south, and that care should also be taken to avoid visual prominence of development from within the

Sor Brook Valley. The addendum states that the landscape is relatively open with views west towards the Sor Brook Valley creating a feeling of exposure in some locations; primarily within the arable landscape. The addendum notes an important hedgerow on the site's northern boundary.

C.214 The central part of the site containing the existing dwellings and copse should be protected from development to account for these uses and the steep and undulating landscape on this part of the site. Impacts on landscape, conservation area and the residential properties in the centre of the site should be minimised by any proposal.

Policy Banbury I8: Land at Drayton Lodge Farm

Development Area: 15 hectares

Development Description: Located at the northern edge of Banbury, this residential strategic development site will provide approximately 250 dwellings with associated facilities and infrastructure in a scheme that demonstrates a sensitive response to this urban fringe location.

Housing

- **Number of homes - Approximately 250**
- **Dwelling mix - to be informed by 'Policy BSC 4: Housing Mix'**
- **Affordable Housing - 30%**
- **The provision of extra care housing and the opportunity for community self-build affordable housing.**

Infrastructure Needs

- **Education - land for a primary school and financial or in kind contributions towards secondary education provision**
- **Open Space - to include general greenspace, play space, allotments and sports provision as outlined in 'Policy BSC 11: Local Standards of Provision - Outdoor Recreation'**
- **Community - onsite provision for community and/or local retail facilities**

- **Access and movement – Principal access to be created off the Warwick Road (B4100)**
- **A transport assessment and travel plan will be required to assess the transportation implications of the proposed development and to identify appropriate mitigation measures.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **An archaeological investigation to inform an archaeological mitigations scheme**
- **A high quality development that is locally distinctive**
- **Careful design of the height and extent of built development to minimise adverse visual impact on the setting of Drayton village and Drayton Conservation Area**
- **Development proposals to be accompanied and influenced by a landscape/visual and heritage impact assessments**
- **Existing natural features and additional structural planting will reinforce the landscape framework upon which to structure development parcels**
- **Public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation. Formal recreation should be located and phased to come forward as part of development at the southern part of the site**
- **A linked network of cycle and footways to provide access into Banbury**
- **Layout of development that enables a high degree of integration and connectivity with existing development**
- **A high quality residential area that is designed with consideration to the landscape setting and well integrated with the adjacent proposed residential area.**
- **Retention of dwellings and the copse at the centre of the site with no new development in close proximity**
- **The provision of a green buffer surrounding the existing dwellings and along the western boundaries of the site**
- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities including to land which has planning permission to the south and east**
- **New footpaths and cycleways should be provided that link with existing networks, the wider urban area and community facilities with a legible hierarchy of routes to encourage sustainable modes of travel**
- **Good accessibility to public transport services should be provided for with effective footpaths and cycle routes to bus stops on the Warwick Road**
- **Provision of a transport assessment and Travel Plan including to maximise connectivity with existing development, including linkages with and improvements to existing public transport**

- **A well designed, 'soft' approach to the urban edge, which respects the rural setting**
- **Retention of Public Rights of Way and a layout that affords good access to the countryside**
- **Retention and enhancement of existing hedgerows and trees**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside**
- **Detailed consideration of ecological impacts, wildlife mitigation and the creation, restoration and enhancement of wildlife corridors to preserve and enhance biodiversity**
- **Development that retains and enhances significant landscape features (e.g. hedgerows) which are or may be of ecological value; and introduces new features**
- **Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment**
- **Provision of public art to enhance the quality of the place, legibility and identity**
- **Consideration of noise mitigation along the B4100**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 - 5**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Use of SuDS techniques in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's Strategic Flood Risk Assessments**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing**
- **A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.**

Policy Banbury 19: Land at Higham Way

C.215 This site is a former waste management facility and concrete batching plant and is located to south east of Banbury town centre. The site is bounded by residential and sports pitches to the north, railway lines to the south and former railway land within site Banbury 6 to the east.

C.216 The site is within Flood Zone 2 and 3. A Flood Alleviation Scheme (FAS) for the north of Banbury was completed in 2012 and a large part of the site falls within the defended area. The proximity to the railway would present noise pollution to future residents and require a buffer/design solution which might reduce yield.

C.217 In principle the site offers a suitable location for development, and would contribute to the creation of sustainable and mixed communities. The site is close to the

town centre and railway station and is in need of bringing back into effective use. However, there are current physical constraints that need to be overcome before development can be progressed. These include addressing the potential for land contamination from the previous use, and noise mitigation measures to reduce noise

impact from the railway for future residents. A replacement waste management site for Grundons has been approved nearby. The Cemex site had been cleared and is surplus to requirements. The access road (Higham Way) is in the process of being adopted. The site was marketed for a mixed use development in 2013.

Policy Banbury 19: Land at Higham Way

Development Area: 3 hectares

Development Description: Re-development would bring about environmental benefits in terms of using previously developed and vacant land within the town.

Housing

- **Number of homes - Approximately 150**
- **Dwelling mix - approximately 70% houses 30% flats.**
- **Affordable Housing - 30%**
- **The provision of extra-care housing and the opportunity for community self-build affordable housing.**

Infrastructure Needs

- **Education - Contributions towards Primary School and secondary education provision**
- **Access and Movement - Access via Higham Way**
- **Open space - as outlined in Policy BSC 11.**

Key site specific design and place shaping principles

- **Proposals should comply with Policy ESD15**
- **A distinctive residential proposition for Banbury that integrates well and helps make connections with the adjoining town centre and Railway Station**
- **An appropriate location for higher density housing to include a mixture of dwelling styles and types**
- **Taking advantage of the accessibility of the town centre, an age friendly neighbourhood with extra care housing and housing for wheel chair users and those with specialist supported housing needs**
- **The potential inclusion of live/work units**

- **A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities. New footpaths and cycleways should be provided that link to existing networks**
- **Provision of Green Infrastructure links beyond the development site to the wider town and open countryside**
- **Open/urban spaces provided in various locations within the site and new trees planted**
- **Development should promote biodiversity enhancement**
- **The implementation of proposals in the Movement Strategy including improved junction arrangements on Bridge Street and Cherwell Street to improve traffic capacity but also to facilitate pedestrian movement between the town centre and the site**
- **Some car free or reduced levels of parking with innovative solutions to accommodating the private car**
- **Good accessibility to public transport services should be provided for**
- **A transport assessment and Travel Plan to accompany development proposals**
- **Appropriate treatment and remediation of contaminated land**
- **The completion of a flood risk assessment for the site**
- **A sequential approach to development in relation to flood risk**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Provision of sustainable drainage in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the recommendations of the Council's Strategic Flood Risk Assessment**
- **Compliance with policies ESD 1-5 on climate change mitigation and adaptation**
- **A noise survey will be required to accompany any planning application.**

C.4 Kidlington

C.218 Kidlington is both an urban area and a village. Its built-up area includes part of Gosford and Water Eaton Parish. Its village centre is the smallest of the three urban centres in the District, and primarily serves the local area.



C.219 The village centre is compact and includes both the High Street and a parade running south along the A4260 Oxford Road. There is a small arcade, the Kidlington Centre, located off the High Street opposite Sterling Road Approach. Within or adjacent to the Centre are a number of local services including the library, health centre and Exeter Hall.

C.220 Local organisations within Kidlington have worked to prepare their own spatial strategy for the village and have identified a vision for how the centre should grow and evolve. At the heart of this is a perception that Kidlington is failing to achieve its full potential despite its size. The main issues that have been identified are as follows:

- defining robust boundaries for the village centre to allow for future growth

- improvements to the public realm
- creating stronger links between various uses including Exeter Hall which lies over 200 metres from the shops on the High Street.

C.221 The Local Plan will be supported by a 'Framework Masterplan' for Kidlington which is being prepared as evidence to inform future work on non-strategic site allocations or which could be used to inform a Neighbourhood Plan. The Framework is being used to examine local issues and options in more detail with a view to meeting Local Plan objectives to 2031 and identifying specific development opportunities. It includes an examination of demographic, town centre, housing, employment, recreation and infrastructure issues in the context of the constraints of the Green Belt, the relationship of Kidlington to Oxford, and the village's expanding economic role. The Framework also presents an opportunity to identify longer term issues for future Local Plan reviews.

C.222 Due to a lack of spare education capacity in the town, expansion of one of the existing primary schools will be required over the plan period and developer contributions will be sought.

C.223 The Council published a Retail Study (2012) which examines Kidlington's role as a service centre. The village's proximity to Oxford is partly responsible for the relatively low provision of comparison retailers compared with convenience shopping and the Plan looks to strengthen the village centre.

C.224 As an urban area close to Oxford and a number of other villages, Kidlington is surrounded by Green Belt. The Local Plan's housing requirements for the plan period

and the development strategy can be achieved without the need for a strategic review of the Green Belt in the District. The Oxfordshire District, City and County Councils are jointly considering how to accommodate any unmet housing needs arising in the wider Housing Market Area as set out in para B.95. With regard to Kidlington's own needs, policies Villages 1 and 2 provide some opportunity. Small scale affordable housing schemes to meet specifically identified local housing need may also be brought forward through the release of rural exception sites (Policy Villages 3). The Kidlington Framework Masterplan will also identify further opportunities. A Local Housing Needs Study will be commissioned in consultation with Kidlington Parish Council.

C.225 There is potential for Kidlington to have a significant role in Cherwell diversifying its economic base. The District can take advantage of its location on the hi-tech corridor between London and Cambridge, and the proximity to Oxford University and Silverstone which is actively investing in the High Performance Engineering sector. Most growth will be directed to Bicester but Kidlington, with a number of unique economic attractors, has the potential to capture some of this investment.

C.226 A recent Employment Land Review (2012) identified a need for additional employment land in the Kidlington area. It is not anticipated that this land can be accommodated on sites within the built-up limits of Kidlington. A specific need has also been identified at the Langford Lane area and the Science Park at Begbroke. Therefore, exceptional circumstances are considered to exist to justify a small scale local review of the Green Belt to meet employment needs (see Policy Kidlington 1: Accommodating High Value Employment Needs).

What will Happen and Where

Strategic Development: Kidlington 1 - Accommodating High Value Employment Needs

C.227 Kidlington plays an important role in the District's wider employment context and along with Begbroke Science Park has the potential to develop further to support the provision of land for hi-tech university spin-outs and help pave the way for a wider high value, economic base. At Kidlington, London-Oxford Airport and Langford Lane industrial estate form an employment cluster. Due to the implementation of strategic development proposals in the Plan including East West Rail, the new station at Water Eaton and a growth in employment opportunities at Kidlington and Bicester the Council would expect demand for an increased role for the airport. The Council will work with London-Oxford Airport operators and the Civil Aviation Authority and other stakeholders to consider any proposals. Langford Lane has in recent years become a location for a wide range of commercial uses. The proposals in this Plan aim to improve the quality of the employment offer and, in doing so, establish a new gateway at this northern entrance to Kidlington.



C.228 Over the medium to longer term, progressive improvements to the Langford Lane employment area will be encouraged to accommodate higher value employment uses such as high technology industries. This will reinforce and strengthen the emerging cluster of such industries in this area adjoining London-Oxford Airport. All proposals will need to be considered against Policy SLE1.

C.229 The Employment Land Review identified a need for additional land to be allocated for employment use at Kidlington. It is recognised that Kidlington has a very different economic role from the other villages in the District, and accordingly, the need for more employment land is likely to be higher. However there is insufficient land available within the village (on non-green belt land) to meet this need. The need for employment land to accommodate higher value employment uses in the research and development sector demonstrates exceptional circumstances leading to the need for a small scale review of the Green Belt.

C.230 The University of Oxford plays a significant and leading role in research both in the UK and worldwide and in this context Begbroke Science Park is a vital site. The University is moving towards delivery of the remaining phase of its core site; however, once complete, further growth is constrained by the Oxford Green Belt. The amount of scientific research however continues to expand. There are two exceptional circumstances that justify a small scale review of Green Belt boundaries around the Science Park; the location of the Science Park, given the importance of being directly linked to University facilities and the research environment; and the potential for the Science Park to deliver wider benefits for the immediate locale through support for the development of a high-tech cluster and through the wider District with expected growth in scientific research, connecting with local businesses, nurturing enterprise and drawing investment into the District.

C.231 In addition to supporting development of the existing sites above, the Council proposes that a local Green Belt review will be undertaken in preparing the Local Plan Part 2 in the vicinity of London-Oxford Airport and the Begbroke Science Park as illustrated on the Kidlington map. The boundaries shown on the proposals map are indicative only; the review will need to consider exactly how and where the Green Belt boundary will be changed to accommodate employment uses. Any subsequent development proposals will need to have regard to the design and place making principles outlined in Policy Kidlington I below.

Policy Kidlington I: Accommodating High Value Employment Needs

We will undertake a small scale local review of the Green Belt to accommodate identified high value employment needs at two distinct and separate locations:

(A) Langford Lane /Oxford Technology Park/ London -Oxford Airport

(B) Begbroke Science Park

Key site specific design and place shaping principles:

- **Design for buildings that create a gateway with a strong sense of arrival including when arriving from the airport**
- **A Transport Assessment and Travel Plan should accompany any development proposals which should show how public transport links to the area will be improved**
- **A well designed approach to the urban edge, which achieves a successful transition between town and country environments**
- **Development that respects the landscape setting of the site**
- **A comprehensive landscaping scheme to enhance the setting of buildings onsite and to limit visual intrusion into the wider landscape**
- **Public art will need to be provided for**
- **A development that preserves and enhances biodiversity, with the enhancement, restoration or creation of wildlife corridors**
- **A high quality design and finish, with careful consideration given to layout, architecture, materials and colourings to create a Technology Park for high value employment uses**
- **The height of buildings to reflect the scale of existing employment development in the vicinity**
- **Provision for sustainable drainage, including SuDS, in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's Strategic Flood Risk Assessment**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5**
- **An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary**
- **A soil management plan may be required to be submitted with planning applications to ensure that soils will be retained onsite and used where possible.**

Strategic Development: Kidlington 2 - Strengthening Kidlington Village Centre

C.232 It is important that Kidlington centre is supported and strengthened to help meet the aspirations of Kidlington and to ensure that the everyday shopping needs of residents are met, avoiding the need for unnecessary journeys to Oxford, Bicester and other destinations.

C.233 Kidlington Village Centre performs a particular function in the hierarchy and network of town centres in the District. Smaller than Banbury and Bicester centres, Kidlington is however larger, in terms of the number and range of retail units than the local centres present in the larger villages in the District.

C.234 Many improvements to the village centre have been implemented in recent years in a partnership between the District Council, Kidlington Parish Council and the Kidlington Village Centre Management Board, including most recently the pedestrianisation of the core retail area throughout the day.

C.235 The 2012 Retail Study showed that significant new development should not be directed to Kidlington but that the centre needed some further environmental improvements and the evening economy should be encouraged. It is proposed to expand the geographical area defined as Kidlington Village Centre to include land on the western side of the Oxford Road and other small areas of commercial uses. The exact boundary will be determined in Part 2 of the Local Plan. The aim of the extension is to:

- support the viability and vitality of the existing village centre
- encourage economic activity
- assist with the connectivity between the existing village centre and the civic, community and green open space at the Exeter Hall area
- contribute to and maximise the benefits of improvements to the character and appearance of the village centre and the public realm.

Policy Kidlington 2: Strengthening Kidlington Village Centre

Shopping, leisure and other 'Main Town Centre Uses' will be supported within the boundary of Kidlington Village Centre. Residential development will be supported in appropriate locations in the village centre except where it will lead to a loss of retail or other main town centre uses.

The change of use of sites used for main town centre uses in the Village centre for residential development will normally be permitted if proposals contribute significantly to the regeneration of the Village centre. Mixed use schemes will be encouraged.

Proposals should be considered against Policies SLE 2, ESD 10 and ESD 15.

C.5 Our Villages and Rural Areas

Meeting the Challenge of Developing a Sustainable Economy in the Villages and Rural Areas

C.236 Most of rural Cherwell's economically active residents commute to their workplaces, and less than a quarter of them work within 5km of home. There are limited employment opportunities in Cherwell's villages. Kidlington is the exception to this pattern. In recent years it has developed its high technology, office and airport offerings, positioning itself to absorb the potential overflow from Oxford University's spin off businesses. Kidlington is well connected with easily accessible business premises, and is well positioned to continue to provide for overflow needs from Oxford.



C.237 The key economic issues facing the villages and rural areas are:

- Addressing the changing needs of the rural economy and the District's farming communities. Farming remains of vital importance to Cherwell's rural identity and to local food production. In order

to remain viable many farms are diversifying into tourism, recreation, food retail and other types of business.

- Ensuring that there are appropriate opportunities for local rural employment and to support home working will be important; there is a lack of fast broadband in some locations.
- The need to support the vibrant visitor economy in a way which contributes to the local economy whilst also preserving the local environment.
- The need to support the economic role of Kidlington.
- Potential future demand for airport expansion at Kidlington and the potential for employment land in this location.
- Preserving the canal and its immediate surroundings whilst maintaining and realising its recreational potential.

C.238 Our vision for our rural areas is that our villages should be "lived in" as well as "slept in". To achieve this, rural areas must seek to provide appropriate opportunities for new jobs such as support for farm diversification proposals and rural employment opportunities that are sustainable and support local communities, whilst at the same time protecting the landscape and built environment of the District. In particular we will encourage appropriate proposals that can support a vibrant tourist economy whilst also preserving the local environment.

C.239 At Kidlington, we will support the function of the Village Centre as a vibrant heart of the village and build on Kidlington's strength as a focus for employment

generating development as a quality centre for office and laboratory based businesses, recognising its proximity to Oxford.

Meeting the Challenge of Building Sustainable Villages and Rural Areas

C.240 Cherwell District has many attractive villages with valued built and natural environments. High house prices and an emphasis on commuting by private car mean that those of limited means, and those seeking to live, work and access services locally, can be disadvantaged. There are also pockets of deprivation in Cherwell's rural areas.

C.241 The key community issues facing the villages and rural areas are:

- A lack of affordable homes of all types. There is a lack of private rented homes, social rented housing stock and smaller homes generally. In some areas there is a lack of any new housing coming onto the market at all. House prices are more expensive in Kidlington and the rural areas compared to Banbury and Bicester, meaning that it is less likely that those born in a village will be able to purchase a house there.
- The Council's Playing Pitch and Green Space Strategy and 2011 Open Space Update have identified that there are deficiencies in open space provision in the rural areas.
- The number of permanent local services is generally declining. Public transport provision is variable across the rural areas. In smaller and more isolated villages, it can be infrequent or non

existent. There is a need to protect services and facilities and improve them wherever possible.

- A lack of school places, meaning that housing developments might require the village school to expand. An assessment of education provision will need to inform development proposals.

C.242 As our District continues to grow, a key challenge will be to steer development towards the most sustainable locations in a manner which meets the needs of our villages and rural communities as far as possible. We will aim to provide good quality, affordable rural housing and support the provision of services and facilities to meet the needs of rural communities for services where possible.

Meeting the Challenge of Ensuring Sustainable Development in our Villages & Rural Areas

C.243 There is a need to manage the rural environment to create inclusive, sustainable communities and help meet the needs of those who live and work there. We wish to protect our built and natural environments and the character and appearance of our villages.

C.244 The key environmental issues facing the villages and rural areas are:

- The need to protect the biodiversity of the rural areas. The Oxford Meadows Special Area of Conservation, which is of European importance, is located 2km from Kidlington.
- The need to address the challenges faced by the legacy of major developments that have taken place in the rural areas. In particular, the MOD

has developed significant assets across the District, and over time their needs for these will change. The former RAF base at Upper Heyford has particular challenges as it is redeveloped for new uses.

- The impact of growth and new development in the rural areas may impact upon the quality, character and landscape setting of villages.
- Any further expansion of Kidlington needs to be carefully considered in relation to the Green Belt.
- The rural areas are not congested when compared to the towns but traffic is an issue in the rural area owing to the high level of commuting to larger urban areas. Traffic congestion is an issue for Kidlington. The Sustainable Community Strategy highlights the need to address traffic management and issues resulting from the main road bisecting the village.

C.245 The major environmental challenge for our villages and rural areas is to maintain and enhance the quality of our natural, built and historic environment in the face of pressures for new development. In addressing this challenge the Local Plan aims to protect and enhance biodiversity; support a pattern of development which reduces people's need to travel, maximises opportunities to use public transport and, minimises additional levels of road traffic and pollution.

Our Vision and Strategy for Our Villages and Rural Areas

C.246 By 2031, we will have protected and, where possible, enhanced our services and facilities, landscapes and the natural and historic built environments of our villages

and rural areas. We will have encouraged sustainable economic opportunities and we will have provided 5,392 (2011-2031) dwellings in total in the rural area including Kidlington and the development of a new settlement at the former RAF Upper Heyford.

C.247 We will cherish, protect and enhance the appearance and character of our villages by protecting conservation areas and by promoting high standards of design for new development. We will protect and enhance the beauty and natural diversity of the countryside for the enjoyment of all.

C.248 To secure our vision this Local Plan has a strong urban focus which seeks to direct housing towards Bicester and Banbury. However, there is a need for some development within the rural areas to meet local and Cherwell wide needs. The overall level of housing growth for our villages and rural areas is set out in Policy BSC 1: District Wide Housing Distribution.

What will Happen and Where

C.249 In identifying the strategic approach towards new development in our villages and rural areas, this Local Plan must do three things. It must:

- identify the overall level of growth to be developed within the rural areas
- identify a sustainable hierarchy of villages to set a framework for considering how proposals within villages will be determined
- identify an approach for distributing growth across the different villages within the rural areas.

C.250 Our approach to providing development in the rural areas seeks to:

- deliver a new settlement at the former RAF Upper Heyford to enable conservation and environmental improvements and to contribute in meeting Cherwell wide and local housing needs
- provide new housing for people in rural areas to meet, in particular, the needs of newly forming households
- provide affordable housing in what are generally areas of higher housing cost
- deliver housing at villages where local shops, services and job opportunities are available and accessible or where access to nearby towns would be sustainable in transport terms
- consider the relationship between 'clusters' of villages
- provide development to help sustain rural services and facilities, including bus routes
- avoid significant environmental harm
- support the neighbourhood planning process.

C.251 To this end, Policy Villages 1 provides a categorisation of the District's villages to ensure that unplanned, small-scale development within villages is directed towards those villages that are best able to accommodate limited growth. The Policy establishes which villages are, in principle, appropriate for conversions and infilling (Category C) and which are suitable for accommodating minor development (Categories A and B). Policy Villages 2

provides for additional planned development to be accommodated at the most sustainable villages (Category A) to meet District housing requirements and to help meet local needs. Policy Villages 3 seeks to respond to often acute issues of affordability in rural areas and allows for affordable housing to be provided in any of Cherwell's villages to meet locally identified needs in locations or on sites that might otherwise not be appropriate. Policy Villages 4 establishes a framework for addressing open space, sport and recreation deficiencies at the villages. Policy Villages 5 seeks to deliver the new settlement at the former RAF Upper Heyford.

C.252 We do not allocate specific sites within villages in this document. The suitability of individual sites will be considered through work on a Local Plan Part 2, where appropriate, through the preparation of Neighbourhood Plans or through the determination of planning applications for planning permission. Neighbourhood Plans may provide an opportunity for local communities to propose development not identified in the Local Plan providing it is in general accordance with the Local Plan's strategic policies and objectives. Where Neighbourhood Plans have been prepared, formally examined, and have been supported through a local referendum, they will be adopted as part of the statutory Development Plan. The Council will advise and support Parish Councils and relevant Neighbourhood Forums in preparing their Plans.

C.253 Development proposed in villages will be required to be built to exemplary design and building standards as set out in Section B3: Policies for Ensuring Sustainable Development.

Policy Villages 1: Village Categorisation

C.254 Policy Villages 1 provides a categorisation of villages to guide the consideration of small-scale proposals for residential development within the built-up limits of settlements. Village categorisation helps understand which villages are in principle best placed to sustain different levels of residential development. The Policy ensures that unanticipated development within the built-up limits of a village is of an appropriate scale for that village, is supported by services and facilities and does not unnecessarily exacerbate travel patterns that are overly reliant on the private car and which incrementally have environmental consequences. Policy Villages 1 seeks to manage small scale development proposals (typically but not exclusively for less than 10 dwellings) which come forward within the built-up limits of villages. It also informs Policy Villages 2 which provides a rural allocation for sites of 10 or more dwellings at the most sustainable category A villages and which will guide preparation of both the Local Plan Part 2 and Neighbourhood Plans.



C.255 Villages have been categorised based on the following criteria:

- population size
- the number and range of services and facilities within the village (shops, schools, pubs, etc.)
- whether there are any significant known issues in a village that could be materially assisted by an increase in housing (for example to maintain pupil numbers at a primary school)
- the accessibility (travel time and distance) of the village to an urban area by private car and public transport (including an assessment of any network constraints)
- accessibility of the village in terms of walking and cycling
- local employment opportunities.

C.256 Survey work was previously undertaken to inform village categorisation and this was supplemented by 'the Cherwell Rural Areas Integrated Transport & Land Use Study' (CRAITLUS) which was produced in association with Oxfordshire County Council. The survey work was updated in 2014.

C.257 The principle of categorising villages is well established within the District, with this approach being taken in both the Cherwell Local Plan 1996 and the Non-Statutory Cherwell Local Plan in 2004. It is considered that this approach is still appropriate.

C.258 This Local Plan has also considered the issue of village clustering. Some villages, which may not necessarily have many services and facilities of their own, are geographically close to villages which do have services and facilities. People living in the

rural areas may use services and facilities in other nearby villages. Those larger villages with services and facilities (the ‘service centre’ villages) in combination with the smaller “satellite” villages can be considered to form a functional “cluster”. Clustering will allow for:

- the support of community facilities (such as shops) in service centres, by locating new development and therefore people/customers close to as well as within service centre villages
- small sites to come forward for development in satellite villages where sites in service centres may be limited

- the reduction in length of car journeys in the rural areas (i.e. between satellite villages and service centres)
- where appropriate, the potential for developer contributions or other mechanism to support the delivery of infrastructure and services to be applied to needs in any village in a cluster.

C.259 It is not proposed that clustering forms part of the development strategy in 'Policy Villages 2: Distributing Growth Across the Rural Areas' as the services and facilities in most satellite villages are too limited to sustainably accommodate the development of larger allocated sites. However, it is considered to be a role for satellite (Category B) villages to accommodate minor development which is set out in 'Policy Villages 1: Village Categorisation' below.

C.260 The following categorisation will be used to assess residential proposals that come forward within villages.

Policy Villages 1: Village Categorisation

Proposals for residential development within the built-up limits of villages (including Kidlington) will be considered having regard to the categorisation below. Only Category A (Service Centres) and Category B (Satellite Villages) will be considered to be suitable for minor development in addition to infilling and conversions.

Category	Villages by Category	Type of Development
A	Service Villages Adderbury, Ambrosden, Arccott, Begbroke, Bletchington (*), Bloxham, Bodicote, Chesterton, Cropredy, Deddington, Finmere, Fringford, Fritwell, Hook Norton, Kidlington,	Minor Development Infilling Conversions

Category	Villages by Category	Type of Development
	Kirtlington, Launton, Milcombe, Sibford Ferris/Sibford Gower, Steeple Aston, Weston-on-the-Green(*), Wroxton, Yarnton	
B	Satellite Villages Blackthorn, Claydon, Clifton, Great Bourton, Hempton, Lower Heyford, Middle Aston, Milton, Mollington, South Newington, and Wardington.	Minor Development Infilling Conversions
C	All other villages	Infilling Conversions
<p>(*) Denotes villages partly within and partly outside the Green Belt. In those parts that lie within the Green Belt, only infilling and conversions will be permitted.</p>		

C.261 There is a need for Cherwell’s villages to sustainably contribute towards meeting the housing requirements identified in Policy BSCI. Policy Villages I allows for the most sustainable villages to accommodate ‘minor development’ and all villages to accommodate infilling or conversions. The appropriate form of development will vary depending on the character of the village and development in the immediate locality. In all cases, ‘Policy ESD 15: The Character of the Built and Historic Environment’ will be applied in considering applications.

C.262 In assessing whether proposals constitute acceptable ‘minor development’, regard will be given to the following criteria:

- the size of the village and the level of service provision
- the site’s context within the existing built environment
- whether it is in keeping with the character and form of the village
- its local landscape setting
- careful consideration of the appropriate scale of development, particularly in Category B (satellite) villages.

C.263 In considering the scope of new residential development within the built-up limits of Kidlington, consideration will be given to its role as a larger service centre and its urban character, the functions that existing gaps and spaces perform and the quality of the built environment.

C.264 Infilling refers to the development of a small gap in an otherwise continuous built-up frontage. Not all infill gaps will be suitable for development. Many spaces in villages' streets are important and cannot be filled without detriment to their character. Such gaps may afford views out to the landscape or help to impart a spacious rural atmosphere to the village. This is particularly important in a loose knit village pattern where the spaces may be as important as the buildings.

C.265 Adderbury, Ambrosden, Arncott, Begbroke, Bletchingdon, Bloxham, Bodicote, Chesterton, Cropredy, Deddington, Finmere, Fringford, Fritwell, Hook Norton, Kidlington, Kirtlington, Launton, Milcombe, Sibford Ferris/Sibford Gower, Steeple Aston, Weston on the Green, Wroxton and Yarnton are Category A villages. The Category A villages which perform as "service centres" for the "satellite villages" (forming a "village cluster") shown in the table at paragraph C.260 are Adderbury, Ambrosden, Bloxham, Cropredy, Deddington and Steeple Aston.

C.266 The category B villages are satellite villages associated with a larger service centre. The satellite villages are: Blackthorn, Claydon, Clifton, Great Bourton, Hempton, Lower Heyford, Middle Aston, Milton, Mollington, South Newington, and Wardington. They do not 'score' highly enough in their own right to be included as category A villages but are considered to be appropriate for minor development because of the benefits of access to a service centre

within a village cluster. For example, Claydon, Great Bourton, Mollington and Wardington benefit from their relationship with Cropredy. As smaller settlements, the satellite villages have been given a separate 'B' Category as they would not be suitable for larger scale development provided for by Policy Villages 2.

C.267 All other villages are classified as Category C villages.

C.268 Appropriate infilling (and minor development for affordable housing) in these "satellite villages" may help to meet needs not only within the village itself but also the larger village with which it is clustered.

C.269 Policy Villages 1 applies to all villages in the District including those that are, in whole or in part, within the Green Belt. The general extent of, and policy for, the Green Belt is set out in 'Policy ESD 14: Oxford Green Belt' and on the Policies Map (Appendix 5: Maps). The villages of Kidlington, Yarnton and Begbroke (all "category A" villages) are "inset" villages within the Green Belt and therefore will not be covered by Green Belt policy. All other villages within the Green Belt, however, are "washed over" by Green Belt designation and Policy ESD 14 will apply in relation to whether development maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities. Policy ESD 14 will apply in the same way for those parts of Weston on the Green and Bletchingdon that lie within the Green Belt.

Policy Villages 2: Distributing Growth across the Rural Areas

C.270 The Local Plan must set out an approach for identifying the development of new sites for housing across the rural areas to meet local needs in sustainable locations

and to meet the strategic targets set in 'Policy BSC I: District Wide Housing Distribution'.

C.271 The Housing Trajectory shows that the District already has a substantial housing supply from rural areas:



Completions (2011-2014):

DLO Caversfield	85
Rural Areas (including Kidlington) (10 or more dwellings)	247
Rural Areas including Kidlington (less than 10 dwellings)	196
Total	528

Planning Permissions at 31/3/14:

Former RAF Upper Heyford	761
DLO Caversfield	111
Rural Areas (including Kidlington) (10 or more dwellings)	888
Total	1760
<i>(excludes permissions for sites of less than 10 to avoid duplication with a future windfall allowance)</i>	

C.272 In the interests of meeting local housing need in rural areas, an allocation is also being made to enable the development of some new sites (for 10 or more dwellings) in the most sustainable locations. A further 750 dwellings will be developed in the rural areas including Kidlington. Sites for 10 or

more dwellings that have received planning permission after 31 March 2014 will contribute in meeting these requirements. Additionally, a realistic windfall allowance of 754 homes is identified for sites of less than

10 dwellings for the period (2014-2031). In total, some 5,392 homes will be delivered across the rural areas from 2011 to 2031.

Policy Villages 2: Distributing Growth across the Rural Areas

A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings as at 31 March 2014.

Sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable, and through the determination of applications for planning permission.

In identifying and considering sites, particular regard will be given to the following criteria:

- **Whether the land has been previously developed land or is of lesser environmental value**
- **Whether significant adverse impact on heritage or wildlife assets could be avoided**
- **Whether development would contribute in enhancing the built environment**
- **Whether best and most versatile agricultural land could be avoided**
- **Whether significant adverse landscape and impacts could be avoided**
- **Whether satisfactory vehicular and pedestrian access/egress could be provided**
- **Whether the site is well located to services and facilities**
- **Whether necessary infrastructure could be provided**
- **Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period**
- **Whether land the subject of an application for planning permission could be delivered within the next five years**
- **Whether the development would have an adverse impact on flood risk.**

Policy Villages 3: Rural Exception Sites

C.273 Housing is generally less affordable in rural areas than in Cherwell's towns. There are also less new housing opportunities than in urban areas and a low turnover of existing social or 'affordable' homes. This makes it particularly difficult for those who cannot afford market housing including many newly forming households. The Council's Housing Strategy (2012-17) highlights that the attraction of rural areas adds to the pressure on affordability. Allowing opportunities for small scale affordable housing to meet local needs as an exception to planning policies which otherwise restrain development can provide homes for people in rural areas who otherwise might have to move out of their communities.

C.274 Such 'rural exception sites' do not have the same economic value as market housing sites. It is therefore important that the key parties involved work in partnership. In limited occasions consideration will be given to the introduction of market housing to enable a degree of cross-subsidisation. This approach is supported by the National Planning Policy Framework.

C.275 The Council will support proposals for community self-build or self-finish affordable housing where they will meet a specific, identified local housing need and particularly where they will result in suitable empty properties being brought into residential use. Arrangements will be made to restrict the occupancy of the housing to ensure that it continues to meet local needs in perpetuity.

C.276 In identifying suitable sites, it will be necessary to balance the advantages of providing affordable housing with the degree of harm that would be caused, for example to the appearance of the village, the surrounding landscape or to the historic environment. It will be particularly important that proposals for developments in the Green Belt are able to demonstrate that there are no alternative sites outside of the Green Belt that could reasonably meet the identified needs (for example if part of the village lies outside the Green Belt or needs could be met in another village close by).

C.277 In considering the number of homes proposed and the form of development, the suitability of villages to accommodate additional development will be assessed having regard to 'Policy Villages I: Village Categorisation' and to demonstrated local housing need.

C.278 Where rural exceptions sites are shown to be unviable, the Council will consider whether an element of market housing would be appropriate to secure the delivery of affordable housing. 'Open-book' analysis of the costs of development will be expected. The policy sets a limit of 25% market housing. This will be kept under review and, if necessary, adjusted by way of a Supplementary Planning Document.

C.279 The Council will work in partnership with the Oxfordshire Rural Community Council, Parish Councils, Registered Providers and other interested parties in identifying suitable opportunities.

Policy Villages 3: Rural Exception Sites

The Council will support the identification of suitable opportunities for small scale affordable housing schemes within or immediately adjacent to villages to meet specific, identified local housing needs that cannot be met through the development of sites allocated for housing development.

Arrangements will be secured to restrict the occupancy of the housing to ensure that it continues to meet local needs in perpetuity.

Market housing for private rent or sale will only be considered on rural exception sites in the following circumstances:

- **The number of market homes should not exceed 25% of the total number of homes proposed**
- **The market housing must be shown to be required to secure the viability of the proposal and development costs must be justified**
- **No alternative, suitable site is available to provide a rural exception site and a robust site search can be demonstrated**
- **The market housing ensures that no additional subsidy for the scheme is required**
- **The development has the support of the local community**
- **The total number of dwellings and the scale of development is in keeping with the categorisation, character and form of the village and its local landscape setting.**

Policy Villages 4: Meeting the Need for Open Space, Sport and Recreation

C.280 The evidence base studies have identified a number of existing deficiencies and future shortfalls in provision in Kidlington and the Rural Areas. The action plans contained in the Playing Pitch and Green Space Strategies (See Appendix 3: Evidence Base) recommended deficiencies being met through a combination of improvements to the quality and accessibility of existing facilities, using existing areas of one type of

provision to meet deficiencies in another type, and the provision of new areas of open space. 'Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision', 'Policy BSC 11: Local Standards of Provision - Outdoor Recreation' and 'Policy BSC 12: Indoor Sport, Recreation and Community Facilities' will be used to help address existing deficiencies in provision and future development needs.

C.281 The evidence base studies divided the District's Rural Areas into three sub-areas for analysis purposes, comprising the following:

Table 11: Rural Sub Areas: Open Space

Sub Area	Wards
Rural North	Adderbury, Bloxham and Bodicote, Cropredy, Hook Norton, Sibford, Wroxton
Rural Central	Caversfield, Deddington, Fringford, The Astons and Heyfords
Rural South	Ambrosden and Chesterton, Yarnton, Gosford and Water Eaton, Kirtlington, Launton, Otmoor

Policy Villages 4: Meeting the Need for Open Space, Sport and Recreation

In terms of addressing existing deficiencies in Kidlington, based on the findings of the **Playing Pitch Strategy** and **Green Space Strategy** (as updated by the 2011 Open space Update) land would need to be allocated for the following if possible:

- 1 new junior football pitch
- A park ideally on the northern outskirts of Kidlington
- 11.29 ha of amenity open space with priority provision in South ward
- 1.51 ha of allotments.

The **Playing Pitch** and **Green Space Strategy** estimated that the following additional provision was required to meet needs to 2026:

- 1 adult football pitch
- 4 junior football pitches
- 5 mini-soccer pitches
- 0.4ha park ideally on the northern outskirts of Kidlington
- 0.1 ha natural/semi-natural green space
- 0.4ha amenity open space
- 0.2ha allotments.

These strategies were formulated before the amount and preferred distribution of development in the District for an extended plan period had been established, and as a result future needs will need to be updated to cover the period through to 2031.

In terms of addressing existing deficiencies in the rural areas, based on the findings of the **Playing Pitch Strategy and Green Space Strategy (as updated by the 2011 Open space Update)** new areas of open space would be required for the following:

- 6.38 ha of amenity open space in Rural North sub-area with priority provision in **Adderbury, Bloxham and Bodicote, Cropredy and Sibford Wards**
- 2.87 ha of amenity open space in Rural South sub-area with priority provision in **Gosford and Water Eaton, Kirtlington, Launton, Otmoor and Yarnton.**

The **Playing Pitch and Green Space Strategy** estimated that the following additional provision was required to meet needs to 2026:

Rural North Sub Area	Rural Central Sub Area	Rural South Sub Area
2 junior pitches	1 junior pitch	1 junior pitch
1 mini-soccer pitch	1 mini-soccer pitch	1 mini-soccer pitch
2 cricket pitches	2 cricket pitches	2 cricket pitches
5.3ha of natural/semi-natural green space (through new provision or public access agreements)	1.5ha amenity open space	2.7ha amenity open space
2.6ha amenity open space		1 tennis court
		1 bowling green subject to local demand

C.282 It is important that provision to meet future open space and recreation needs is made in conjunction with new housing, in order to achieve development that secures sustainable communities. The Local Plan sets out the framework for housing development in Kidlington and the Rural Areas but site specific allocations will be determined by the Local Plan Part 2 and this will include

allocations to help address deficiencies in open space, sport and recreation provision for the plan period.

C.283 As indicated above, the strategies were formulated before the amount and preferred distribution of development in the District for an extended plan period had been established, and as a result future needs will need to be updated as the Local Plan Part 2/Neighbourhood Plans are progressed.

Policy Villages 5: Former RAF Upper Heyford

C.284 The former RAF Upper Heyford site is located 7 km north west of Bicester, in an isolated rural location, within the parishes of Upper Heyford, Somerton and Ardley. The airbase site measures approximately 500 hectares in total.



C.285 The US Air Force vacated the airbase in 1994 and since 1996 this unique site has been allocated for residential led mixed uses as enabling development to secure environmental improvements and conservation of the heritage interest of the site associated with its former use as a Cold War military base.

C.286 The airbase is located at the top of a plateau and is set within otherwise open countryside. Land to the west falls sharply to the Cherwell valley and Oxford Canal (the Canal itself has been designated as a Conservation Area). The Grade I listed Rousham Park is located in the valley to the south west of the site. The Rousham, Lower Heyford and Upper Heyford Conservation Area adjoins the airbase site, whilst the airbase itself has been designated as a

Conservation Area in view of the national importance of the site and the significant heritage interest.

C.287 There are a number of Scheduled Ancient Monuments, listed buildings, and non designated heritage assets of national importance on site, as well as other unlisted buildings that make a positive contribution to the character or appearance of the conservation area, and much of the airfield is of ecological importance including a Local Wildlife Site (recently extended in area). The site has been divided into three main functional character areas: the main flying field and a technical site to the north of Camp Road and the residential area that is mainly to the south of Camp Road which itself consists of five distinctive character areas reflecting different functions and historic periods of construction. The flying field represents the core area of historic significance, and is of national significance due to its cold war associations.

C.288 The site was previously subject to a policy from the Oxfordshire Structure Plan 2016 (Policy H2) which was saved by the South East Plan and retained upon the South East Plan's revocation. Policy Villages 5 below replaces Policy H2 in guiding the future redevelopment of the site and provides a positive policy framework within which opportunities to accommodate development are considered having regard to known constraints, principally heritage, ecology and transport impacts associated with additional development.

C.289 Since the airbase closed in 1994 temporary planning permissions were granted for the reuse of a large number of the buildings on the site. At present there are just over 300 residential dwellings on the site, the majority of which are rented. Buildings used for employment purposes provide around 1000 jobs. The Cherwell

Innovation Centre is also located on the site, providing serviced offices and flexible office space, lab space, and meeting rooms. The Centre is home to a large number of science, technology and knowledge-based businesses. Paragon Fleet Solutions operate on a large part of the former airbase, undertaking office, technical and transport related activities centred around 'car processing'.

C.290 A number of matters raised in a 2008 public inquiry, set out in the appeal decision from the Secretary of State in January 2010 remain relevant to the consideration of the scale, location and type of development that can take place at Upper Heyford including:

- the delivery of the required balance of historical/cultural objectives, environmental improvements, ecological benefits and public access
- whether the scale, type and location of employment and storage proposed for the flying field would harm the character of the Conservation Area and setting of Listed Buildings
- the extent of demolition/reuse of historic buildings on the site
- whether adequate opportunities for travel other than by private car would be delivered
- whether adequate infrastructure could be delivered; and
- whether a comprehensive and lasting approach to the whole site could be delivered.

C.291 The site is allocated in this Local Plan as a means of securing the delivery of a lasting arrangement on this exceptional large scale brownfield site, whilst additional

greenfield land is now allocated in the context of meeting the full objectively assessed housing needs of the District by realising the opportunities presented by the development of this new settlement. The former airbase site currently has planning permission for a new settlement of some 1,075 homes (gross), and 'Policy Villages 5' provides for additional development through a combination of the intensification of the density of development proposed on the less sensitive previously developed parts of the site, and new, limited, greenfield development around the main airbase site in locations that will be complementary to the approved development. The additional development areas are shown on inset map 'Policy Villages 5'. The policy allows for residential development focused to the south of the flying field, avoiding the most historically significant and sensitive parts of the site, and on limited greenfield land to the south of Camp Road (and one greenfield area to the north of Camp Road, east of Larsen Road). Given the rural and isolated location of the settlement, and its significant heritage interest, securing adequate transport arrangements and funding the necessary mitigation of transport and heritage impacts will be of particular importance, whilst 'Policy Villages 5' also makes provisions relating to the importance of high quality design to reflect the distinctive character areas of the site.

C.292 A comprehensive approach will be required and it will be necessary to demonstrate how the additional land identified can be satisfactorily integrated with the approved development. The additional land will not be permitted to be developed independently of the main development and infrastructure contributions will be expected for the wider scheme.

C.293 Consultation with Historic England will be required in formulating specific development proposals for the site, whilst regard should also be had to the following documents in preparing any such scheme:

- Upper Heyford Landscape Sensitivity and Capacity Assessment (2014)
- Upper Heyford Assessment Interim Final Report (2014)
- Strategic Housing Land Availability Assessment Update (2014)
- The 2014 approved masterplan for the site
- RAF Upper Heyford Revised Comprehensive Planning Brief SPD (2007)
- RAF Upper Heyford Conservation Area Appraisal (2006)
- Former RAF Upper Heyford Landscape Character Assessment of the Airbase South of the Cold War Zone (2006)
- Former RAF Upper Heyford Conservation Plan (2005)
- Former RAF Upper Heyford Landscape and Visual Impact and Masterplan Report (2004)
- Restoration of Upper Heyford Airbase – A Landscape Impact Assessment (1997).

Policy Villages 5: Former RAF Upper Heyford

Development Area: 520 ha

Development Description: This site will provide for a settlement of approximately 1,600 dwellings (in addition to the 761 dwellings (net) already permitted) and necessary supporting infrastructure, including primary and secondary education provision and appropriate community, recreational and employment opportunities, enabling environmental improvements and the heritage interest of the site as a military base with Cold War associations to be conserved, compatible with achieving a satisfactory living environment. A comprehensive integrated approach will be expected.

Housing

- **Number of homes** – approximately 1,600 (in addition to the 761 (net) already permitted)
- **Affordable housing** – at least 30%

Employment

- **Land Area** – approximately 120,000 sq. metres
- **Jobs created** – approximately 1,500

- **Use classes – B1, B2, B8**
- **Any additional employment opportunities further to existing consent to be accommodated primarily within existing buildings within the overall site where appropriate or on limited greenfield land to the south of Camp Road.**

Infrastructure Needs

All development proposals will be expected to contribute as necessary towards the delivery of infrastructure provision through onsite provision or an appropriate off-site financial contribution to:

- **Education – provision of a 2.22 ha site for a new 1-1.5 form entry primary school with potential for future expansion, if required, and contributions to primary and secondary school place provision**
- **Health – contributions required to health care provision**
- **Open Space – sports pitches, sports pavilion, play areas, indoor sport provision**
- **Community Facilities – nursery, community hall, local centre/hotel, a neighbourhood police facility**
- **Access and Movement – transport contributions and sustainable travel measures as detailed below, countryside access measures, fencing along the boundary of the new settlement and the flying field**
- **Utilities – contamination remediation, improvements to the water supply and sewerage network, as well as other utilities, may be required.**

Key site specific design and place shaping principles:

- **Proposals must demonstrate that the conservation of heritage resources, landscape, restoration, enhancement of biodiversity and other environmental improvements will be achieved across the whole of the site identified as Policy Villages 5**
- **In order to avoid development on the most historically significant and sensitive parts of the site, new development is to be focused to the south of the flying field and on limited greenfield land to the south of Camp Road (and one greenfield area to the north of Camp Road, east of Larsen Road)**
- **The areas proposed for development adjacent to the flying field will need special consideration to respect the historic significance and character of the taxiway and entrance to the flying field, with development being kept back from the northern edge of the indicative development areas**
- **The release of greenfield land within the allocated site Policy Villages 5 will not be allowed to compromise the necessary environmental improvements and conservation of heritage interest of the wider site**
- **The settlement should be designed to encourage walking, cycling and use of public transport rather than travel by private car, with the provision**

of footpaths and cycleways that link to existing networks. Improved access to public transport will be required

- **Development should accord with Policy ESD 15 and include layouts that maximise the potential for walkable neighbourhoods with a legible hierarchy of routes**
- **Retention and enhancement of existing Public Rights of Way, and the provision of links from the development to the wider Public Rights of Way network, including the reinstatement of the historic Portway route across the western end of the extended former main runway as a public right of way on its original alignment**
- **Layouts should enable a high degree of integration with development areas within the 'Policy Villages 5' allocation, with connectivity between new and existing communities**
- **Measures to minimise the impact of traffic generated by the development on the surrounding road network will be required through funding and/or physical works, including to any necessary capacity improvements around Junction 10 of the M40, and to the rural road network to the west of the site and around Middleton Stoney including traffic calming and management measures**
- **Development will provide for good accessibility to public transport services and a plan for public transport provision will accompany any planning application**
- **Design and layout should reflect the management and mitigation of noise impacts associated with the development**
- **A Travel Plan should accompany any development proposals**
- **The construction of the settlement on the former technical core and residential areas should retain buildings, structures, spaces and trees that contribute to the character and appearance of the site and integrate them into a high quality place that creates a satisfactory living environment**
- **Integration of the new community into the surrounding network of settlements by reopening historic routes and encouraging travel by means other than private car as far as possible**
- **The preservation of the stark functional character and appearance of the flying field beyond the settlement area, including the retention of buildings of national interest which contribute to the area's character (with limited, fully justified exceptions) and sufficient low key re-use of these to enable appropriate management of this area**
- **The achievement of environmental improvements within the site and of views to it including the removal of buildings and structures that do not make a positive contribution to the special character or which are justified on the grounds of adverse visual impact, including in proximity to the proposed settlement, together with limited appropriate landscape mitigation, and reopening of historic routes**
- **The conservation and enhancement of the ecological interest of the flying field through appropriate management and submission of an Ecological Mitigation and Management Plan, with biodiversity preserved and**

enhanced across the site identified as 'Policy Villages 5', and wildlife corridors enhanced, restored or created, including the provision for habitat for great crested newts and ground nesting birds in particular. A net gain in biodiversity will be sought

- **Development should protect and enhance the Local Wildlife Site (including the new extension to the south)**
- **Visitor access, controlled where necessary, to (and providing for interpretation of) the historic and ecological assets of the site**
- **Provision of a range of high quality employment opportunities, capable of being integrated into the fabric of the settlement, and providing that the use would not adversely affect residents or other businesses and would not have an unacceptable impact on the surrounding landscape, historic interest of the site, or on nearby villages**
- **New and retained employment buildings should make a positive contribution to the character and appearance of the area and should be located and laid out to integrate into the structure of the settlement**
- **A full arboricultural survey should be undertaken to inform the masterplan, incorporating as many trees as possible and reinforcing the planting structure where required**
- **New development should reflect high quality design that responds to the established character of the distinct character areas where this would preserve or enhance the appearance of the Former RAF Upper Heyford Conservation Area**
- **New development should also preserve or enhance the character and appearance of the Rousham, Lower Heyford and Upper Heyford Conservation Area, as well as the Oxford Canal Conservation Area, and their settings**
- **Development on greenfield land within 'Policy Villages 5' should provide for a well-designed, 'soft' approach to the urban edge, with appropriate boundary treatments**
- **Management of the flying field should preserve the Cold War character of this part of the site, and allow for public access. New built development on the flying field will be resisted to preserve the character of the area**
- **Landscape/Visual and Heritage Impact Assessments should be undertaken as part of development proposals and inform the design principles for the site**
- **Proposals should demonstrate an overall management approach for the whole site**
- **A neighbourhood centre or hub should be established at the heart of the settlement to comprise a community hall, place of worship, shops, public house, restaurant, and social and health care facilities. Proposals should also provide for a heritage centre given the historic interest and Cold War associations of the site**
- **The removal or remediation of contamination or potential sources of contamination will be required across the whole site**

- **The scale and massing of new buildings should respect their context. Building materials should reflect the locally distinctive colour palette and respond to the materials of the retained buildings within their character area, without this resulting in pastiche design solutions**
- **Public art should be provided**
- **Recycling and potential reuse of demolition materials where possible**
- **The provision of extra care housing and the opportunity for self build affordable housing in accordance with Policies BSC 3 and BSC 4**
- **Public open space should be provided to form a well connected network of green areas, suitable for formal and informal recreation**
- **Provision of Green Infrastructure links to the wider development area and open countryside**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **Provision of sustainable drainage including SuDS in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the Council's Strategic Flood Risk Assessment development should be set back from watercourses**
- **Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD1 - 5**
- **Development on the site will be required to investigate the potential to make connections to and utilise heat from the Ardley Energy Recovery facility to supply the heat demands of residential and commercial development on the site**
- **An archaeological field evaluation to assess the impact of the development on archaeological features**
- **In all instances development proposals will be subject to the other appropriate development plan policies.**

Section D - The Infrastructure Delivery Plan

D.1 The Infrastructure Delivery Plan (IDP) provides confidence that critical infrastructure can be supported, that the Plan's development strategy is deliverable, and that social, physical and green infrastructure can be secured to enable the planned development. The Local Plan includes provision for a range of key infrastructure such as schools, new strategic highway improvements including those on peripheral routes, and 'green' infrastructure. The IDP identifies indicative costs attributable to the proposed levels of growth, requirements of each type of growth, and considers how and when infrastructure should be provided having regard to the phasing of development and possible funding opportunities.



D.2 The infrastructure needed to support the Cherwell Local Plan will be delivered through partnership working between public, private and voluntary sector organisations. The Council is working with those organisations which have a role in providing services and facilities in Cherwell and has

identified in the Infrastructure Delivery Plan the projects and initiatives required to support the Local Plan policies and overall strategy.

D.3 The IDP identifies the infrastructure necessary for the successful delivery of this plan and informed the policies for Building Sustainable Communities in Section B and Cherwell's Places in Section C. Many sites require infrastructure, such as road access, new schools, neighbourhood and health facilities. The planning process determines at what point in a development they are required. The IDP identified costs as far as possible and gaps in funding in consultation with the infrastructure and service providers operating in Cherwell.

D.4 The funding of infrastructure has traditionally proved to be challenging because of the expense it required. Therefore a cautious, realistic approach has informed the infrastructure assessment of the sites and the Plan as a whole. The involvement of landowners and developers is essential to the delivery of the Plan and continues as an active process, in many cases leading to planning applications for a number of the key strategic developments.

D.5 Our planning for infrastructure is taking a long term focus, using available funding from both the public and private sector wisely. Planning properly for growth over a 20 year period (2011-2031) requires a strategic and rational approach to investment where priorities are set and the phasing of investment is mapped out to secure maximum gain.

D.6 The Local Plan presents an opportunity to take an integrated approach to growth management where infrastructure investment and delivery are coordinated with land-use proposals.

Policy INF 1: Infrastructure

D.7 Infrastructure as defined in the Planning Act 2008, covers a wide range of infrastructure types and can include schools, sports facilities, transport, culture, green infrastructure, community, health and social care facilities among others.

D.8 Infrastructure is a critical underpinning for the development strategy of the District. Infrastructure such as transport, energy, water, waste and communications, as well as community infrastructure in education and health are essential to meet the needs of residents. Other infrastructure types relate to quality of life and environmental protection or enhancements.

D.9 Although the Council wishes to secure all infrastructure items identified in the IDP, given the resources available to us and our partners, it is likely we will have to prioritise infrastructure items at some point in time.

D.10 The criterion for including items in the IDP is that they have an important role in achieving the vision of the Plan and enable the delivery of strategic policies. The IDP provides a category for each infrastructure item, depending on the level of risk it poses to the delivery of the Local Plan.

D.11 Infrastructure should be provided as an integral part of development in order to achieve the vision and objectives of the Plan. The approach to infrastructure provision is set out within Section B: 'Policies for Development in Cherwell' and Section C: 'Policies for Cherwell's Places'. Infrastructure

will need to be provided and phased alongside development and the Local Plan sets out the key elements of infrastructure requirements.

D.12 The Integrated Transport Studies for the two main urban areas and the rural areas, together with the Movement Strategies for the urban areas, as well as updated evidence studies undertaken in 2014, provide the evidence to support the provision of new and improved transport infrastructure.

D.13 The Local Transport Plan sets out the likely transport infrastructure requirements and priorities for Cherwell aimed at tackling congestion, promoting sustainable travel, safer roads and improving the street environment. The specific schemes and projects are included in the Infrastructure Delivery Plan in Appendix 8.

D.14 Cherwell's future success depends on key public bodies such as the District Council, Town and Parish Councils and Oxfordshire County Council working together on the sustained implementation of this strategy over the long term.

D.15 This plan seeks to support growth by securing infrastructure to ensure development is sustainable and takes into account existing infrastructure deficits. Infrastructure to support housing and employment development is essential to the creation of sustainable communities. The plan considers the physical, social and green infrastructure needed to enable the amount of development proposed taking into account its type and distribution.

Policy INF 1: Infrastructure

The Council's approach to infrastructure planning in the District will identify the infrastructure required to meet the District's growth, to support the strategic site allocations and to ensure delivery by:

- Working with partners, including central Government, and other local authorities, to provide physical, community and green infrastructure
- Identifying infrastructure needs and costs, phasing of development, funding sources and responsibilities for delivery
- Completing a Developer Contributions SPD to set out the Council's approach to the provision of essential infrastructure including affordable housing, education, transport, health, flood defences and open space
- Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.

Key Infrastructure Requirements

D.16 In order to ensure the right infrastructure is provided to support the growth set out in the Local Plan, a detailed schedule of infrastructure requirements is set out in the Infrastructure Delivery Plan contained in Appendix 8.

D.17 The IDP suggests that infrastructure to support the local transport network will be a key priority for the delivery of the strategic site allocations in Bicester and Banbury. The Plan supports the delivery of highway capacity improvements on peripheral routes at Bicester and capacity improvements to north-south and east-west routes at Banbury as set out in the IDP schedule in Appendix 8. The Local Plan contains site-specific information relating to infrastructure requirements and a Developer Contributions SPD is being prepared.

D.18 In addition to key transport infrastructure, there are a number of specific issues and deficiencies to be considered

further which include the need for new burial capacity at both Bicester and Banbury. In Banbury, the Canalside development (Policy Banbury 1: Banbury Canalside) sets out the development and infrastructure requirements for the redevelopment of the area comprising a mix of uses including up to 700 homes, retail, 15,000sqm of town centre/commercial uses, public open space and multi storey car parks. The now completed Banbury Flood Alleviation Scheme is important to the delivery of the site.

D.19 In Bicester, the North West Bicester eco-town proposals (Policy Bicester 1: North West Bicester Eco-Town) involving the development of 6,000 homes and jobs requires schools, 40% open space, sustainable transport, community facilities, local shops and services, energy and waste facilities.

D.20 The Local Plan does not allocate specific sites for growth within the rural areas, other than making an allocation for a new settlement at the Former RAF Upper Heyford, but contains strategic policies for the distribution of growth. Policy Kidlington

I identifies a small scale Green Belt review at Kidlington and Begbroke for employment purposes and Policy Kidlington 2 aims to strengthen Kidlington's village centre. These policies are important to attract investment.

D.21 The Local Plan Part 2 will allocate non strategic sites in the District and provide greater certainty to the specific location of growth in the rural areas. More detailed information on the provision of infrastructure in the rural areas will arise through the progression of this DPD, and Neighbourhood Plans.

Infrastructure Proposals for Bicester, Banbury, Kidlington and Rural Areas

D.22 The projects included in the IDP (Appendix 8) were identified following the assessment of policies, and discussions with infrastructure providers. Deficiencies and future infrastructure needs were informed by evidence documents and plans and programmes from infrastructure providers and other organisations. The projects are directly linked to the Local Plan and divided into 3 schedules reflecting planned growth in Bicester, Banbury, and Kidlington and Rural Areas.

Overview of Future Growth in Bicester 2011-2031:

- North West Bicester Eco-Town of 6,000 homes and jobs with 40% open space (3,293 expected to be delivered by 2031)
- Graven Hill, 2,100 homes, logistics and distribution hub
- Land at Bure Place, Town Centre Redevelopment (Phase 2)

- Extension to Bicester Town Centre (Area of Search)
- South West Bicester Phase 1 1,462 homes and 726 homes at Phase 2
- South East Bicester 1,500 homes
- Bicester Business Park
- Employment land at Bicester Gateway
- Employment Land at North East Bicester
- Tourism-led development at Former RAF Bicester
- Gavray Drive 300 homes
- New Cemetery.

Overview of Future Growth in Banbury 2011-2031:

- Bankside Phase 1, 600 homes at Phase 2
- Canalside, including 700 homes, retail, office and leisure uses
- West of Bretch Hill, 400 homes
- North of Hanwell Fields 544 homes
- Southam Road, Banbury 600 homes
- Employment Land West of M40
- Relocation of Banbury United Football Club
- Extended town centre (Area of Search)

- Bolton Road Development Area, 200 homes, retail and other mixed uses
- Retail and other mixed uses at Spiceball Development Area
- Bretch Hill Regeneration Area
- Cherwell Country Park
- Bankside Community Park
- Employment land North East of Junction 11
- South of Salt Way - East, 1345 homes
- South of Salt Way - West, 150 homes
- Land at Drayton Lodge Farm, 250 homes
- Land at Higham Way, 150 homes.

Overview of Future Growth in Kidlington and rural areas 2011-2031:

- Accommodating High Value Employment Needs: Langford Lane/London-Oxford Airport; Oxford Technology Park and Begbroke Science Park (subject to small scale Green Belt review)
- Kidlington Village Centre
- Allocation for 2,361 homes (in total, including 761 already consented) at Former RAF Upper Heyford; 750 across the rural areas and Kidlington. The specific sites to be identified in the Local Plan Part 2 and Neighbourhood Plans when developed.

D.23 The IDP indicates where and when infrastructure is needed. It also indicates potential costs, means and sources of funding, and the delivery progress of infrastructure projects. These have been categorised as critical, necessary or desirable to reflect their relevance to the delivery of the Local Plan.

Critical	Necessary	Desirable
Infrastructure without which development cannot commence.	Infrastructure necessary to support development but the precise timing and phasing is less critical and development may commence ahead of its provision.	Infrastructure is desirable in order to build sustainable communities. Timing and phasing is not critical over the plan period.

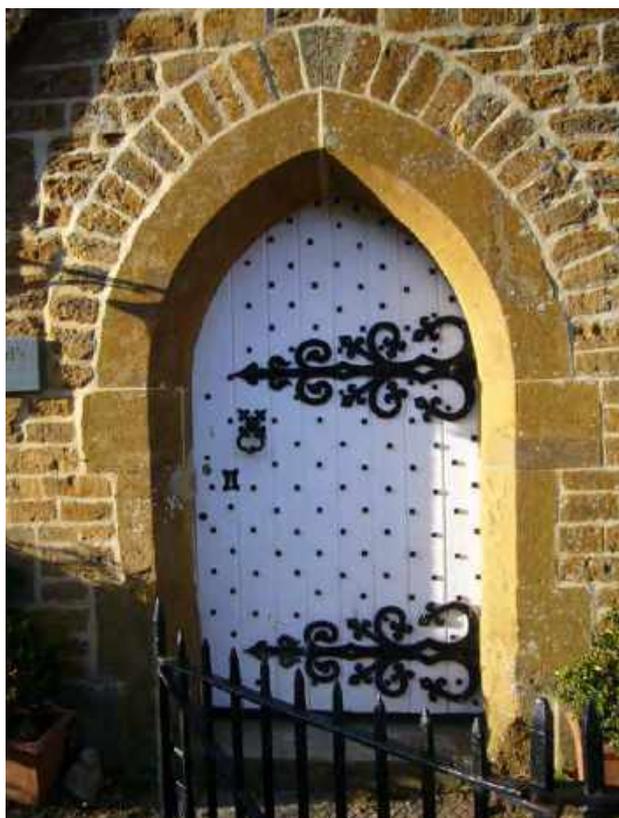
D.24 In some instances, infrastructure may be needed ahead of development taking place and some projects such as the Banbury Flood Alleviation Scheme have already been

delivered. These projects are included in the IDP because they enable the forthcoming delivery of policies and allocations.

D.25 The IDP is a live document supporting the Local Plan and it will be adjusted to reflect changes in circumstances and strategies over time. It will be monitored alongside Policy INF 1 – Infrastructure, as detailed in the Local Plan Monitoring Framework (Appendix 6) and delivery progress reported in the Annual Monitoring Report.

Section E - Monitoring and Delivery of the Local Plan

E.1 Effective monitoring is important to ensure that Local Plan policies are being implemented and are achieving their aims, given that all development proposals are subject to viability testing.



E.2 Our monitoring report will measure and report on the effectiveness of policies within the Local Plan and associated documents. It will report on a range of data to assess whether:

- policy targets have been met, or progress is being made towards meeting them
- policy targets are not being met, or are not on track to being achieved, and the reasons for this

- policies are having an impact in respect of national and local policy targets, and any other targets identified in local development documents
- policies need adjusting or replacing because they are not working as intended
- policies need changing to reflect changes in national policy or strategic needs
- appropriate infrastructure is being delivered to support growth.

E.3 If policies need changing the monitoring report will list the actions needed to achieve this.

E.4 Our monitoring report will be published at least every 12 months. Under the previous legislation, reports have been published at the end of each calendar year and relate to the previous monitoring year (1 April to 31 March). They have focused on measuring the progress of Local Plan preparation, and on the collection of data for the (now removed) national set of indicators. These can be viewed online at <http://www.cherwell.gov.uk>.

The Monitoring Framework

E.5 For each policy in the Local Plan, we have developed an indicator and a target, which will be used to measure the policy's effectiveness. The Sustainability Appraisal (SA) also lists a number of 'significant effects indicators' which will be used to monitor the 'significant effects' identified in the SA. Data collected on these indicators will be reported on in our monitoring report. A summary of the indicators is set out below, grouped together under the relevant theme of the Local Plan. The detailed Monitoring Framework is included as Appendix 6.

E.6 We have also developed a set of trajectories for housing and employment to address delivery across the programme period as a whole. These are of necessity indicative, but are a clear baseline against which overall implementation can be assessed. They include completions and strategic developments which have an existing planning permission.

Theme One - Achieving a Sustainable Local Economy

E.7 The strategic employment trajectory which follows shows how the release of the strategic development sites set out in Section C 'Policies for Cherwell's Places' would secure significant employment growth in Cherwell that is focused on Bicester and Banbury. There are other smaller sites which are excluded from this assessment.

E.8 We will use a number of indicators (see Appendix 6) to monitor how well policies are delivering our aim of 'achieving a sustainable local economy'. These include:

- change of use/loss of employment land to non-employment use (hectares)/gain of employment floorspace
- allocated employment land completed, committed and remaining
- employment development on non allocated land (hectares)
- amount of retail/town centre uses completed within and outside of town centres
- diversity of uses within urban centres

- amount of new tourism development in the District
- numbers of visitors to tourist attractions in the District.

Theme Two - Building Sustainable Communities

E.9 The housing trajectory which follows shows how the release of the strategic development sites set out in Section C 'Policies for Cherwell's Places' would enable the overall housing growth targets to be met and a 5 year supply to be maintained. Although the trajectory sets out when delivery can reasonably be expected, it does not prevent earlier or accelerated delivery.

E.10 Housing delivery will be monitored to ensure that the projected housing delivery is achieved. The District is required by the NPPF and the NPPG to maintain a continuous five year supply of deliverable (available, suitable and achievable) sites as well as meeting its overall housing requirement. The District must also provide an additional buffer of 5% on top of its five year land supply delivery requirement. This increases to 20% where there has been a record of persistent under delivery. The Council's housing land supply position will be formally reported and comprehensively reviewed on an at least annual basis in the monitoring report. Updates to the housing land supply position will be undertaken during the year should there be a significant change in circumstances to the District's housing land supply position.

E.11 This Local Plan allocates strategic sites for development. The non strategic sites required to accommodate the remainder of the development identified in the Housing Trajectory will either be allocated in the Local Plan Part 2 or in Neighbourhood Plans,

or will be identified through the determination of applications for planning permission. The Council will regularly review its Strategic Housing Land Availability Assessment to ensure there is sufficient potential supply.

E.12 We will also use a number of indicators (see Appendix 6) to monitor how well policies are delivering our wider aim of 'building sustainable communities'. These include:

- housing completions on previously developed land
- density of housing completions
- affordable housing completions / acquisitions
- housing completions by type and size
- number of extra care units completed
- number of Gypsy and Traveller pitches and Travelling Show people plots provided/lost
- number (or floorspace) of new health care facilities provided
- number (or floorspace) of new community facilities provided
- number of new educational places provided (primary/secondary/tertiary)
- amount, type and location of open space/sport/recreation facilities
- areas deficient in recreation provision by type and amount

- open space/sport/recreation facilities lost to development
- developer contributions towards open space/sport/recreation facilities
- number of areas of open space achieving quality standards.

Theme Three - Ensuring Sustainable Development

E.13 We will use a number of indicators (see Appendix 6) to monitor how well policies are delivering our aim of 'ensuring sustainable development'. These include:

- planning permissions granted contrary to Environment Agency advice on flood risk grounds
- number/capacity of consented renewable energy schemes
- number of consented developments making use of District heating
- number of developments achieving BREEAM standards, and at what level
- permissions granted contrary to BBOWT/Natural England/Environment Agency advice
- area of biodiversity habitat/number of species
- progress towards Conservation Target Area targets (not set or monitored by the Council, but by the Oxfordshire Local Nature Partnership 'Wild Oxfordshire')
- number of ecological surveys submitted with applications

- number of development schemes permitted in AONB
- number of urban fringe improvement schemes
- development in the Green Belt.

Delivering the Local Plan

E.14 Data on these indicators will be gathered and reported on an at least annual basis. We will also report on whether the established targets have been met, and, if not, what actions are to be taken to ensure they are met in future.

E.15 The strategy in the Local Plan will be delivered through the planning application process and the implementation of the:

- Local Plan Part 2
- Neighbourhood Plans
- Town wide masterplan SPDs for Bicester and Banbury
- Site specific SPDs for Canalside and , Bolton Road
- Developer Contributions SPD and where appropriate other funding mechanisms to support the delivery of infrastructure and services which could include a Community Infrastructure Levy or other tariff system
- Sustainable Buildings in Cherwell SPD.

E.16 We have worked with our delivery partners including Oxfordshire County Council during the preparation of this Local Plan and its Infrastructure Delivery Plan to ensure the Council focuses on the

monitoring and delivery of strategic policies with the right infrastructure at the right times.

E.17 We will continue to work with neighbouring authorities and other organisations on cross boundary issues through the Oxfordshire Growth Board and the two Local Enterprise Partnerships covering the District, amongst others. The Duty to Cooperate Topic Paper shows joint working undertaken during the preparation of the Local Plan, and details the various forums and organisations we work with on a regular basis to debate and coordinate strategic planning issues. Actions resulting from cooperation with other local planning authorities or organisations will be reported in the monitoring report.

E.18 Our Monitoring Report will assess the effectiveness of the Local Plan including the rate of delivery of allocated sites by measuring performance against the indicators identified in the Monitoring Framework.

E.19 If the supply of deliverable housing land drops to five years or below and where the Council is unable to rectify this within the next monitoring year there may be a need for the early release of sites identified within this strategy or the release of additional land. This will be informed by annual reviews of the Strategic Housing Land Availability Assessment.

E.20 We have worked with infrastructure providers and landowners to allocate deliverable strategic sites in and around the towns of Bicester and Banbury as the most sustainable locations in the Policies for Cherwell Places in section C of the Local Plan.

E.21 If lack of infrastructure funding were to delay the delivery of sites, we will work with our partners to seek alternative sources

of funding. In doing this we will explore a range of funding mechanisms available through public and private sources such as grants and contributions, incentives schemes such as New Homes Bonus, prudential borrowing or opportunities to reduce infrastructure costs.

E.22 Annual monitoring will inform future Local Plan reviews. These reviews may be in response to shortfalls in the implementation of the Plan's policies and in the delivery of infrastructure, to changes in national policy or strategic needs or due to the need to roll forward the plan period. A small scale review of policy could in some instances be undertaken through preparation of other development plan documents or their review. The possibility of an early Plan review to help meet unmet needs arising elsewhere in the Housing Market Area is provided for at paragraph B.95.

Local Plan Housing Trajectory 2011-2031

	Completions 2011-2014	Permissions Granted at 31 March 2014	Local Plan: New Allocation 2014-2031	Total Projected Supply 2014-2031	14/15	15/16	16/17	17/18	18/19	19/20	20/21	21/22	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	Plan Period Total Supply 2011-2031
Bicester																						
North West Bicester (Bicester 1)	0	393	2900	3293	71	143	179	210	210	210	210	210	210	210	210	210	210	200	200	200	200	3293
Graven Hill (Bicester 2)	0	0	2100	2100	0	0	50	150	200	200	200	200	200	200	200	150	100	100	100	50	0	2100
South West Bicester Phase 1	280	1362	100	1462	136	200	200	200	200	200	200	126	0	0	0	0	0	0	0	0	0	1742
South West Bicester Phase 2 (Bicester 3)	0	0	726	726	0	0	70	70	70	70	140	140	90	76	0	0	0	0	0	0	0	726
South East Bicester (Bicester 12)	0	0	1500	1500	0	0	50	150	150	150	150	150	150	150	150	150	100	0	0	0	0	1500
Gavray Drive (Bicester 13)	0	0	300	300	0	0	50	125	125	0	0	0	0	0	0	0	0	0	0	0	0	300
Talisman Road (approved site)	0	125	0	125	20	45	40	20	0	0	0	0	0	0	0	0	0	0	0	0	0	125
Other sites - 10 or more dwellings	48	54	100	154	12	12	10	10	10	10	10	10	10	10	10	10	10	10	10	0	0	202
Windfall sites - less than 10 dwellings	37	71	104	104	8	8	8	8	8	8	8	8	8	4	4	4	4	4	4	4	4	141
Sub-Total	365	2005	7830	9764	247	408	657	943	973	848	918	844	668	650	574	524	424	314	314	254	204	10129
Banbury																						
Canalside (Banbury 1)	0	0	700	700	0	0	0	0	0	50	50	100	100	100	100	100	100	0	0	0	0	700
Southam Road (Banbury 2)	0	600	0	600	0	145	150	150	155	0	0	0	0	0	0	0	0	0	0	0	0	600
West of Bretch Hill (Banbury 3)	0	0	400	400	0	50	120	120	110	0	0	0	0	0	0	0	0	0	0	0	0	400
Bankside Phase 1	8	1082	0	1082	50	150	150	150	150	150	100	100	82	0	0	0	0	0	0	0	0	1090
Bankside Phase 2 (Banbury 4)	0	0	600	600	0	0	0	0	0	0	50	100	100	100	100	100	50	0	0	0	0	600
North of Hanwell Fields (Banbury 5)	0	0	544	544	0	75	125	125	75	84	60	0	0	0	0	0	0	0	0	0	0	544
Bolton Road (Banbury 8)	0	0	200	200	0	0	0	75	75	50	0	0	0	0	0	0	0	0	0	0	0	200
South of Salt Way - West (Banbury 16)	0	0	150	150	0	0	50	100	0	0	0	0	0	0	0	0	0	0	0	0	0	150
South of Salt Way - East (Banbury 17)	0	145	1200	1345	0	40	55	50	100	100	100	100	150	150	100	100	100	100	100	100	0	1345
West of Warwick Road	0	300	0	300	0	50	90	90	70	0	0	0	0	0	0	0	0	0	0	0	0	300
Drayton Lodge Farm (Banbury 18)	0	0	250	250	0	0	0	50	75	100	25	0	0	0	0	0	0	0	0	0	0	250
Higham Way (Banbury 19)	0	0	150	150	0	0	25	100	25	0	0	0	0	0	0	0	0	0	0	0	0	150
Other sites - 10 or more dwellings	105	219	150	369	22	22	22	22	22	22	22	22	22	22	22	22	21	21	21	21	21	474
Windfall sites - less than 10 dwellings	100	156	416	416	32	32	32	32	32	32	32	32	32	16	16	16	16	16	16	16	16	516
Sub-Total	213	2502	4760	7106	104	564	819	1064	889	588	439	454	486	388	338	338	287	137	137	37	37	7319
Elsewhere																						
Former RAF Upper Heyford (Villages 5)	0	761	1600	2361	50	100	150	150	150	150	150	150	150	150	150	150	150	141	140	140	140	2361
DLO Caversfield	85	111	0	111	40	40	31	0	0	0	0	0	0	0	0	0	0	0	0	0	0	196
Rural Areas (incl. Kidlington) - 10 or more dwellings	247	888	750	1638	133	130	130	130	130	130	130	100	100	100	100	75	50	50	50	50	50	1885
Windfall sites - less than 10 dwellings	196	255	754	754	58	58	58	58	58	58	58	58	58	29	29	29	29	29	29	29	29	950
Sub-Total	528	2015	3104	4864	281	328	369	338	338	338	338	308	308	279	279	254	229	220	219	219	219	5392
Grand Total	1106	6522	15694	21734	632	1300	1845	2345	2200	1774	1695	1606	1462	1317	1191	1116	940	671	670	510	460	22840

- Notes:
- The trajectory represents the anticipated annual rate of housing delivery in the current housing market (2014). It does not preclude the earlier delivery of sites.
 - Permissions for windfall sites - less than 10 dwellings (shown in italics) are not taken into account in figures for 'Total Projected Supply 2014-2031' nor for 'Plan Period Total Supply 2011-2031' to avoid double counting with the windfall allocation for the plan period.
 - Projections will change in the light of future monitoring.

Local Plan Employment Trajectory 2011-2031

	Land use allocation in the Local Plan	Total area of land covered by site Policy in the Local Plan (ha)	Area (ha) of total land allocated expected to provide for employment uses within the Plan period	Employment floorspace (sqm) expected within the Plan period and delivery date		
				2011-2016	2016-2021	2021-2031
Bicester						
North West Bicester (Bicester 1)	Mixed Use	390	10		35,000	
Graven Hill (Bicester 2)	Mixed Use	241	26		91,000	
Bicester Business Park (Bicester 4)	Employment	29.5	29.5	103,250		
Bicester Gateway (Bicester 10)	Employment	18	18		63,000	
Land at North East Bicester (Bicester 11)	Employment	15	15		52,500	
South East Bicester (Bicester 12)	Mixed Use	155	40	14,000	70,000	56,000
Sub-Total			138.5			
Banbury						
Canalside (Banbury 1)	Mixed Use	tbc	tbc			
Land West of M40 (Banbury 6)	Employment	35	35		122,500	
Land North East of junction 11 (Banbury 15)	Employment	13	13	45,500		
Former SAPA site	Employment	N/A	13	45,500		
Sub-Total			61			
Elsewhere						
Former RAF Upper Heyford	Mixed Use	520	N/A			
Sub-Total			N/A			
Grand Total			199.5	162,750	434,000	56,000

Appendix I Background to Cherwell's Places

1.1 Cherwell is situated in north Oxfordshire and lies between London and Birmingham, immediately north of Oxford and south of Warwick / Leamington Spa. The District shares boundaries with Oxford City, South Oxfordshire, Vale of White Horse, West Oxfordshire, Aylesbury Vale, South Northamptonshire and Stratford-on-Avon districts.



Cherwell Today

1.2 Cherwell is predominantly a rural District. It has two towns, Banbury in the north and Bicester in the south, and a third urban centre at Kidlington, a very large village close to Oxford. The District has over 90 villages and hamlets.

1.3 The District's largest employment sectors are: distribution, manufacturing, office, retailing and other services, and public sector employment including in health, defence and education. In recent times, unemployment has generally been low in Cherwell. However, it doubled during the economic downturn.

1.4 Banbury is principally a manufacturing town and service centre whilst Bicester is a garrison town with a military logistics, storage and distribution and manufacturing base. Both towns featured as important economic locations in the former Regional Spatial Strategy. Kidlington functions as a village service centre but has a larger, varied employment base benefiting from its proximity to Oxford, its location next to the strategic road network, and the location of London-Oxford Airport immediately to the north.

1.5 Bicester and Kidlington lie within Oxford's hinterland. In rural areas, the function of villages as places to live and commute from has increased as the traditional rural economy has declined. The number of people employed in agriculture fell by 18% between 1990 and 2000.

1.6 The M40 motorway passes through Cherwell close to Banbury and Bicester. There are direct rail links from Banbury and Bicester to London, Birmingham and Oxford. The rail link from Bicester to Oxford is being improved as part of wider east-west rail objectives. The District has a clear social and economic relationship with Oxford and to a lesser extent with Northamptonshire. Banbury has its own rural hinterland and housing market area which extends into South Northamptonshire and less so into West Oxfordshire and Warwickshire. London has a significant commuting influence.

1.7 The character of Cherwell's built environment is diverse but distinctive. Banbury and Bicester have changed as a result of post-war expansion and economic growth brought about by the M40 but retain their market town origins. The District has a few fairly large, well served villages and many smaller villages but no small towns as in other parts of Oxfordshire such as

Chipping Norton or Wallingford. In the north of the District, the predominant traditional building material is ironstone; in the south, limestone. Many villages have retained their traditional character. Cherwell has approximately 2,300 listed buildings, an increasing number of conservation areas (presently 60), 59 Scheduled Ancient Monuments and a number of registered parks and gardens and a historic battlefield. In some areas the MoD's presence has influenced the built environment.

1.8 Cherwell's natural environment is also varied. The River Cherwell and Oxford Canal run north-south through the District. There are Ironstone Downs in the north-west (a small proportion of which is within the Cotswolds Area of Outstanding Natural Beauty in the north west of the District), the Ploughley Limestone Plateau in the east and the Clay Vale of Otmoor in the south. Part of the Oxford Meadows Special Area of Conservation lies north of the boundary with Oxford City and the District has a large number of designated wildlife sites, Sites of Special Scientific Interest and other designated areas of natural interest. Approximately 14% of the District lies within the Oxford Green Belt to the south which surrounds the urban area of Kidlington.

1.9 Development in the District has been led by waves of urban expansion to Banbury and Bicester as part of a countywide approach to focus growth on Oxford and its satellite country towns. An urban extension to the north of Banbury of over 1,000 homes was completed in 2008/09. Urban extensions producing some 1600 homes at Bicester were completed in 2004/05. Average housing completions from 2001 to 2014 were 520 per annum, 38.5% of which were in Banbury, 23% in Bicester and 38.5% elsewhere. Banbury's town centre benefited from redevelopment in the 1990s and is

regionally important. Improvements to Bicester town centre have been permitted to provide much needed retail, leisure and community facilities and are now largely complete.

1.10 Permissions are in place for further extensions to Banbury and Bicester of 2,502 and 2,005 homes respectively and these are now underway. There is currently planning consent for 761 dwellings (net) at former RAF Upper Heyford.

Bicester Today

1.11 Bicester is a rapidly expanding historic market town with a long-standing military presence. It has grown substantially over the last 50 years and now has a population of approximately 30,000. This represents population growth of 50% since 1981 and, influenced by the strategy in this Plan, further growth, to approximately 40,000 people is projected by 2026. Bicester's growth has been influenced by its location on the strategic road network close to Junction 9 of the M40, where the A34 meets the A41. It is also close to Junction 10 with the A43 which connects the M40 and M1. Bicester has a particularly close economic relationship with Oxford.

1.12 A substantial programme of continuing development in the town is in place. Planning permission has been granted for a strategic housing site of 1,642 homes at 'South West Bicester' Phase 1, including a health village, sports provision, employment land, a hotel, a new secondary school, a community hall and a local centre. A new perimeter road has now been built to serve the development and to assist in removing through traffic from the town centre. North West Bicester was identified by Government as a location for an eco-town development. Bicester's location within the Oxford sub-region and on the Oxford-Cambridge arc makes it well

located for growth. In the Autumn Statement 2014, the Government announced plans to “*support Bicester to provide up to 13,000 new homes subject to value for money*”.

1.13 Phase I of a £50m redevelopment of the town centre has now been completed including a Sainsburys supermarket, other retail premises, and a cinema. 'Bicester Village', an internationally successful factory outlet centre at the southern edge of Bicester, has also recently expanded. The Council has granted planning permission for a new business park comprising 50,000m² of BI employment space and a hotel to the south of Bicester Village and east of the A41. Full build out of this will be subject to improvements to Junction 9 of the M40.

1.14 In terms of other significant infrastructure, development commenced in summer 2013 for the replacement of Bicester's community hospital. In terms of rail improvements, in 2013, Chiltern Railways commenced work to upgrade the railway between Oxford and Bicester, to significantly improve services between Oxford and London via Bicester and provide an alternative to using the M40 and A34. This will result in improved services from Bicester and the redevelopment of Bicester Town Railway Station. Furthermore, the East West Rail Link Project, which will pass through Bicester, seeks to establish a strategic railway connecting East Anglia with Central, Southern and Western England.

1.15 The town's military presence remains today. MoD Bicester to the south of the town is a major logistics site for the Defence Storage and Distribution Agency (DSDA) and has an army, other military and civilian presence. The site extends to some 630 hectares from the south of Bicester into the rural area around the villages of Ambrosden and Arncott. Logistics operations at the Graven Hill site are being rationalised and

consolidated, with the development of a new 'Fulfilment Centre' at Arncott's existing 'C' site, releasing much of the land at the Graven Hill site for allocation for development in this Local Plan. The MoD wishes to retain its valued presence in Cherwell and it remains a major employer in the District. Former RAF Bicester to the north east of the town was established as a Royal Flying Corps Aerodrome and became a Royal Air Force station. The site is now a Conservation Area and retains: "... better than any other military airbase in Britain, the layout and fabric relating to pre-1930s military aviation...". It also has "...the best-preserved bomber airfield dating from the period up to 1945..." (English Heritage). The airfield itself is now used by a gliding club.

1.16 Other major employers at Bicester include Bicester Village (about 1500 people), Tesco (about 400 people) and Fresh Direct (fruit and vegetable merchants employing about 350 people). Bicester does however experience high levels of out-commuting, particularly to Oxford, and this is a significant issue for the Local Plan.

1.17 Bicester was identified in the former South East Plan as a main location for development within the Central Oxfordshire area sub-region around Oxford to improve its self-containment. The South East Plan had previously stated that every opportunity should be taken to promote the town, amongst other things, as a new location for higher value and knowledge-based business. Bicester is generally less constrained than Banbury in terms of landscape sensitivity, flooding and agricultural land quality but has more designated ecological constraints. Under-provision of services and facilities is a concern. Whilst some measures, such as town centre redevelopment, are in place to address this, more needs to be done. Improving self-containment and delivering

jobs, services, facilities, traffic management measures and other infrastructure to match Bicester's rapid and continuing expansion and reduce levels of deprivation are central to this strategy.

Banbury Today

1.18 Banbury is the largest of Cherwell's two towns and is a commercial, retail, employment and housing market centre for a large rural hinterland. It had been identified as a Primary Regional Centre in the revoked South East Plan. Although still a market town, Banbury expanded rapidly in the 1960s to assist in dealing with London's housing needs. Since then, it has seen continued economic and population growth in part due to the construction of the M40 motorway.

1.19 Banbury's major employers are the Horton General Hospital to the south of the town centre (about 1,200 people) which serves North Oxfordshire and neighbouring areas, Kraft (about 800 people) to the north of the town centre, and the District Council based in the adjoining village of Bodicote to the south (about 700 people). The main employment areas are to the north and east of the town.

1.20 The town has two residential areas which suffer significantly from deprivation: an area in western Banbury in and around the Bretch Hill estate, built to accommodate overspill from London; and parts of Grimsbury, originally a Victorian area to the east of the town centre which expanded with the construction of local authority housing and has experienced further development over the past 20 years. Grimsbury has relatively high numbers of people from ethnic minority groups.

1.21 Banbury experienced major retail redevelopment in the 1990s (Castle Quay) which has brought great benefits to the town

centre but has also made it more challenging for the historic High Street area. Areas of land east and west of the railway station to the east of the town centre have been in need of regeneration for some years. The easternmost area - the former Cattle Market and adjoining land - has now been developed. The 'Canalside' industrial area to the west is more challenging as significant parts of it are in active use by a wide range of businesses.

1.22 Banbury is located on the River Cherwell / Oxford Canal corridor and its development potential is constrained by sensitive landscape and topography in most directions. This includes the Cherwell Valley, Sor Brook Valley and significant ridgelines. Banbury experienced serious flooding in 1998 and to a lesser extent in 2007. A flood alleviation scheme for the town has now been delivered. Junction 11 of the M40 lies immediately to the north east of the town and the motorway runs close to the town's eastern perimeter. Currently traffic must pass through the town centre or through residential areas to travel between Junction 11 and the south side of town.

Kidlington Today

1.23 Kidlington, in the south of the District, makes a proud claim to be Britain's largest village with a population of about 15,000. By reason of its size, and due to its function as an employment and service centre, it comprises the District's third urban area. Kidlington is located only 5 miles north of Oxford City and is located near a major junction connecting 3 separate A roads - the A34, A40 and A33. Kidlington operates as a local shopping centre which primarily serves customers from the local vicinity. The village centre fulfils the role of 'top up' or convenience shopping. Within the centre there was found to be a relatively high proportion of service and office sector

dominance whilst outside of the centre, there is a concentration of employment generating development to the west of the village around Langford Lane, with Langford Business Parks, Spires Business Park and the Oxford Motor Park. London-Oxford Airport is also situated in this area. One of the challenges at Kidlington is meeting the needs of an urban area constrained by surrounding Green Belt.

Our Villages and Rural Areas Today

1.24 There are over 90 villages and hamlets in Cherwell. Bloxham, in the north of the District, is the second largest village (after Kidlington) with a population of just over 3,000. Yarnton, to the south west of Kidlington, has a population of about 2,500. Adderbury, Deddington, Hook Norton and Bodicote, each in north Cherwell, also have populations in excess of 2,000.

1.25 Each of Cherwell's villages has its own unique character and many have conservation areas which help to conserve and enhance their historic core. All of the villages have seen growth over the centuries, and some have grown significantly in the 20th and 21st centuries.

1.26 Cherwell's villages can be generally characterised as having a fairly limited number and range of services and facilities, however there are significant differences between villages. The larger villages often have some or all of the following; a post office, primary school, shops, pubs, bus services, recreation areas and community halls and other community facilities. Some also have local employment opportunities.

1.27 The character of the rural area is varied and includes land of significant landscape and biodiversity value. A small part of the Cotswolds AONB lies within the north

western part of the District and to the south lies the Oxford Meadows Special Area of Conservation. This environment helps attract tourists to the area to destinations such as Hook Norton Brewery, the Cropredy festival and the Oxford Canal.

Former RAF Upper Heyford

1.28 Within Cherwell's rural areas lies the 500ha former RAF Upper Heyford site, vacated by the US Air Force in 1994. The site is located at the top of a plateau and is set within otherwise open countryside. Land to the west falls sharply to the Cherwell valley and Oxford Canal (which has been designated as a Conservation Area). The Grade I listed Rousham Park is located in the valley to the south west of the site. The Rousham, Lower Heyford and Upper Heyford Conservation Area adjoins the airbase site, whilst the airbase itself has been designated as a Conservation Area in view of the national importance of the site and the significant heritage interest reflecting the Cold War associations of the airbase. There are a number of Scheduled Ancient Monuments, listed buildings, and non designated heritage assets of national importance on site, as well as other unlisted buildings that make a positive contribution to the character or appearance of the conservation area, and much of the airfield is of ecological importance including a Local Wildlife Site (recently extended in area). The site has been divided into three main functional character areas: the main flying field and a technical site to the north of Camp Road and the residential area that is mainly to the south of Camp Road which itself consists of five distinctive character areas reflecting different functions and historic periods of construction. The flying field represents the core area of historic significance, and is of national significance due to its Cold War associations.

1.29 Over the last 10 years numerous applications have been made seeking permission to either develop the whole site or large parts of it and a number have gone to appeal demonstrating the significant environmental and heritage constraints and the complexities of the site. An application in 2008 proposed a new settlement of 1,075 dwellings (gross) (761 net), together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure for the entire site. Following a major public inquiry in 2008 the Council received the appeal decision from the Secretary of State in January 2010. The appeal was allowed, subject to conditions, together with 24 conservation area consents that permitted demolition of buildings on the site including 244 dwellings. The 2010 permission granted consent for some of the many commercial uses already operating on temporary consents on the site. More recently, and following a change of ownership of the site, a new outline application was made and granted in 2011 for a revised scheme focusing on the settlement area only. A new masterplan was produced in which the same numbers of dwellings were proposed with the majority of the existing units retained but the development area extends further westwards. Residential development has now commenced south of Camp Road. The delivery of a new settlement at this exceptional brownfield site is therefore underway.

Appendix 2 Links between Policies and Objectives

Appendix 2: Links between Policies and Objectives

Policy Title	Policy Number	Relevant Strategic Objective
A Strategy for Development in Cherwell		
Presumption in Favour of Sustainable Development	Policy PSDI	All objectives
Theme One: A Sustainable Local Economy		
Employment Development	SLE 1	1, 3, 12, 13
Securing Dynamic Town Centres	SLE 2	1, 3, 4, 6, 10, 12, 13, 14, 15
Supporting Tourism Growth	SLE 3	2, 5, 10, 13, 14, 15
Improved Transport and Connections	SLE 4	10, 13
High Speed Rail	SLE 5	10, 12, 15
Theme Two: Building Sustainable Communities		
District Wide Housing Distribution	BSC 1	6, 7, 8, 9, 10, 12
Effective and Efficient Use of Land - Brownfield Land and Housing Density	BSC 2	6, 7, 8, 9, 10, 12
Affordable Housing	BSC 3	8
Housing Mix	BSC 4	7, 9
Area Renewal	BSC 5	3, 10, 14
Travelling Communities	BSC 6	7, 10
Meeting Education Needs	BSC 7	10

Policy Title	Policy Number	Relevant Strategic Objective
Securing Health and Well-Being	BSC 8	10
Public Services and Utilities	BSC 9	10
Open Space, Sport and Recreation Provision	BSC 10	10, 11, 14, 15
Local Standards of Provision - Outdoor Recreation	BSC 11	10, 11, 14, 15
Indoor Sport, Recreation and Community Facilities	BSC 12	10, 11, 14
Theme Three: Ensuring Sustainable Development		
Mitigating and Adapting to Climate Change	ESD 1	11, 12, 13, 15
Energy Hierarchy	ESD 2	11
Sustainable Construction	ESD 3	11
Dentralised Energy Systems	ESD 4	11
Renewable Energy	ESD 5	11
Sustainable Flood Risk Management	ESD 6	11
Sustainable Drainage Systems (SUDS)	ESD 7	11
<u>Our Core Assets</u>		
Water Resources	ESD 8	11
Protection of Oxford Meadows SAC	ESD 9	15
Protection and Enhancement of Biodiversity and the Natural Environment	ESD 10	11, 15
Conservation Target Areas	ESD 11	11, 15
Cotswolds AONB	ESD 12	12, 14
Local Landscape Protection and Enhancement	ESD 13	12, 14

Policy Title	Policy Number	Relevant Strategic Objective
Oxford Green Belt	ESD 14	12, 14
The Character of the Built and Historic Environment	ESD 15	6, 14
The Oxford Canal	ESD 16	10, 13, 14, 15
Green Infrastructure	ESD 17	10, 11, 14, 15
Policies for Cherwell's Places		
Bicester		
North West Bicester Eco-Town	Bicester 1	1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Graven Hill	Bicester 2	1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
South West Bicester Phase 2	Bicester 3	6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Bicester Business Park	Bicester 4	1, 10, 11, 12, 13, 14
Strengthening Bicester Town Centre	Bicester 5	1, 3, 4, 10, 14
Bure Place Town Centre Redevelopment Phase 2	Bicester 6	1, 3, 4, 10, 14
Meeting the Need for Open Space, Sport and Recreation	Bicester 7	10, 14
RAF Bicester	Bicester 8	1, 3, 5, 10, 14
Burial Site in Bicester	Bicester 9	10
Land at Bicester Gateway	Bicester 10	1, 10, 11, 12, 13, 14
Employment Land at North East Bicester	Bicester 11	1, 10, 11, 12, 13, 14
South East Bicester	Bicester 12	1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15

Appendix 2 Links between Policies and Objectives

Policy Title	Policy Number	Relevant Strategic Objective
Gavray Drive	Bicester 13	6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Banbury		
Banbury Canalside	Banbury 1	3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Hardwick Farm, Southam Road (East and West)	Banbury 2	6, 7, 8, 9, 10, 11, 12, 13, 14, 15
West of Bretch Hill	Banbury 3	3, 6, 7, 8, 10, 11, 12, 13
Bankside Phase 2	Banbury 4	6, 7, 8, 10, 11, 12, 13, 14, 15
North of Hanwell Fields	Banbury 5	6, 7, 8, 10, 11, 12, 13, 14, 15
Employment Land West of M40	Banbury 6	1, 10, 11, 12, 13, 14
Strengthening Banbury Town Centre	Banbury 7	1, 3, 4, 10, 14
Land at Bolton Road	Banbury 8	1, 3, 4, 10, 14
Spiceball Development Area	Banbury 9	3, 4, 10, 12, 14, 15
Bretch Hill Regeneration Area	Banbury 10	1, 3, 6, 7, 8, 9, 10, 12, 14
Meeting the Need for Open Space, Sport and Recreation	Banbury 11	10, 14
Land for the Relocation of Banbury United FC	Banbury 12	10, 14
Burial Site Provision in Banbury	Banbury 13	10
Cherwell Country Park	Banbury 14	10, 14, 15
Employment Land North East of Junction 11	Banbury 15	1, 10, 11, 12, 13, 14
Land south of Salt Way (West)	Banbury 16	6, 7, 8, 9, 10, 11, 12, 13, 14, 15

Policy Title	Policy Number	Relevant Strategic Objective
Land south of Salt Way (East)	Banbury 17	6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Land at Drayton Lodge Farm	Banbury 18	6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Land at Higham Way	Banbury 19	6, 7, 8, 9, 10, 11, 12, 13, 14, 15
Kidlington		
Accommodating High Value Employment Needs	Kidlington 1	1, 10, 11, 12, 13, 14
Strengthening Kidlington Village Centre	Kidlington 2	1, 3, 4, 10, 14
Our Villages and Rural Areas		
Village Categorisation	Villages 1	6, 7, 8, 9, 10, 12, 13, 14, 15
Distributing Housing Growth Across the Rural Areas	Villages 2	6, 7, 8, 9, 10, 12, 13, 14, 15
Rural Exception Sites	Villages 3	6, 7, 8, 9, 10, 14
Meeting the Need for Open Space, Sport and Recreation	Villages 4	10, 14
Former RAF Upper Heyford	Villages 5	6, 7, 8, 9, 10, 12, 13, 14, 15
Delivering the Local Plan		
Infrastructure	INF 1	10

Appendix 3 Evidence Base

Economic Evidence

Cherwell Economic Analysis Study (Aug 2012)

Cherwell Retail Study update (Nov 2010)

Cherwell Retail Study (Oct 2012)

Cherwell Tourism Development Study (Aug 2008)

Employment Land Review (July 2006)

Employment Land Review update (Feb 2012)

PPS6 Town Centres Study (Dec 2006)

Area Renewal and Bretch Hill Regeneration Area Background Paper (Jan 2014)

Oxfordshire Strategic Economic Plan (March 2014)

The Oxfordshire Innovation Engine (Oct 2013)

South East Midlands Strategic Economic Plan (March 2014)

Cherwell Economic Analysis Addendum (August 2014)

Updated Employment Land Forecasts (May 2014)

Environmental & Energy Evidence

Addendum to Habitats Regulations Assessment (stage 1 - screening of Proposed Submission Draft Local Plan, Aug 2012) Final Screening of Proposed Changes March 2013 (March 2013)

Addendum to Habitats Regulations Assessment (stage 1 - screening of Proposed Submission Draft Local Plan, Aug 2012) Final Screening of Proposed Changes March 2013 and Further Proposed Changes October 2013 (Oct 2013)

Background Paper on Policies ESD 1-5 of the Proposed Submission Local Plan (Aug 2012)

Banbury Analysis of Potential for Strategic Development - Final Report (Sept 2013)

Banbury Environmental Baseline Report - Final Report (Sept 2013)

Banbury Green Buffers Report - Final Report (Sept 2013)

Banbury Landscape Sensitivity and Capacity Assessment - Final Report (Sept 2013)

Bicester Environmental Baseline Report - Final Report (Sept 2013)

Bicester Green Buffers Report - Final Report (Sept 2013)

Bicester Landscape Sensitivity and Capacity Assessment - Final Report (Sept 2013)

Canalside Level 2 SFRA (Oct 2012)

Cherwell and West Oxon Strategic Flood Risk Assessment (Level 1) (May 2009)

Habitats Regulations Assessment (stage 1)- screening of Options for Growth consultation on directions of growth) (Nov 2009)

Final Habitats Regulations Assessment (stage 1 - screening) of Draft Core Strategy) (Sept 2010)

Final Habitats Regulations Assessment (stage 1 - screening) of Proposed Submission Local Plan August 2012) (Aug 2012)

Landscape Sensitivity and Capacity Assessment (Sept 2010)

Renewable energy and sustainable construction study (Sept 2009)

Strategic Flood Risk Assessment (Level 2) (March 2012)

Strategic Flood Risk Assessment (Level 2) Additional Sites Addendum (Sept 2012)

Addendum to Habitats Regulations Assessment (Stage 1 Screening of Proposed Submission draft Local Plan, Aug 2012) Final Screening of Proposed Changes March 2013

Addendum to Habitats Regulations Assessment (Stage 1 Screening of Proposed Submission draft Local Plan, Aug 2012) Final Screening of proposed Changes March 2013 and Further Proposed Changes October 2013

Banbury Landscape Sensitivity and Capacity Assessment Addendum (August 2014)

Bicester Landscape Sensitivity and Capacity Assessment Addendum (August 2014)

Habitats Regulations Assessment - Addendum to HRA Stage 1 Screening of the Proposed Submission Cherwell Local Plan (Screening of Proposed Modifications) (August 2014)

Upper Heyford Landscape Sensitivity and Capacity Assessment (August 2014)

Sequential Test and Exception Test (Flooding) (August 2012, updated October 2013)

Sequential Test and Exception Test (Flooding): Strategic Sites October 2014

Strategic Flood Risk Assessment (Level 2) Additional Sites Addendum (August 2014)

Upper Heyford Assessment Interim Final Report (August 2014)

Heritage Evidence

Oxford Canal Conservation Area Appraisal (Oct 2012)

Wroxton and Drayton Strategic Heritage Impact Assessment Report - Final Report (Sept 2013)

RAF Upper Heyford Revised Comprehensive Planning Brief SPD (2007)

RAF Upper Heyford Conservation Area Appraisal (2006)

Former RAF Upper Heyford Landscape and Visual Impact and Masterplan Report (2004)

Former RAF Upper Heyford Landscape Character Assessment of the Airbase South of the Cold War Zone (2006)

Former RAF Upper Heyford Conservation Plan (2005)

Restoration of Upper Heyford Airbase – A Landscape Impact Assessment (1997)

The 2014 approved masterplan for the site

Housing Evidence

Affordable Housing Viability Study (March 2010)

Affordable Housing Viability Study update (March 2013)

Analysis of the viability of Extra Care Housing units within Section 106 scheme in Cherwell DC (Feb 2011)

Cherwell Strategic Housing Market Assessment (SHMA) Review and Update (Dec 2012)

Cherwell Submission Local Plan - Housing Density Background Paper (Nov 2013)

Cherwell, West Oxfordshire and South Northamptonshire Gypsy and Traveller Needs Assessment 2012/13 (Jan 2013)

Gypsy and Traveller Accommodation Needs Assessment for the Thames Valley region (Sept 2006)

Living in Cherwell (July 2010)

Local Plan Background Paper - extra care/elderly accommodation (Feb 2013)

Needs Assessment for Travelling Showpeople - executive summary (Nov 2008)

Oxfordshire Strategic Housing Market Assessment (SHMA) (Dec 2007)

Strategic Housing Land Availability Assessment (SHLAA) - Final Report (Oct 2013)

Oxfordshire SHMA 2014 – Summary – Key Findings on Housing Need (March 2014)

Oxfordshire SHMA 2014 - Oxfordshire Economic Forecasting Final Report 2014

Oxfordshire Strategic Housing Market Assessment (SHMA) (April 2014)

Cherwell Housing Deliverability (May 2014)

Strategic Housing Land Availability Assessment Update (August 2014)

Village Categorisation Update October 2014

Infrastructure Evidence

Banbury Integrated Transport and Land Use Study (BANITLUS) (Dec 2009)

Banbury Movement Study (Feb 2013)

Bicester Integrated Transport and Land Use Strategy - draft (BICITLUS) (Feb 2009)

Bicester Movement Study (Feb 2013)

Cherwell Rural Areas Integrated Transport and Land Use Study (Aug 2009)

Banbury Movement Study Addendum (2014)

Bicester Movement Study Addendum (2014)

Halcrow Technical Note: Bicester SATURN Model May 2013 (January 2014)

Bicester Transport Modelling (October 2014)

Banbury Highway Model: Forecasting Report (October 2014)

Upper Heyford Transport Technical Note (October 2014)

District Wide Transport Note (October 2014)

Summary of Transport Technical Note (October 2014)

Leisure Evidence

Green Space Strategy & background document (July 2008)

Open Space update (Sept 2011)

Playing Pitch Strategy & background document (July 2008)

PPG17 Assessment - indoor sports and recreation facilities assessment (Aug 2006)

PPG17 Assessment - open space, sport and recreational facilities needs assessment audit and strategy (Aug 2006)

Indoor Sports, Recreation and Community Facilities- Strategic Assessment of need for AGPs Provision in Cherwell Interim Report, April 2014

Indoor Sports, Recreation and Community Facilities- Strategic Assessment of need for Halls Provision in Cherwell Interim Report, April 2014

Indoor Sports, Recreation and Community Facilities- Strategic Assessment of need for Pools Provision in Cherwell Interim Report, April 2014

Plan-Wide Evidence

Banbury Canalside Viability Study (Sept 2013)

Local Plan Viability Study (Oct 2013)

Local Plan Viability Update Executive Summary (August 2014)

Local Plan Viability Update (September 2014)

Superseded Studies

Assessing the type and size of housing stock required in Cherwell (SUPERSEDED) (Sept 2009)

Banbury Analysis of Potential for Strategic Development - Final Draft (SUPERSEDED) (March 2013)

Banbury Environmental Baseline Report - Final Draft (SUPERSEDED) (March 2013)

Banbury Green Buffers Report - Final Draft (SUPERSEDED) (March 2013)

Banbury Landscape Sensitivity and Capacity Assessment - Final Draft (March 2013) (SUPERSEDED)

Bicester Environmental Baseline Report - Final Draft (SUPERSEDED) (March 2013)

Bicester Green Buffers Report - Final Draft (SUPERSEDED) (March 2013)

Cherwell Landscape Sensitivity and Capacity Assessment - Final Draft (Sep 2009)

Cherwell Housing Needs Assessment (SUPERSEDED) (June 2008)

Cherwell Housing Needs Assessment (SUPERSEDED) (June 2009)

Strategic Housing Land Availability Assessment (SHLAA) - Draft Final Report 2013 (SUPERSEDED) (April 2013)

Wroxton and Drayton Strategic Heritage Impact Assessment Report - Final Draft (SUPERSEDED) (March 2013)

Gypsy and Traveller Accommodation Needs Assessment for the Thames Valley region (Sept 2006)

Interim Transport Technical Note (August 2014)

Relevant Documents/Data Sources

Annual Monitoring Reports

Cherwell in Numbers 2010

Conservation and Urban Design Strategy for Cherwell 2012 – 2015

Economic Development Strategy 2011 – 2016

Low Carbon Environmental Strategy (2012)

National Heat Map (Department of Energy & Climate Change)

<http://tools.decc.gov.uk/nationalheatmap/>

Oxfordshire Data Observatory

<http://insight.oxfordshire.gov.uk/cms/>

Oxfordshire Local Transport Plan

<http://www.oxfordshire.gov.uk/cms/public-site/local-transport-plan>

Oxfordshire Wildlife and Landscape Study

<http://owls.oxfordshire.gov.uk/wps/wcm/connect/occ/OWLS/Home/>

Appendix 4 Glossary

Phrase	Definition
Accessible Green Space Standards	Model standards devised by English Nature (now Natural England) for the provision of 'natural' greenspace, i.e. accessible areas that also provide potential wildlife habitat. The model sets out that no person should live more than 300m from their nearest area of natural greenspace of at least 2ha in size; that there should be at least one accessible 20ha site within 2km of home; that there should be one accessible 100ha site within 5km of home; and that there should be one accessible 500ha site within 10km of home.
Adoption	The approval, after independent examination, of the final version of a Local Plan by a local planning authority for future planning policy and decision making.
Affordable Housing	Includes affordable rented, social rented and intermediate housing, provided to specified eligible households whose needs are not met by the market.
Annual Monitoring Report (AMR)	A report produced at least annually assessing progress of the LDS and the extent to which policies in Local Development Documents are being successfully implemented.
Appropriate Assessment	A process required by European Directives (Birds Directive 79/409/EEC and Habitats Directive 92/43/EEC) to avoid adverse effects of plans, programmes and projects on Natura 2000 sites and thereby maintain the integrity of the Natura 2000 network and its features.
Area Action Plan (AAP)	A type of Development Plan Document focused upon an area which will be subject to significant change.
Area of Outstanding Natural Beauty (AONB)	Areas of national importance for their landscape character and appearance, within which the conservation and enhancement of their natural beauty is a priority. A small area of the Cotswolds AONB falls within the District.
Biodiversity	A collective term for plants, animals, micro-organisms and bacteria which, together, interact in a complex way to create living ecosystems.
Climate Change	The lasting and significant change in weather patterns over periods ranging from decades to hundreds of years, impacting on river and sea levels and the rate of flows on watercourses.

Phrase	Definition
Community Infrastructure Levy (CIL)	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.
Conservation Area	A locally designated area of special architectural interest, where the character or appearance is desirable to preserve or enhance.
Development Plan	The statutory term used to refer to the adopted spatial plans and policies that apply to a particular local planning authority area. This includes adopted Local Plans (including Minerals and Waste Plans) and Neighbourhood Development Plans and is defined by Section 38 of the Planning and Compulsory Purchase Act 2004.
Development Plan Documents (DPDs)	Documents which make up the Local Plan. All DPDs are subject to public consultation and independent examination.
Duty to Cooperate	A statutory duty placed on public bodies to cooperate constructively, actively and on an on-going basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
Eco-innovation hub	A 'green technology' cluster of environmental goods and services businesses.
Embodied Energy	The energy bound up in making a building's materials, transporting them to the site and constructing the building.
Evidence Base	The information and data collated by local authorities to support the policy approach set out in the Local Plan.
Examination	The process by which an independent Planning Inspector considers whether a Development Plan Document is 'sound' before it can be adopted.
European Union (EU)	Union of European Member States
Flood Zones	Areas of land assessed as being of low risk (Flood Zone 1), medium (Flood Zone 2), high (Flood Zone 3a) and the functional floodplain (Flood Zone 3b).
Green Belt	A designation for land around certain cities and large built-up areas, which aims to keep this land permanently open or largely undeveloped.
Green Corridors	Green spaces that provide avenues for wildlife movement, often along streams, rivers or other natural features. They often provide pleasant walks for the public away from main roads.
Green Infrastructure	The network of accessible, multi-functional green and open spaces.

Phrase	Definition
Gypsies and Traveller	Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependant's educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling show people or circus people travelling together as such.
Habitats Regulations Assessments (HRA)	HRA is required under the European Directive 92/43/ECC on the "conservation of natural habitats and wild fauna and flora for plans" that may have an impact of European (Natura 2000) Sites. HRA is an assessment of the impacts of implementing a plan or policy on a Natura 2000 Site.
Infrastructure	All the ancillary works and services which are necessary to support human activities, including roads, sewers, schools, hospitals, etc.
Infrastructure Delivery Plan (IDP)	The IDP's role is to identify all items of infrastructure needed to ensure the delivery of the growth targets and policies contained in the Local Plan. This ensures that an appropriate supply of essential infrastructure is provided alongside new homes, workplaces and other forms of development.
LAP	Local Area for Play
LEAP	Local Equipped Area for Play
Listed Buildings	Buildings and structures which are listed by the Department for Culture, Media and Sport are being of special architectural and historic interest and whose protection and maintenance are the subject of special legislation.
Local Development Documents (LDDs)	The collective term for Development Plan Documents, Supplementary Planning Documents and other documents containing statements relating to planning policy and the development and use of land.
Local Development Scheme (LDS)	A Local Development Scheme is a statutory document required to specify (among other matters) the documents which, when prepared, will comprise the Local Plan for the area. It sets out the programme for the preparation of these documents.
Local Plan	The plan for the local area which sets out the long-term spatial vision and development framework for the District and strategic policies and proposals to deliver that vision.
Local Strategic Partnership (LSP)	A group of people and organisations from the local community including from public, private, community and voluntary sectors within a local

Phrase	Definition
	authority area, with the objective of improving the quality of life of the local community.
Local Transport Plan (LTP)	A transport strategy prepared by the local highways authority (the County Council).
Localism Act 2011	The Localism Act introduced changes to the planning system (amongst other changes to local government) including making provision for the revocation of Regional Spatial Strategies, introducing the Duty to Cooperate and Neighbourhood Planning.
MUGA	Multi-Use Games Area
National Planning Policy Framework (NPPF)	A document setting out the Government's planning policies.
National Planning Practice Guidance (NPPG or PPG)	The Government's planning guidance supporting national planning policy.
NEAP	Neighbourhood Equipped Area for Play
Neighbourhood Plans	A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004).
Oxford/Cambridge corridor	A spatial concept focused on the economic influence of Oxford and Cambridge. The aim of this is to promote and accelerate the development of the unique set of educational, research and business assets and activities.
Performance Engineering	Advanced manufacturing / high performance engineering encompass activities which are high in innovation and the application of leading edge technology, and which form a network of businesses which support, compete with and learn from each other.
Planning & Compulsory Purchase Act 2004	This Act amended the Town & Country Planning Act 1990. The Planning and Compulsory Purchase Act 2004 introduced a new statutory system of regional and local planning and has since been amended by the Localism Act 2011.
Planning Inspectorate	The Government body responsible for providing independent inspectors for planning inquiries and for examinations of development plan documents.
Planning Policy Statement (PPS)	Formerly produced by central Government setting out national planning policy. These have been replaced by the NPPF.

Phrase	Definition
Policies Map	Maps of the local planning authority's area which must be reproduced from, or based on, an Ordnance Survey map; include an explanation of any symbol or notation which it uses; and illustrate geographically the application of the policies in the adopted development plan. Where the adopted policies map consists of text and maps, the text prevails if the map and text conflict.
Regeneration	The economic, social and environmental renewal and improvement of rural and urban areas.
Regulations	This means “The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended” unless indicated otherwise. Planning authorities must follow these when preparing Local Plans.
Saved Policies	Policies in historic development plans that have been formally 'saved' and which continue to be used until replaced by a new Local Plan.
Site Specific Allocations	Site specific proposals for specific or mixed uses or development. Policies will identify any specific requirements for individual proposals.
South East Plan (SEP) (now revoked)	One of the former Regional Spatial Strategies revoked by Government. The South East Plan was approved in May 2009 and set out the long term spatial planning framework for the region for the years 2006-2026. It was revoked by the Government in March 2013 with the exception of two policies.
Spatial Planning	Spatial planning goes beyond traditional land use planning to bring together and integrate policies for the development and use of land with other policies and programmes and stake holders which influence the nature of places and how they function.
Special Areas of Conservation (SAC)	A SAC is an area which has been given special protection under the European Union's Habitats Directive.
Statement of Community Involvement (SCI)	The SCI sets out standards to be achieved by the local authority in relation to involving the community in the preparation, alteration and continuing review of all LDDs and in development control decisions.
Strategic Environmental Assessment (SEA)	An assessment of the environmental effects of policies, plans and programmes, required by European legislation, which will be part of the public consultation on the policies.
Strategic Flood Risk Assessment (SRA)	An assessment carried out by local authorities to inform their knowledge of flooding, refine the information on the Flood Map and determine the variations in flood risk from all sources of flooding across and from their area.

Phrase	Definition
Strategic Housing Land Availability Assessment (SHLAA)	An assessment of the land capacity across the District with the potential for housing.
Strategic Housing Market Assessment (SHMA)	SHMAs are studies required by Government of local planning authorities to identify housing markets, and their characteristics, that straddle District boundaries. Their purpose is to inform Local Plans in terms of housing targets, housing need, demand, migration and commuting patterns and the development of planning and housing policy.
Submission	The stage at which a Development Plan Document is sent to the Secretary of State for independent examination.
Supplementary Planning Documents (SPDs)	Documents which provide guidance to supplement the policies and proposals in Development Plan Documents.
Sustainable Drainage Systems (SuDS)	SuDS seek to manage surface water as close to the source as possible, mimicking surface water flows arising from a site prior to the proposed development. Typically SuDS involve a move away from piped systems to softer engineering solutions inspired by natural drainage processes.
Sustainability Appraisal (SA)	The process of assessing the economic, social and environmental effects of a proposed plan. This process implements the requirements of the SEA Directive. Required to be undertaken for all DPDs.
Sustainable Community Strategy (SCS)	Sets an overall strategic direction and long-term vision for the economic, social and environmental wellbeing of an area.
Sustainable Development	A widely used definition drawn up by the World Commission on Environment and Development in 1987: "development that meets the needs of the present without compromising the ability of future generations to meet their own needs".
Travelling Showpeople	Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily or permanently, but excludes Gypsies and Travellers as defined above.
Windfalls	Unidentified sites that are approved for development.

Appendix 5 Maps

5.1 Cherwell District Policies Map

5.2 Key Policies Map: Bicester

5.3 Key Policies Map: Banbury

5.4 Key Policies Map: Kidlington

Bicester Inset Maps

Policy Bicester 1: North West Bicester Eco-Town

Policy Bicester 2: Graven Hill

Policy Bicester 3: South West Bicester Phase 2

Policy Bicester 4: Bicester Business Park

Policy Bicester 5: Strengthening Bicester Town Centre

Policy Bicester 6: Bure Place Town Centre Regeneration Phase 2

Policy Bicester 8: Former RAF Bicester

Policy Bicester 10: Bicester Gateway

Policy Bicester 11: Employment Land at North East Bicester

Policy Bicester 12: South East Bicester

Policy Bicester 13: Gavray Drive

Banbury Inset Maps

Policy Banbury 1: Banbury Canalside

Policy Banbury 2: Hardwick Farm, Southam Road (East and West)

Policy Banbury 3: West of Bretch Hill

Policy Banbury 4: Bankside Phase 2

Policy Banbury 5: North of Hanwell Fields

Policy Banbury 6: Employment Land West of M40

Policy Banbury 7: Strengthening Banbury Town Centre

Policy Banbury 8: Bolton Road Development Area

Policy Banbury 9: Spiceball Development Area

Policy Banbury 10: Bretch Hill Regeneration Area

Policy Banbury 12: Land for the Relocation of Banbury United FC

Policy Banbury 14: Cherwell Country Park

Policy Banbury 15: Employment Land North East of Junction 11

Policy Banbury 16: South of Salt Way - West

Policy Banbury 17: South of Salt Way - East

Policy Banbury 18: Land at Drayton Lodge Farm

Policy Banbury 19: Land at Higham Way

Kidlington Inset Maps

Policy Kidlington 1A: Accommodating High Value Employment Needs - Langford Lane/London Oxford Airport

Policy Kidlington 1B: Accommodating High Value Employment Needs - Begbroke Science Park

Policy Kidlington 2: Strengthening Kidlington Village Centre

Our Villages and Rural Areas Inset Maps

Policy Villages 5: Former RAF Upper Heyford

Thematic Maps

Theme Map - Biodiversity

Theme Map - Community Facilities

Theme Map - Economy

Theme Map - Green Infrastructure

Theme Map - Historic Environment

Theme Map - Landscape

Theme Map - Renewable & Low Carbon Energy

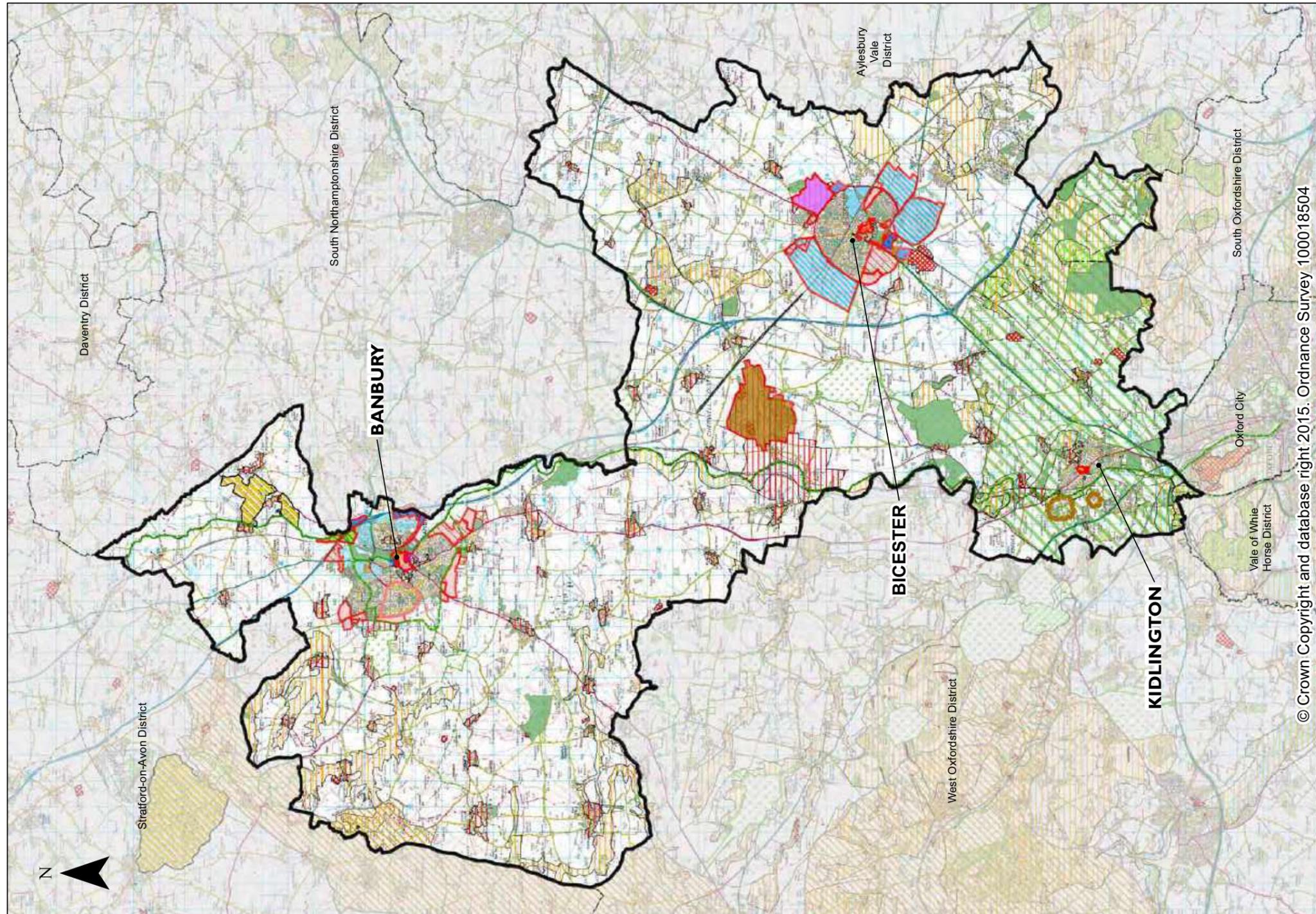
Theme Map - Retail

Key to maps

	Circular Walk/Oxford Canal Trail
	Bretch Hill Regeneration Area (Indicative)
	Strategic Mixed Use (Housing and Employment)
	Strategic Housing sites
	Approved Housing Sites
	Extended Town and Village Centres (Areas of Search)
	New Green Space/Parks
	Outdoor Sports Provision
	New Employment Sites
	Existing Strategic Employment Sites (Indicative)
	Bolton Road Development Area
	Spiceball Development Area
	Town and Village Centres
	Existing Retail Parks (Indicative)
	Tourism Development
	Bure Place Redevelopment
	Approved Employment Sites
	Indicative location of Limited Green Belt Review
	Former RAF Upper Heyford
	Town Centre Commercial Area
	Primary Shopping Frontage
	Town Centre Shopping Area
	Existing Green Space
	Neighbouring Authorities
	Sites of Special Scientific Interest
	Areas of Outstanding Natural Beauty
	Historic Parks and Gardens
	Conservation Areas
	Scheduled Monument
	Registered Battlefields
	Special Areas of Conservation
	Conservation Target Areas
	Green Belt

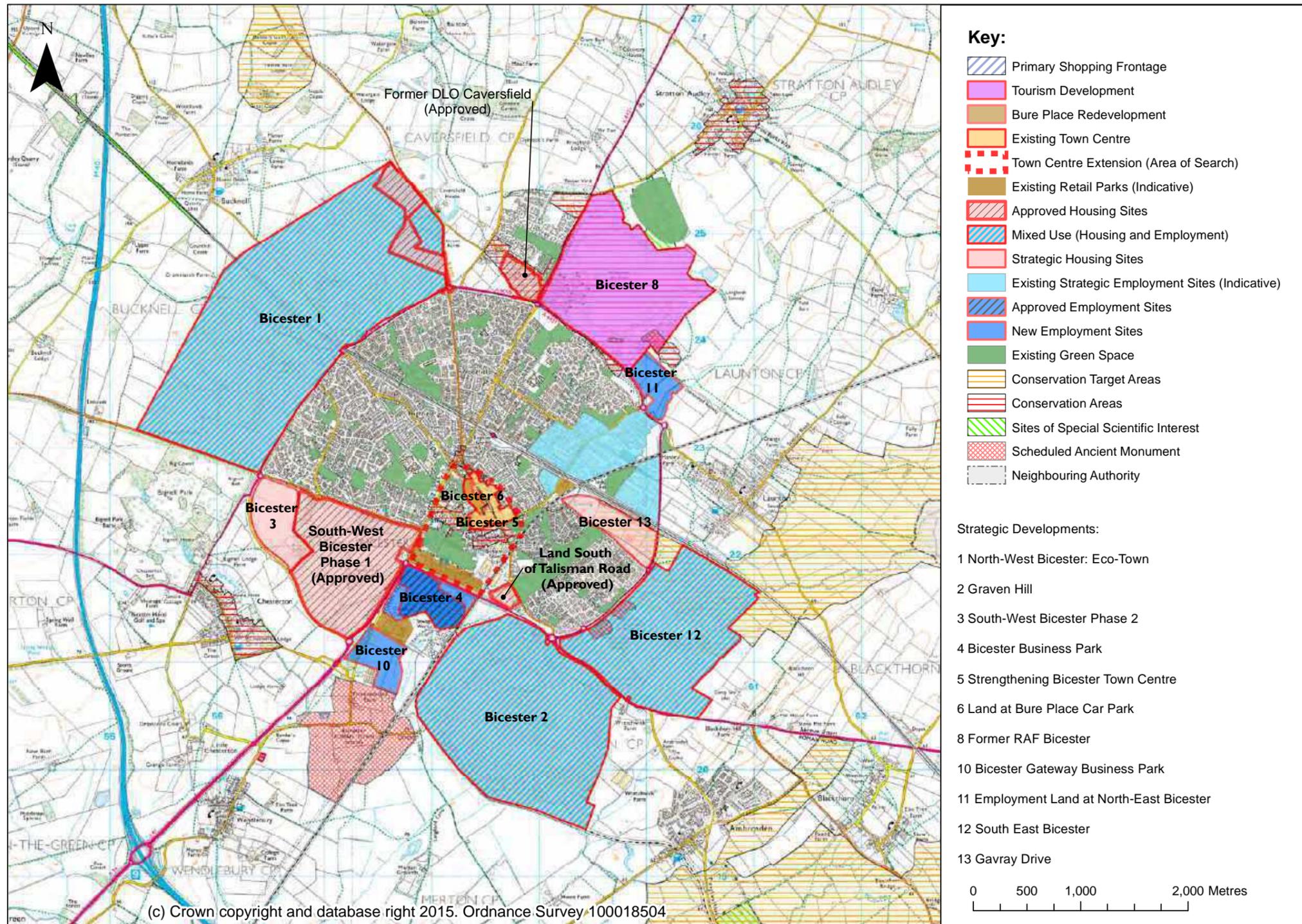
5.1 Cherwell District Policies Map

5.1 Cherwell District Policies Map



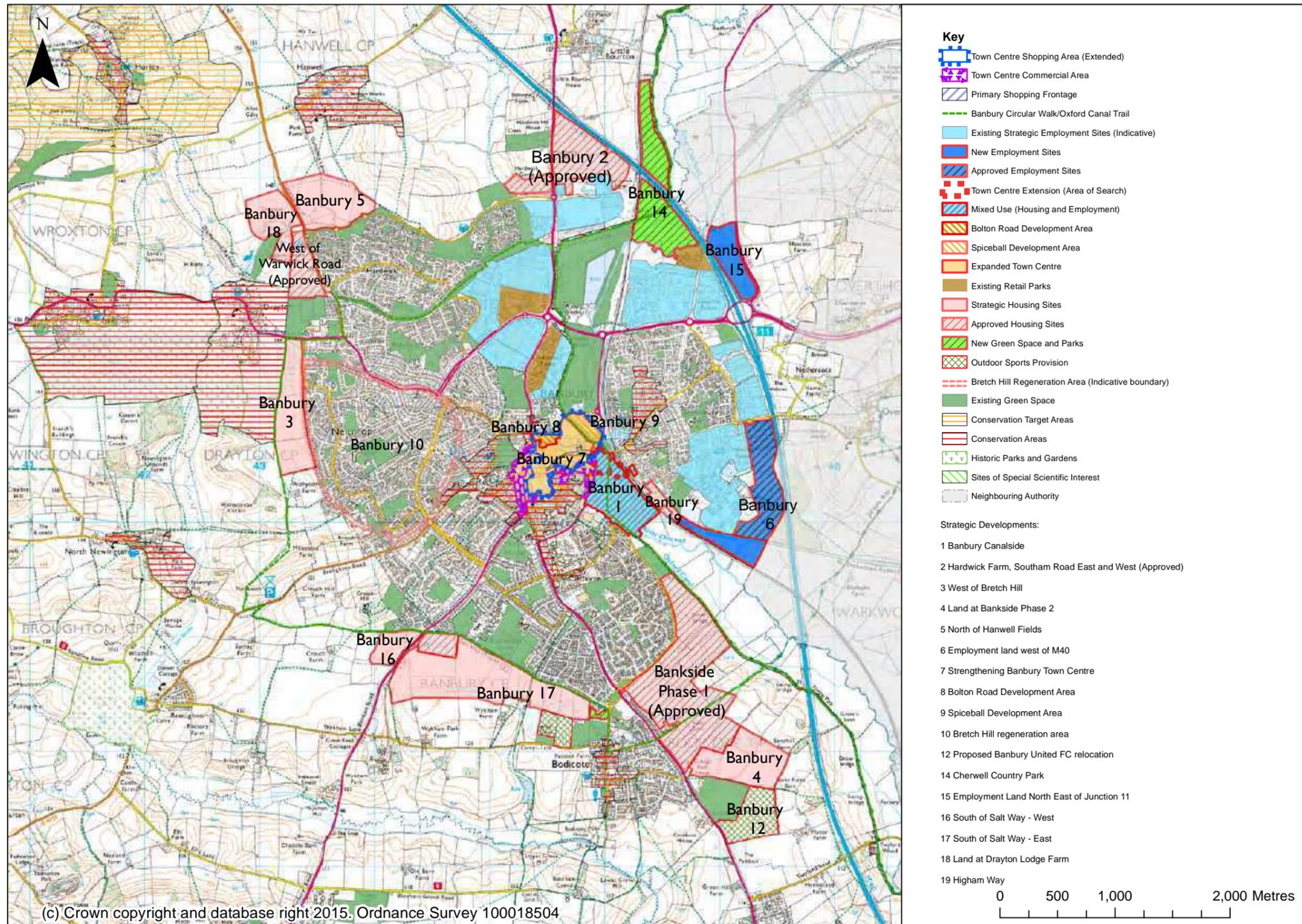
5.2 Key Policies Map: Bicester

5.2 Key Policies Map: Bicester



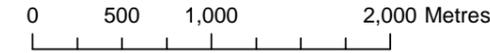
5.3 Key Policies Map: Banbury

5.3 Key Policies Map: Banbury



- Key**
- Town Centre Shopping Area (Extended)
 - Town Centre Commercial Area
 - Primary Shopping Frontage
 - Banbury Circular Walk/Oxford Canal Trail
 - Existing Strategic Employment Sites (Indicative)
 - New Employment Sites
 - Approved Employment Sites
 - Town Centre Extension (Area of Search)
 - Mixed Use (Housing and Employment)
 - Bolton Road Development Area
 - Spiceball Development Area
 - Expanded Town Centre
 - Existing Retail Parks
 - Strategic Housing Sites
 - Approved Housing Sites
 - New Green Space and Parks
 - Outdoor Sports Provision
 - Bretch Hill Regeneration Area (Indicative boundary)
 - Existing Green Space
 - Conservation Target Areas
 - Conservation Areas
 - Historic Parks and Gardens
 - Sites of Special Scientific Interest
 - Neighbouring Authority

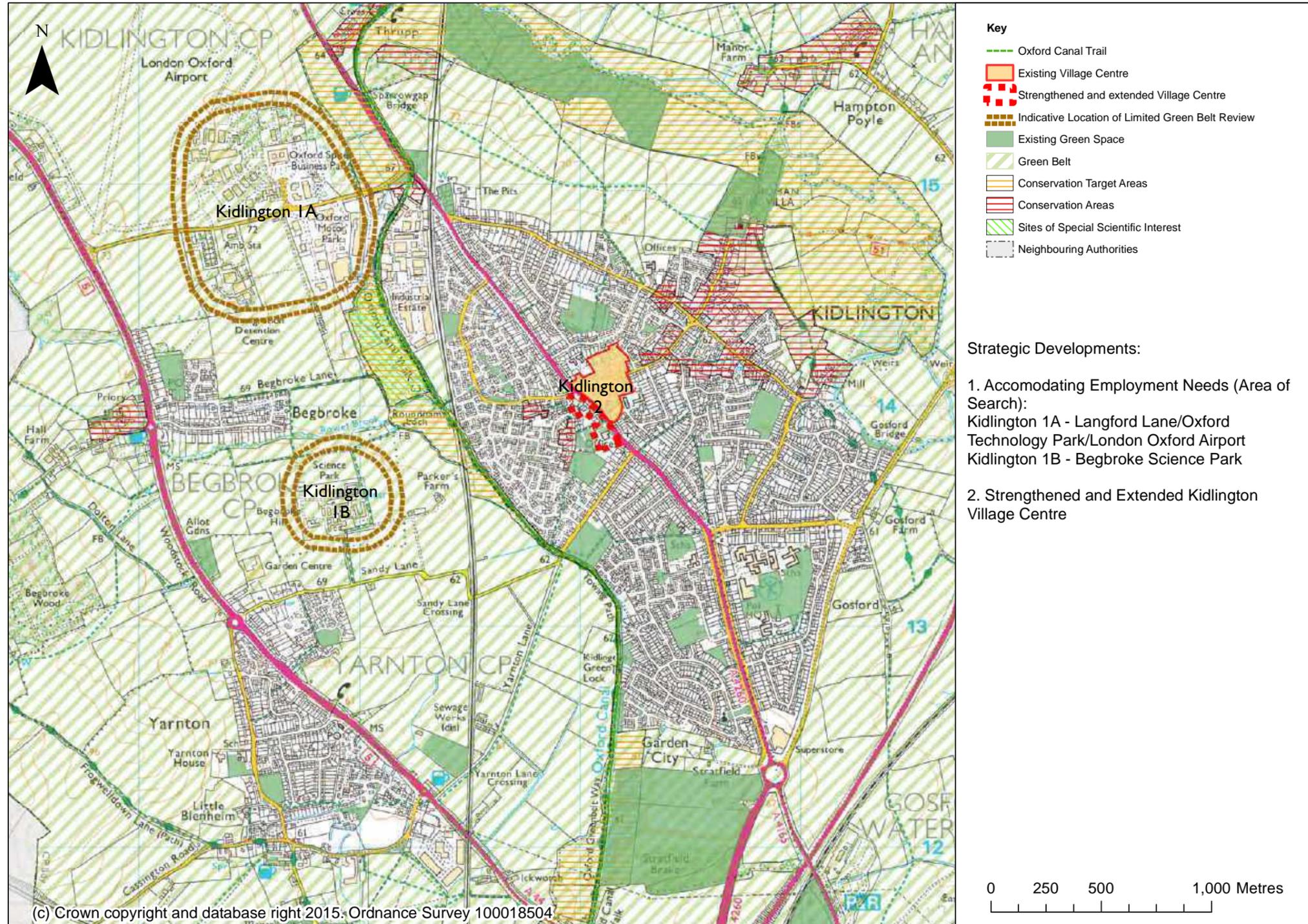
- Strategic Developments:
- 1 Banbury Canalside
 - 2 Hardwick Farm, Southam Road East and West (Approved)
 - 3 West of Bretch Hill
 - 4 Land at Bankside Phase 2
 - 5 North of Hanwell Fields
 - 6 Employment land west of M40
 - 7 Strengthening Banbury Town Centre
 - 8 Bolton Road Development Area
 - 9 Spiceball Development Area
 - 10 Bretch Hill regeneration area
 - 12 Proposed Banbury United FC relocation
 - 14 Cherwell Country Park
 - 15 Employment Land North East of Junction 11
 - 16 South of Salt Way - West
 - 17 South of Salt Way - East
 - 18 Land at Drayton Lodge Farm
 - 19 Higham Way



5.4 Key Policies Map: Kidlington

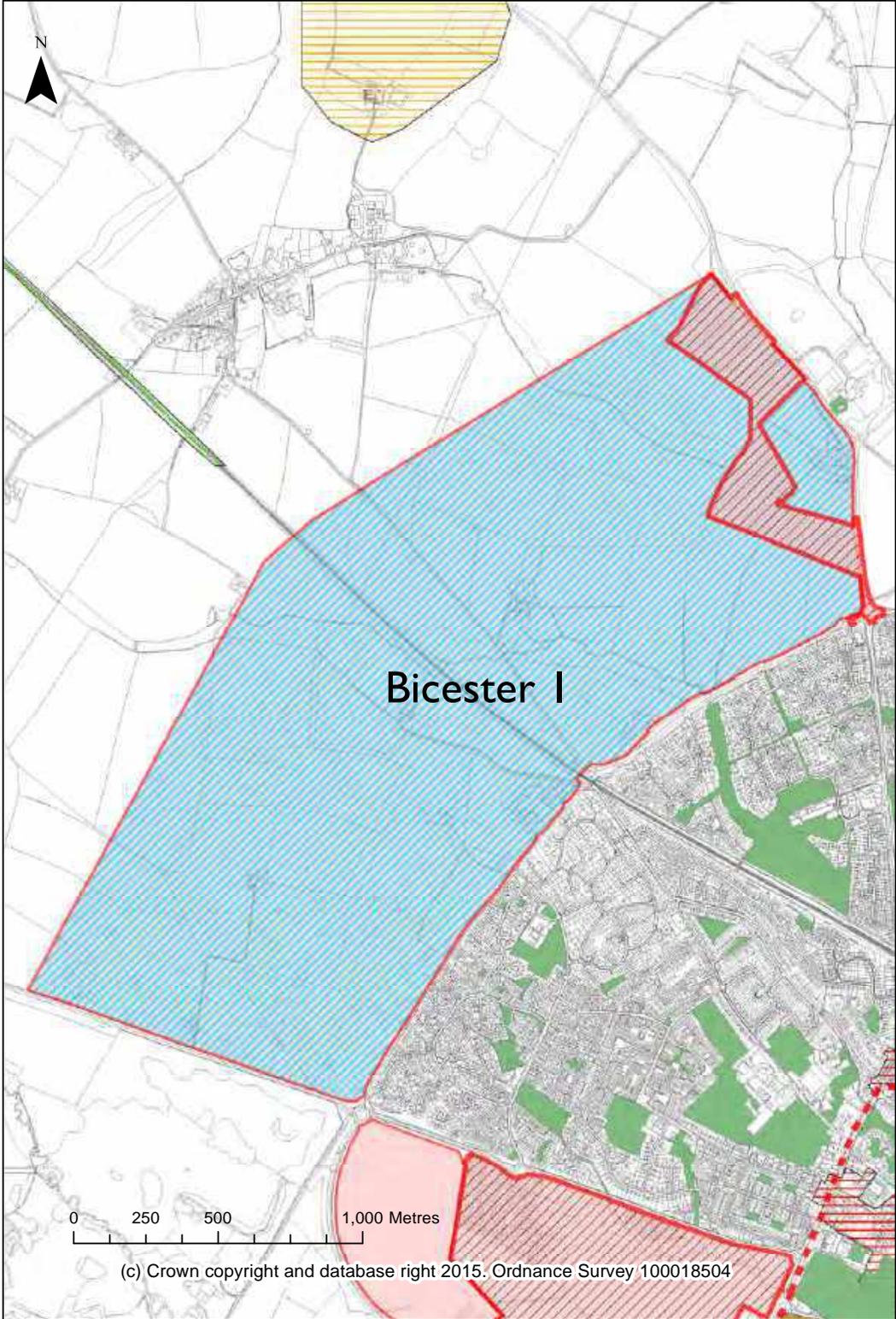
5.4 Key Policies Map: Kidlington

5.4 Key Policies Map: Kidlington

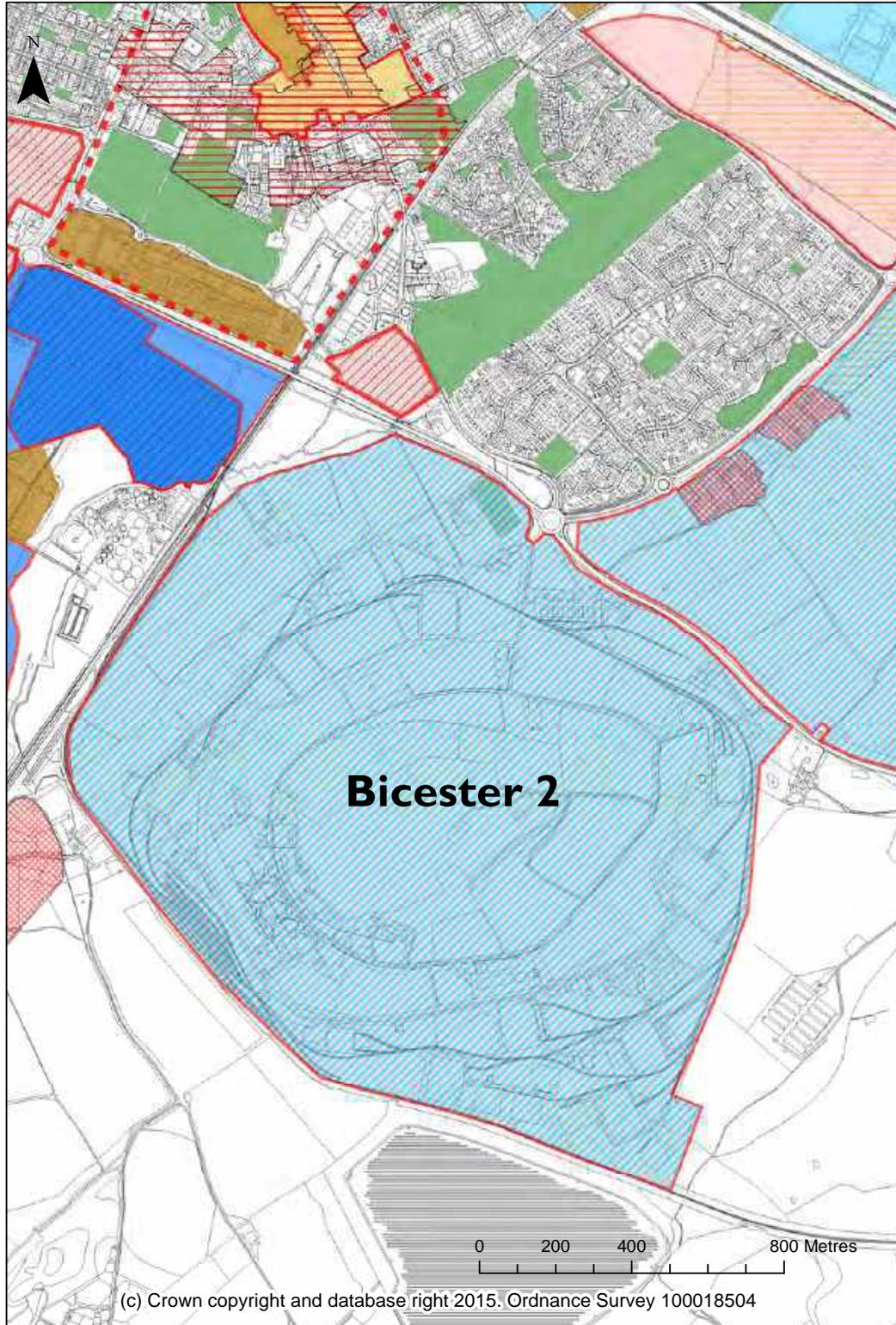


Bicester Inset Maps

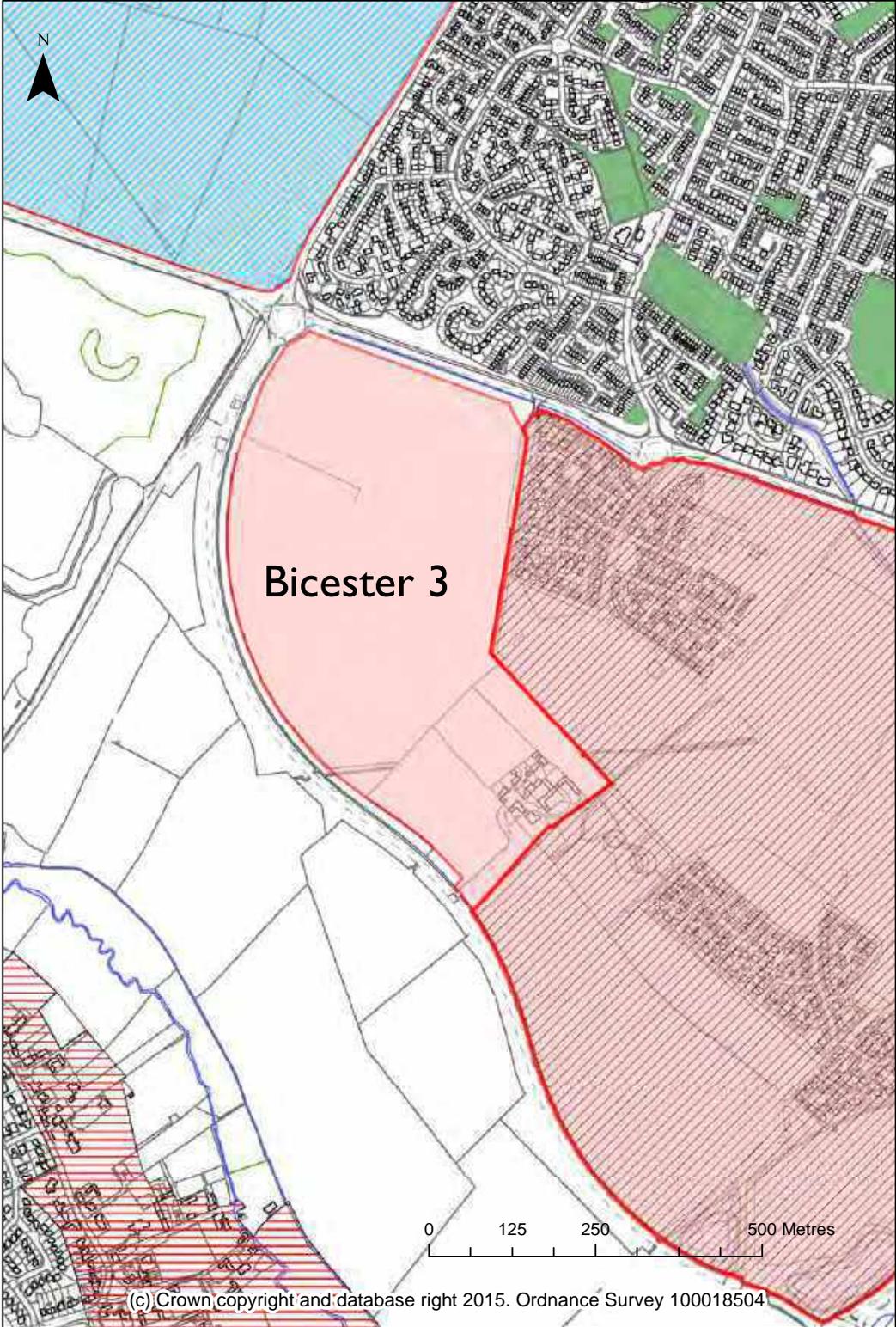
Policy Bicester I: North West Bicester Eco-Town



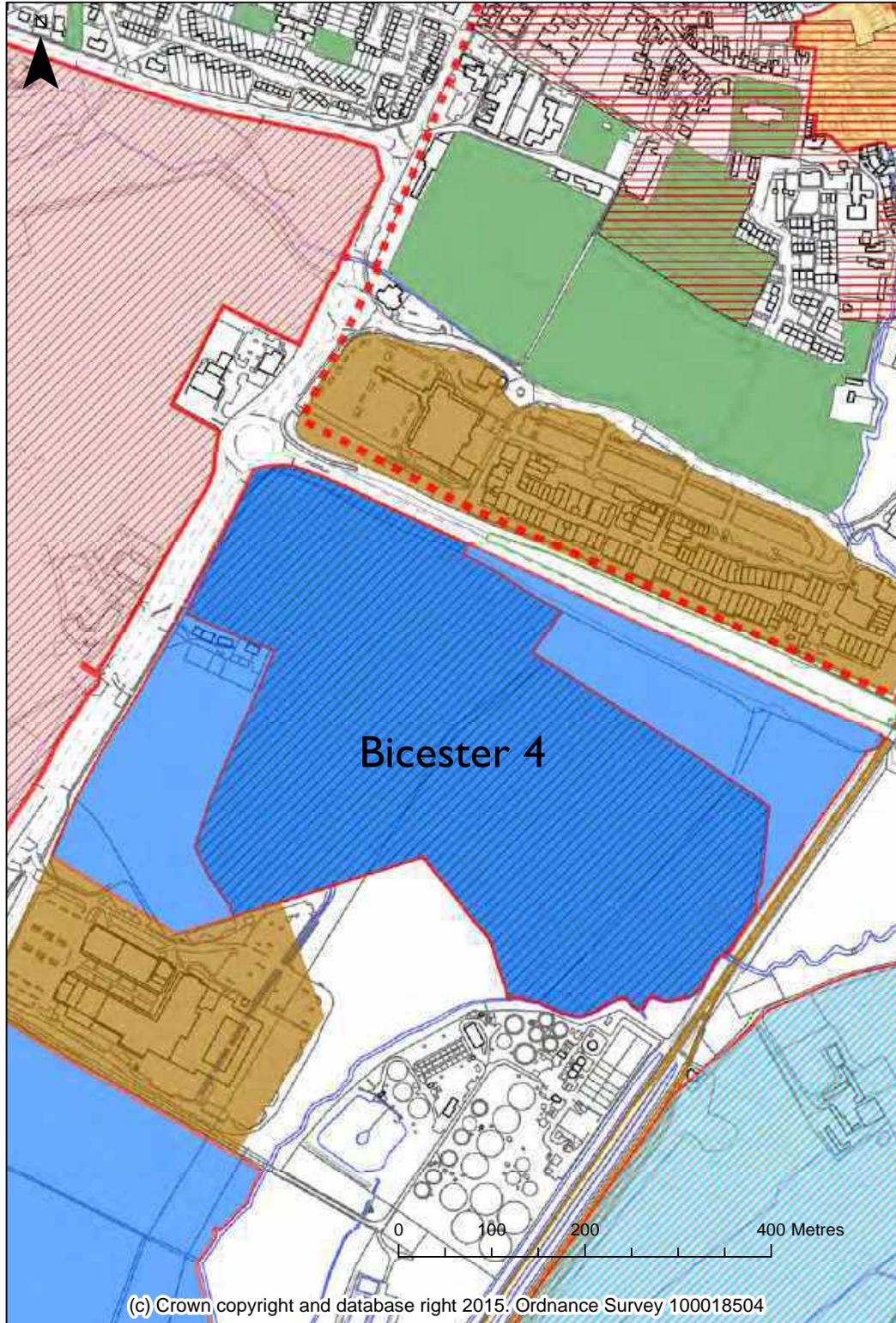
Policy Bicester 2: Graven Hill



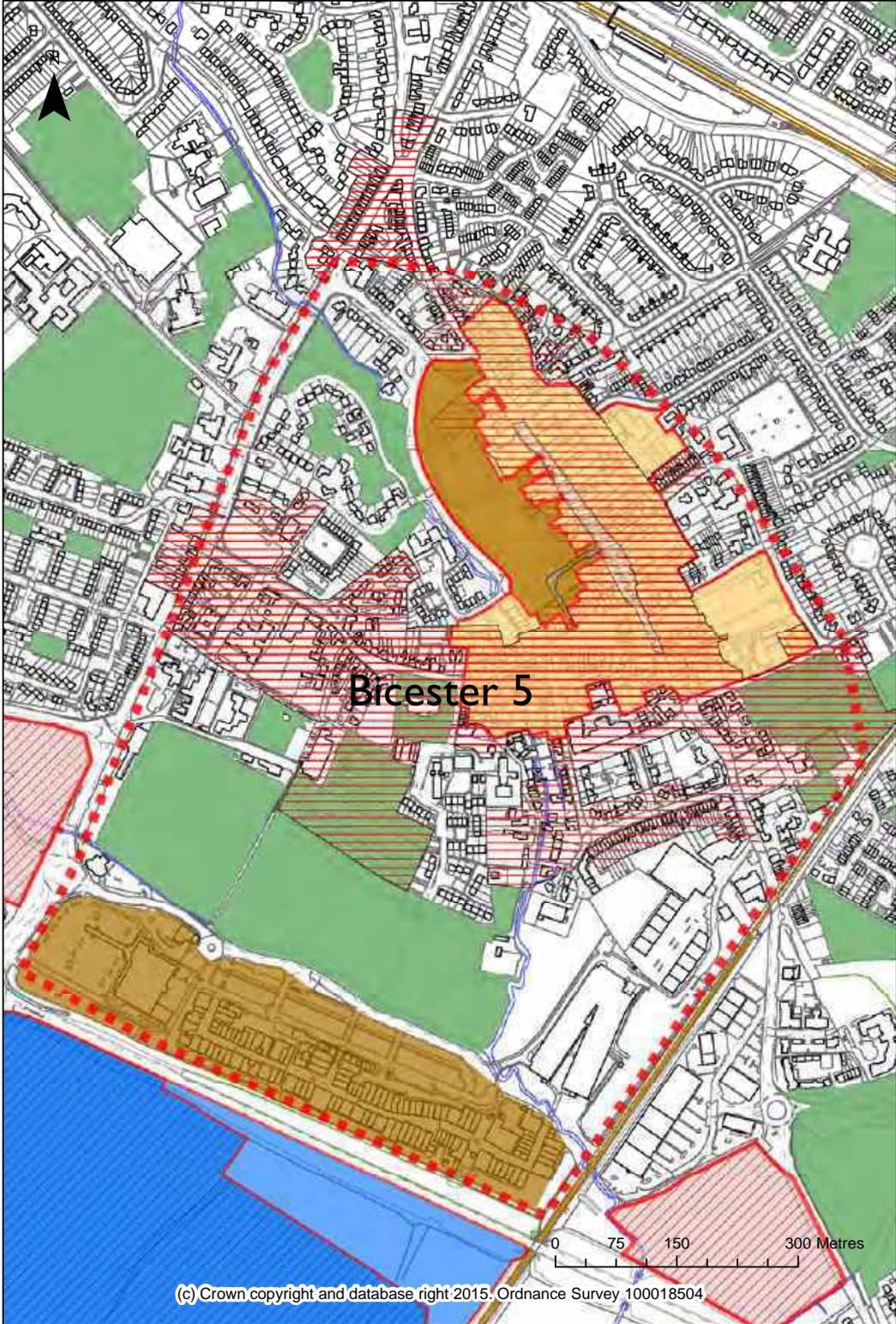
Policy Bicester 3: South West Bicester Phase 2



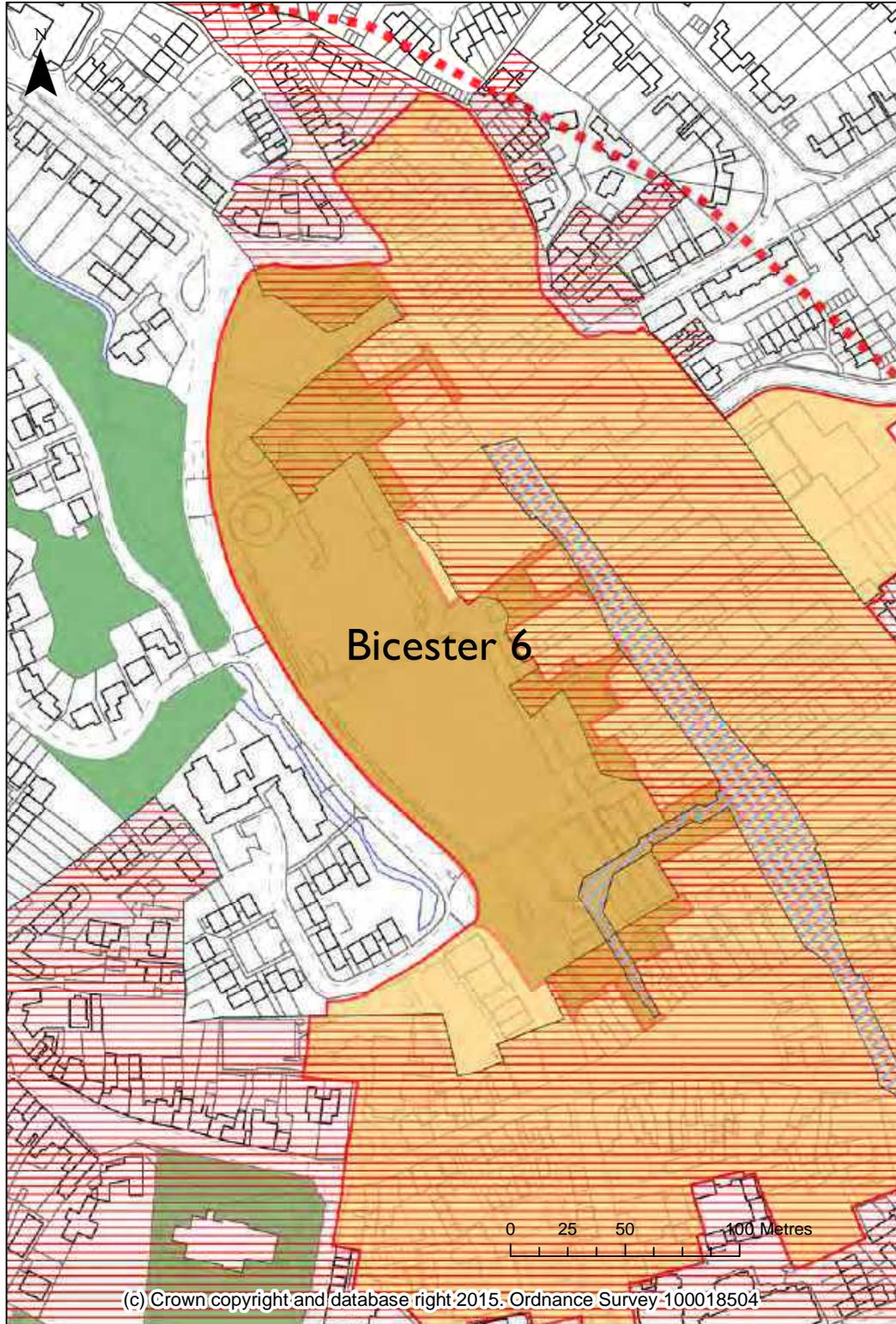
Policy Bicester 4: Bicester Business Park



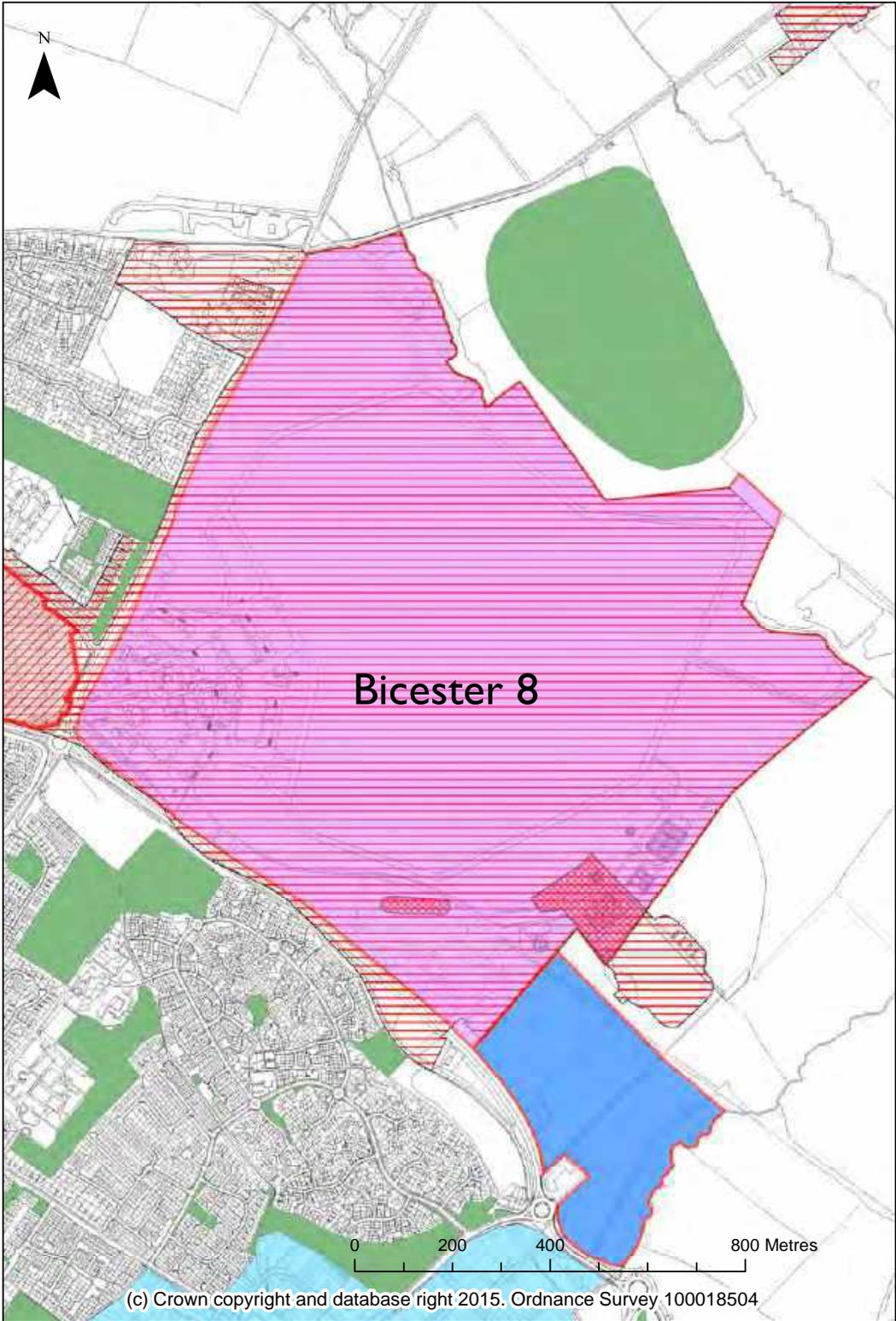
Policy Bicester 5: Strengthening Bicester Town Centre



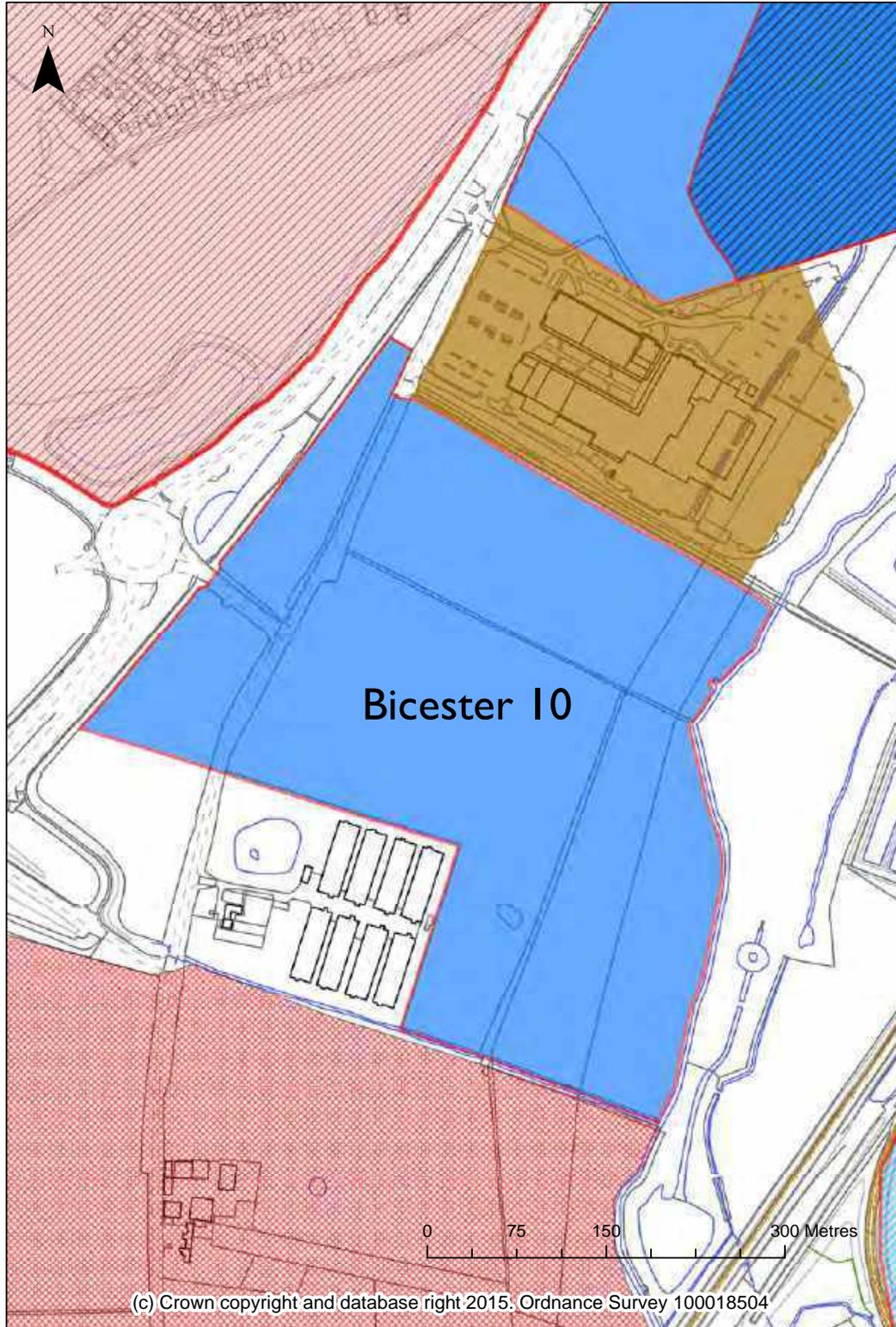
Policy Bicester 6: Bure Place Town Centre Redevelopment Phase 2



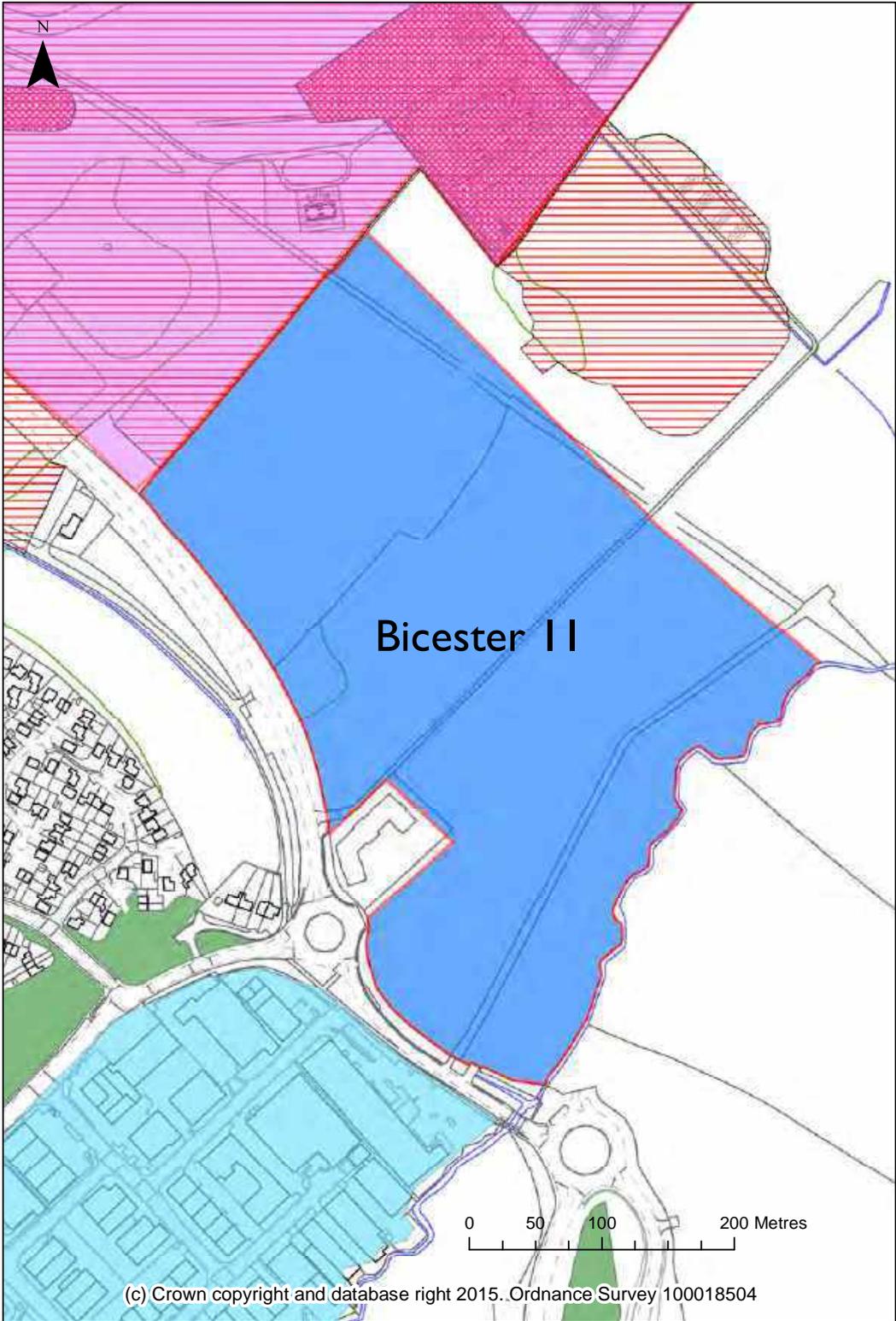
Policy Bicester 8: Former RAF Bicester



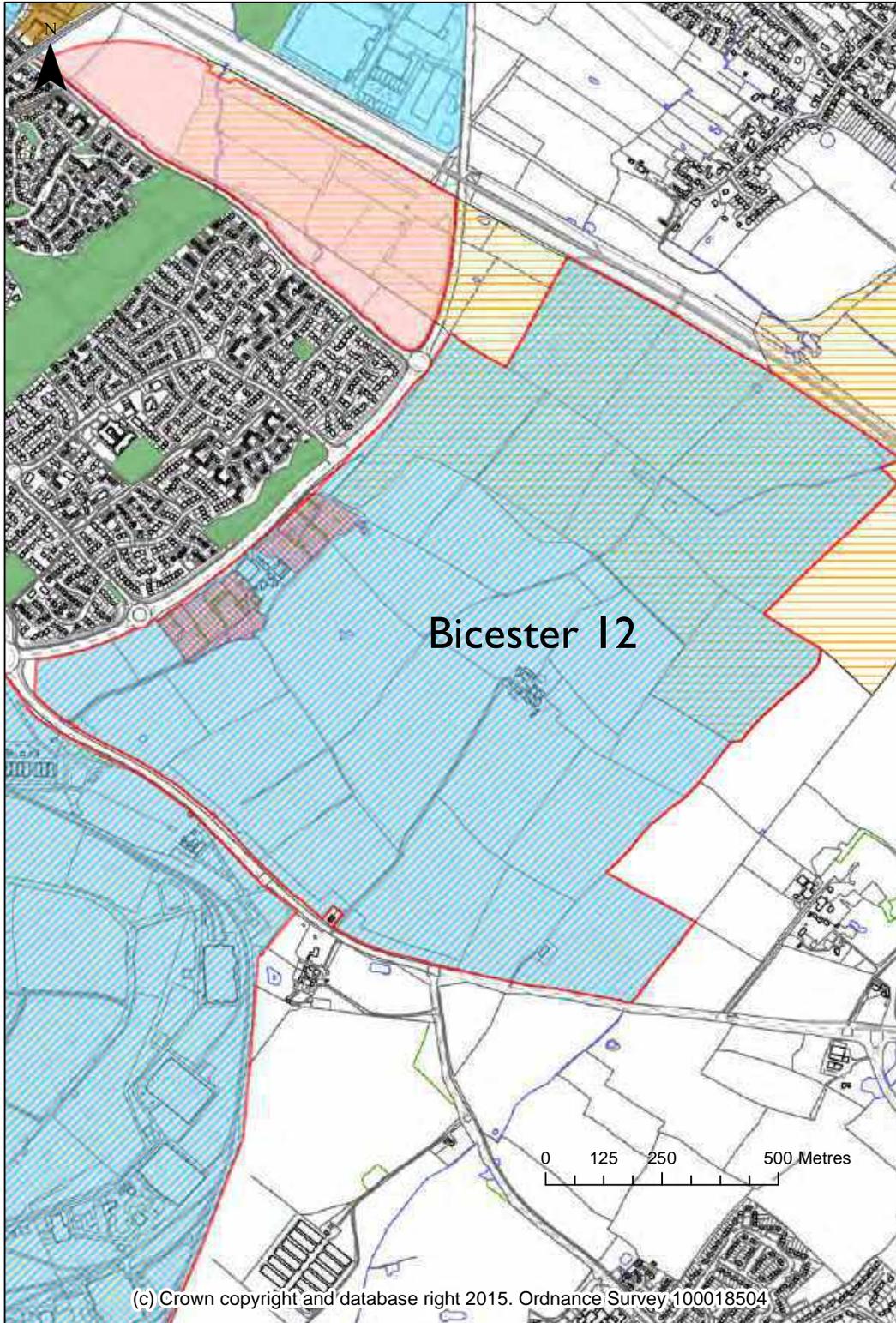
Policy Bicester 10: Bicester Gateway



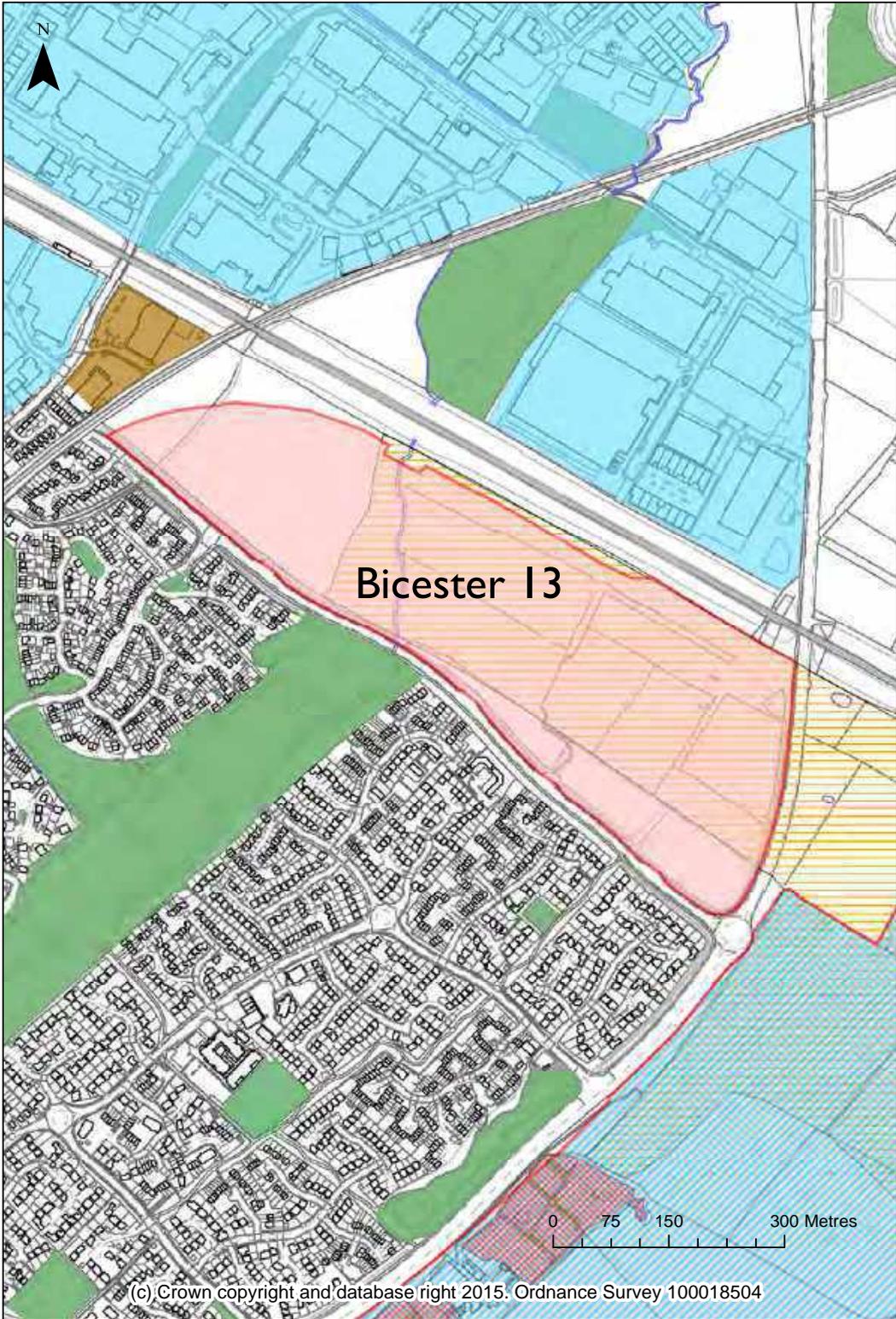
Policy Bicester II: Employment Land at North East Bicester



Policy Bicester 12: South East Bicester

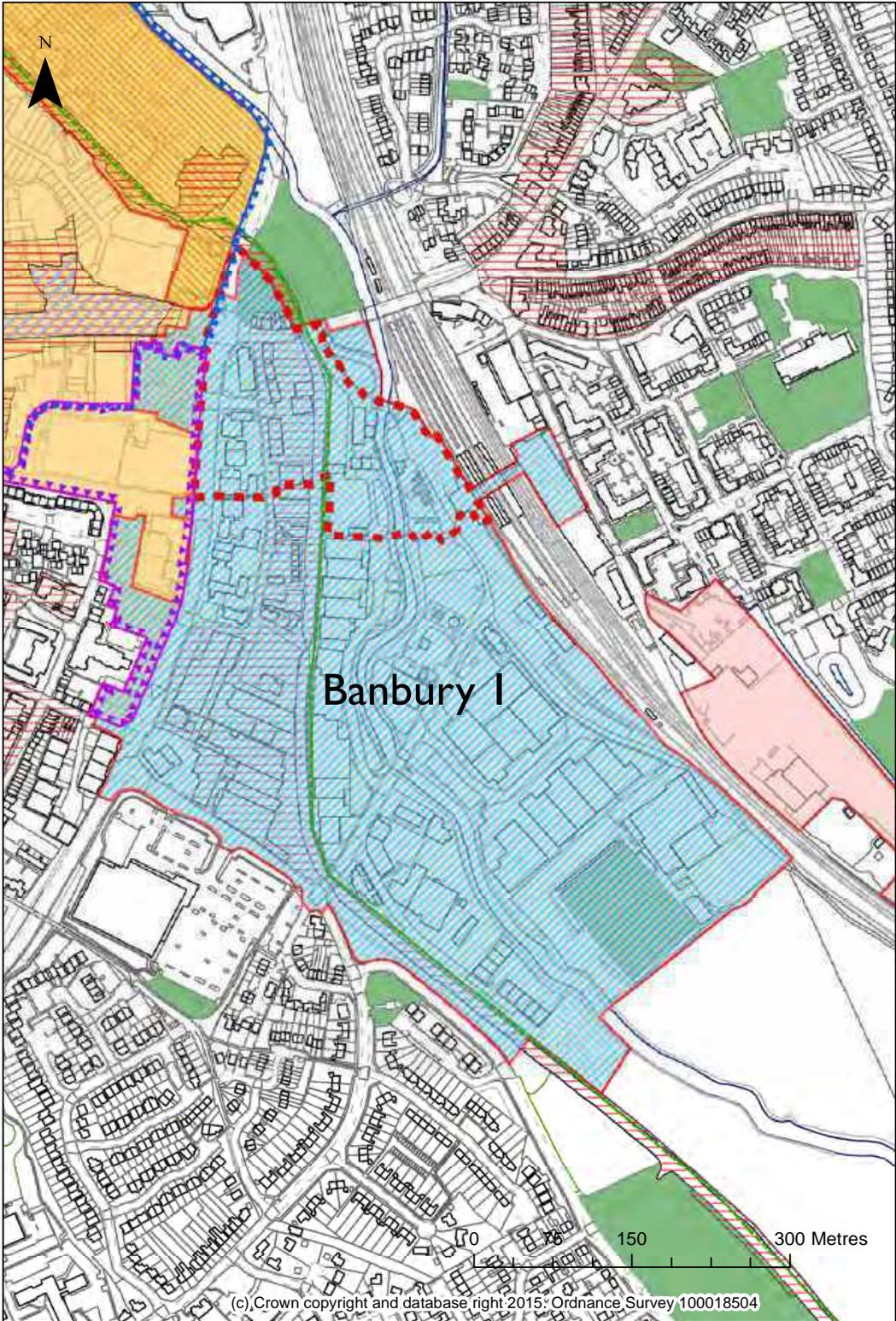


Policy Bicester 13: Gavray Drive

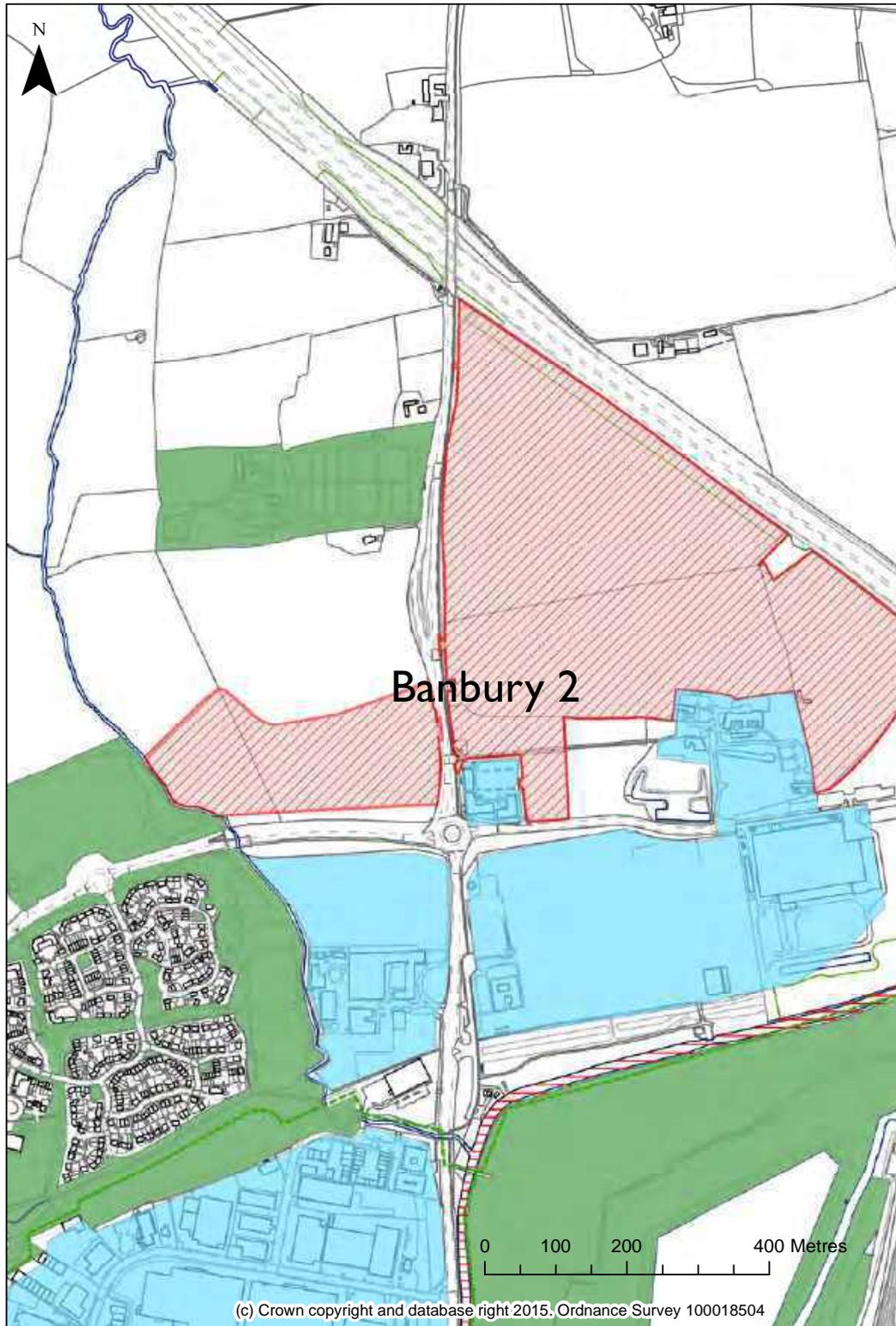


Banbury Inset Maps

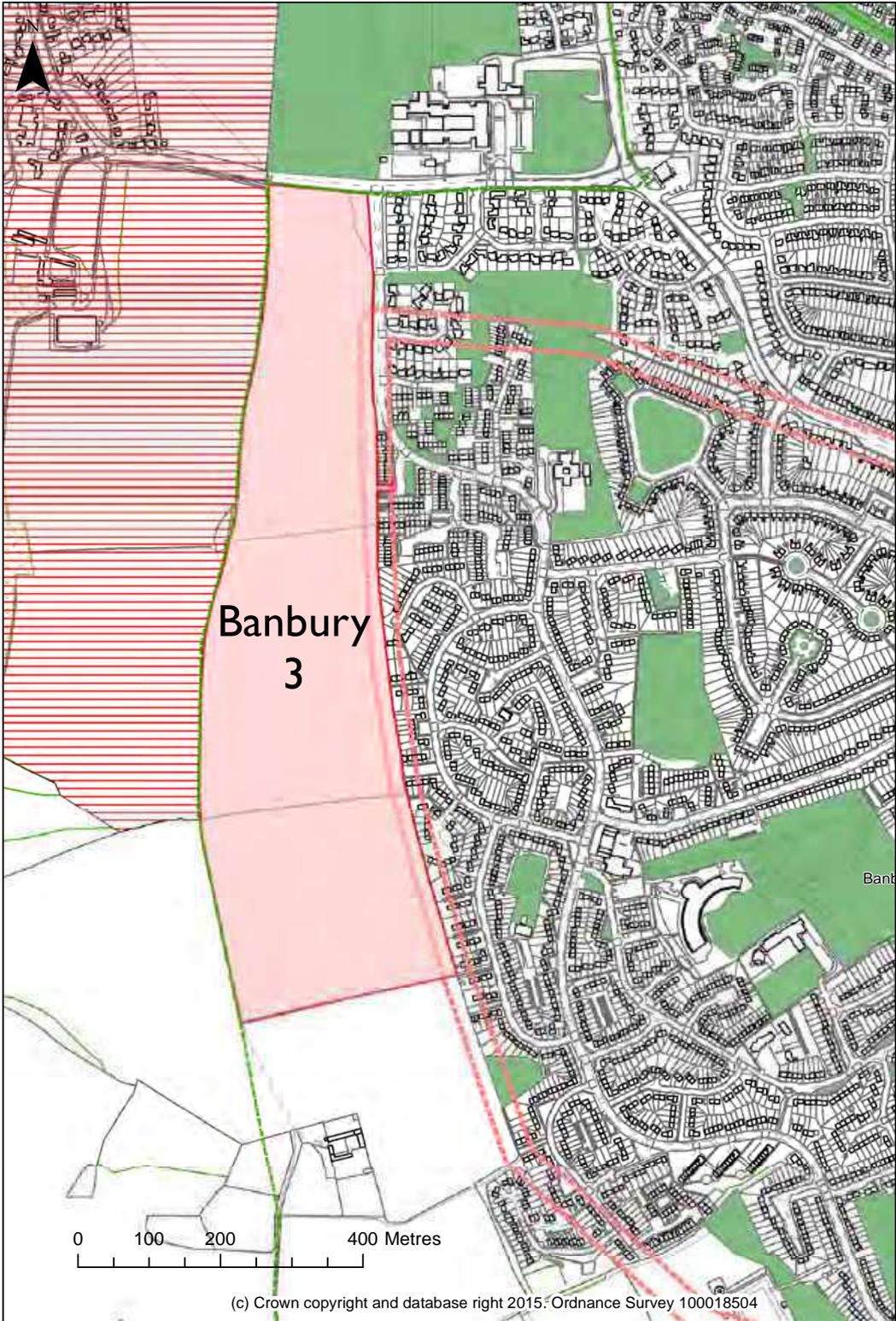
Policy Banbury I: Banbury Canalside



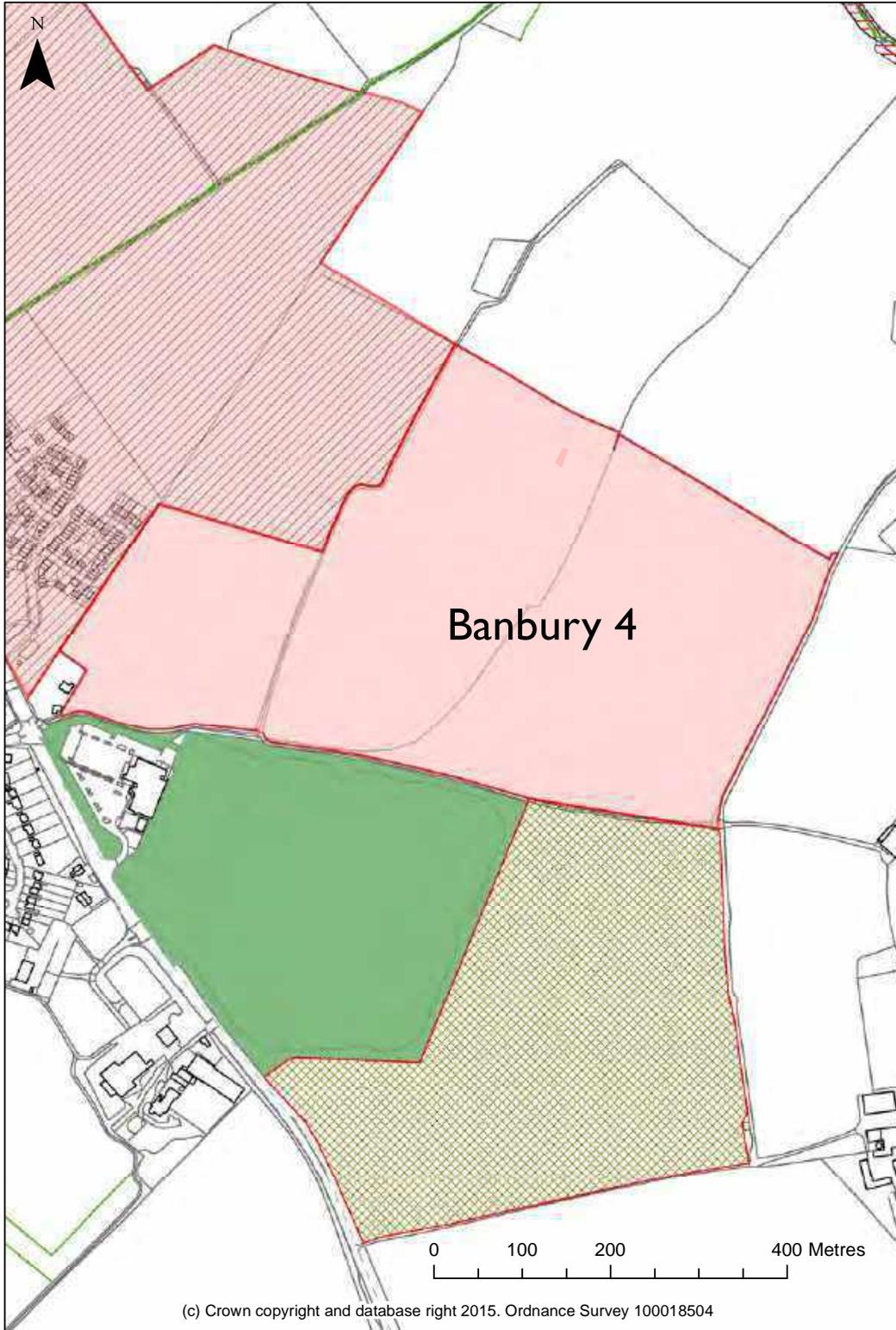
Policy Banbury 2: Hardwick Farm, Southam Road (East and West)



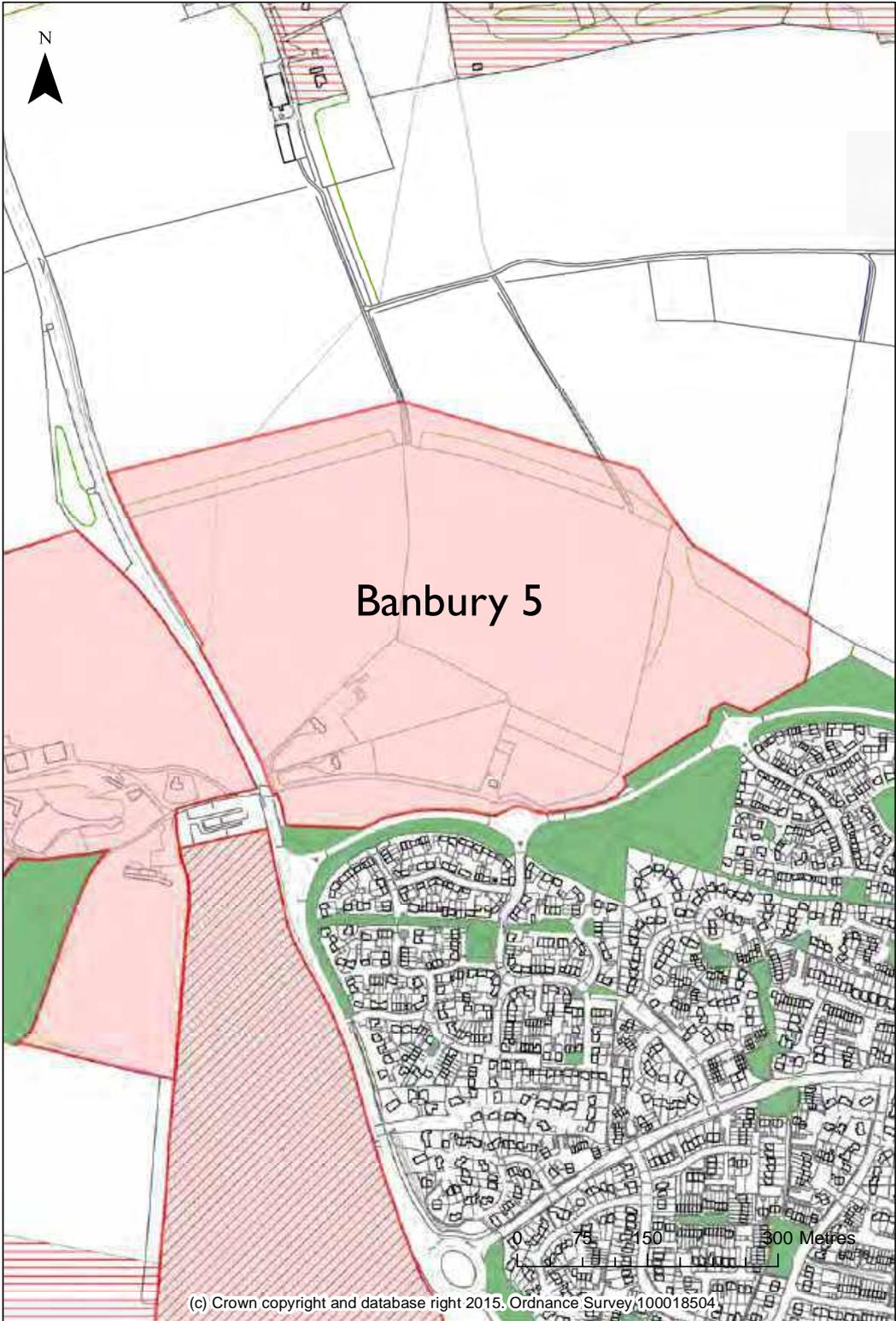
Policy Banbury 3: West of Bretch Hill



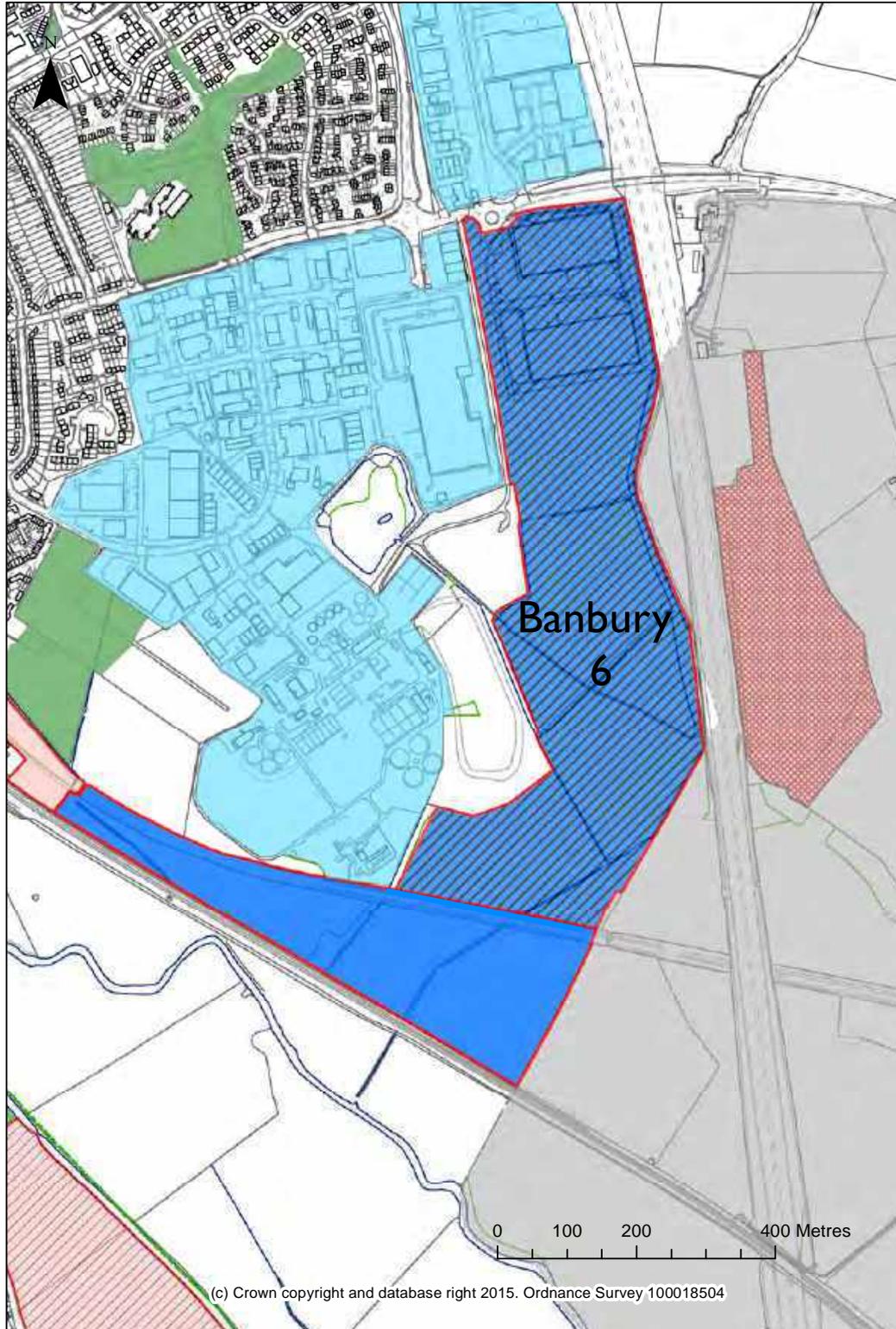
Policy Banbury 4: Bankside Phase 2



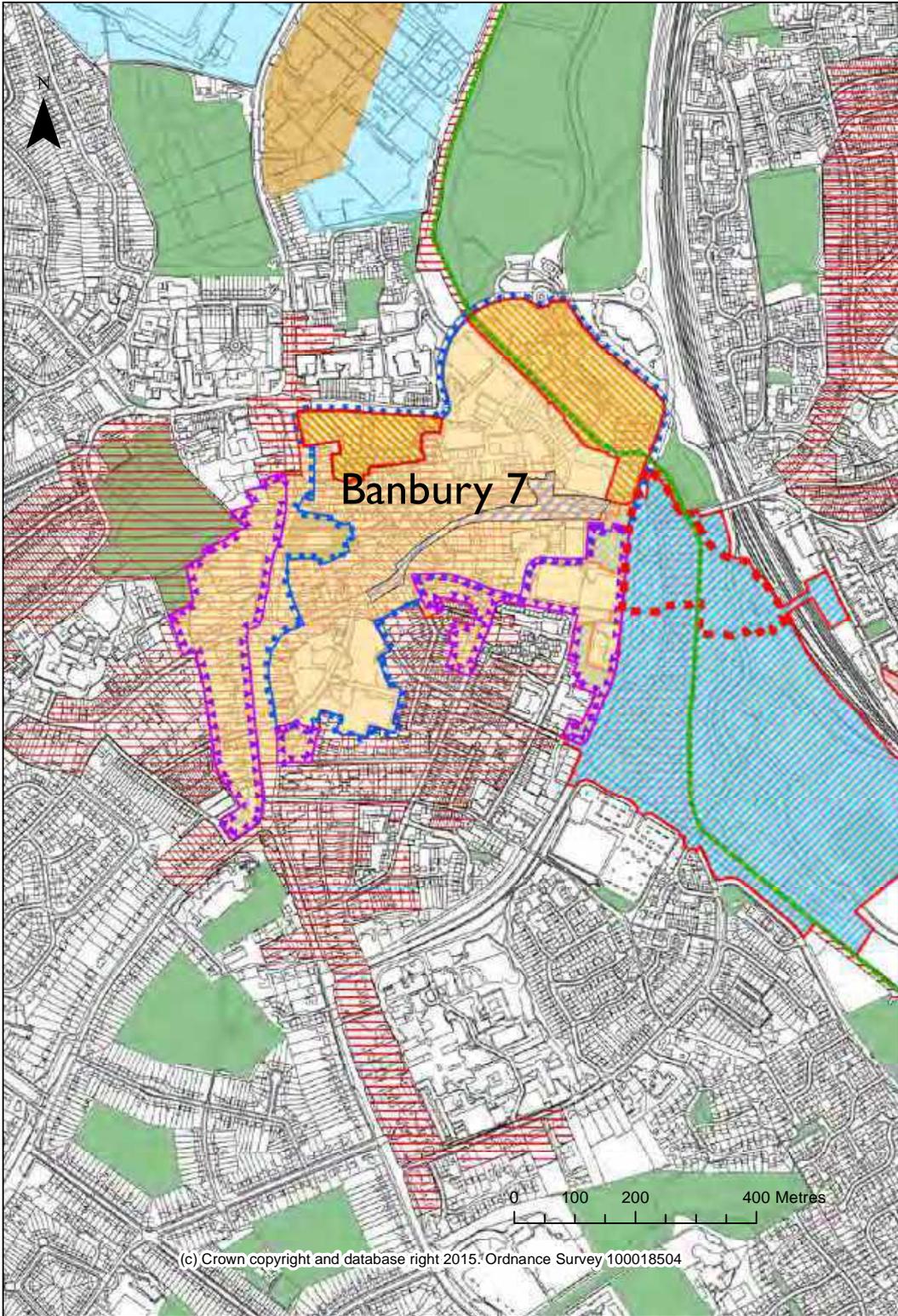
Policy Banbury 5: North of Hanwell Fields



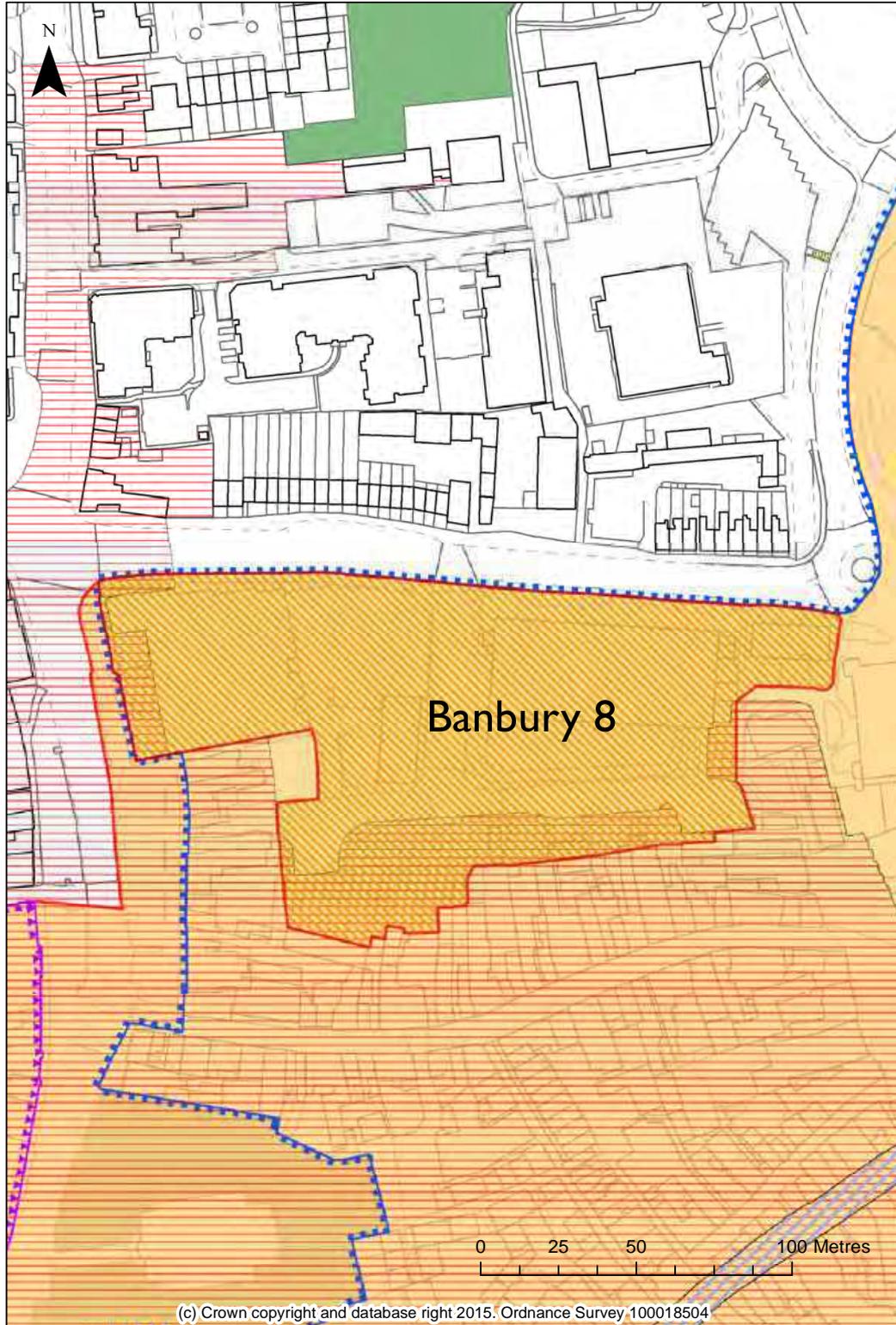
Policy Banbury 6: Employment Land West of M40



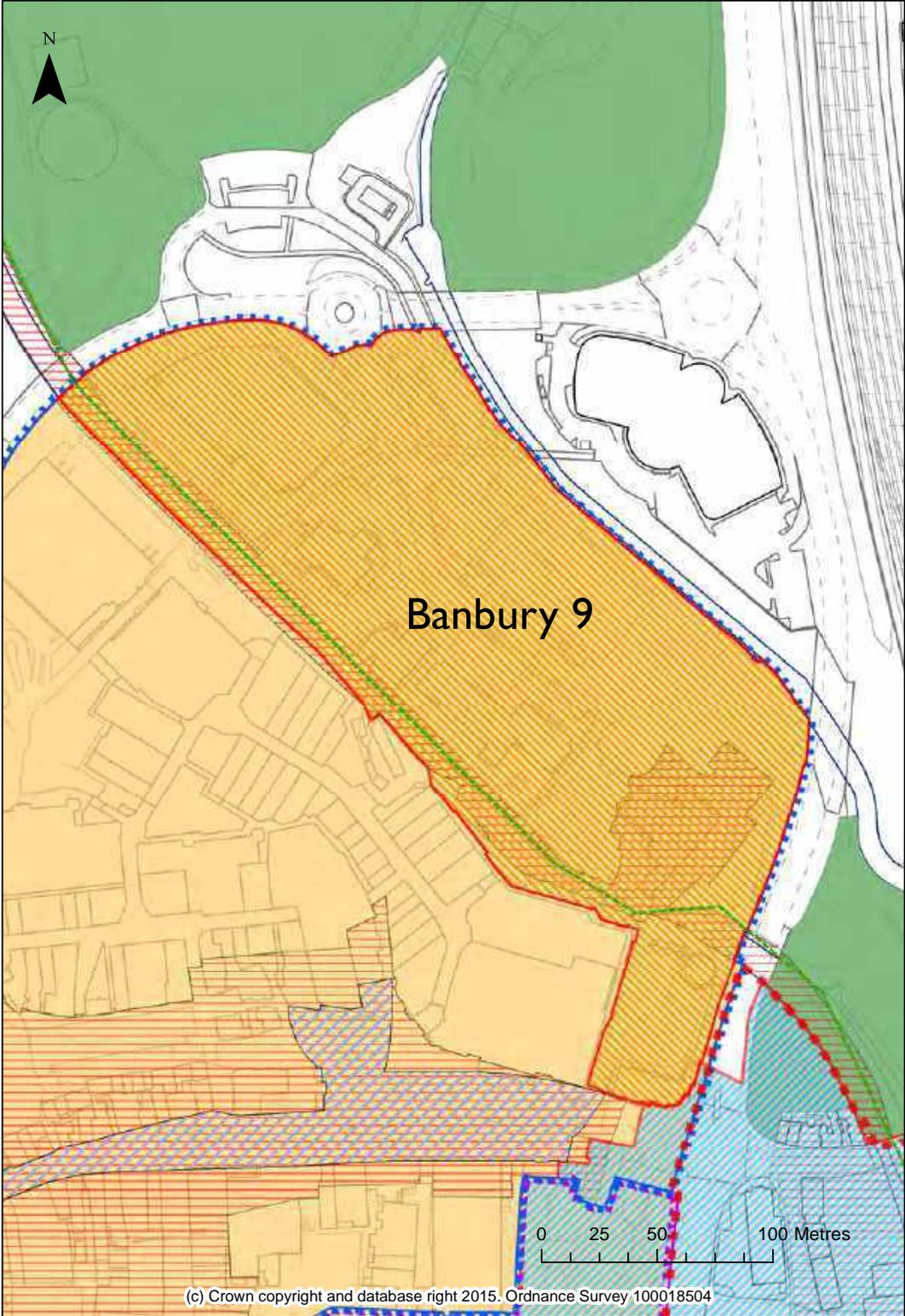
Picture 1 Policy Banbury 7: Strengthening Banbury Town Centre



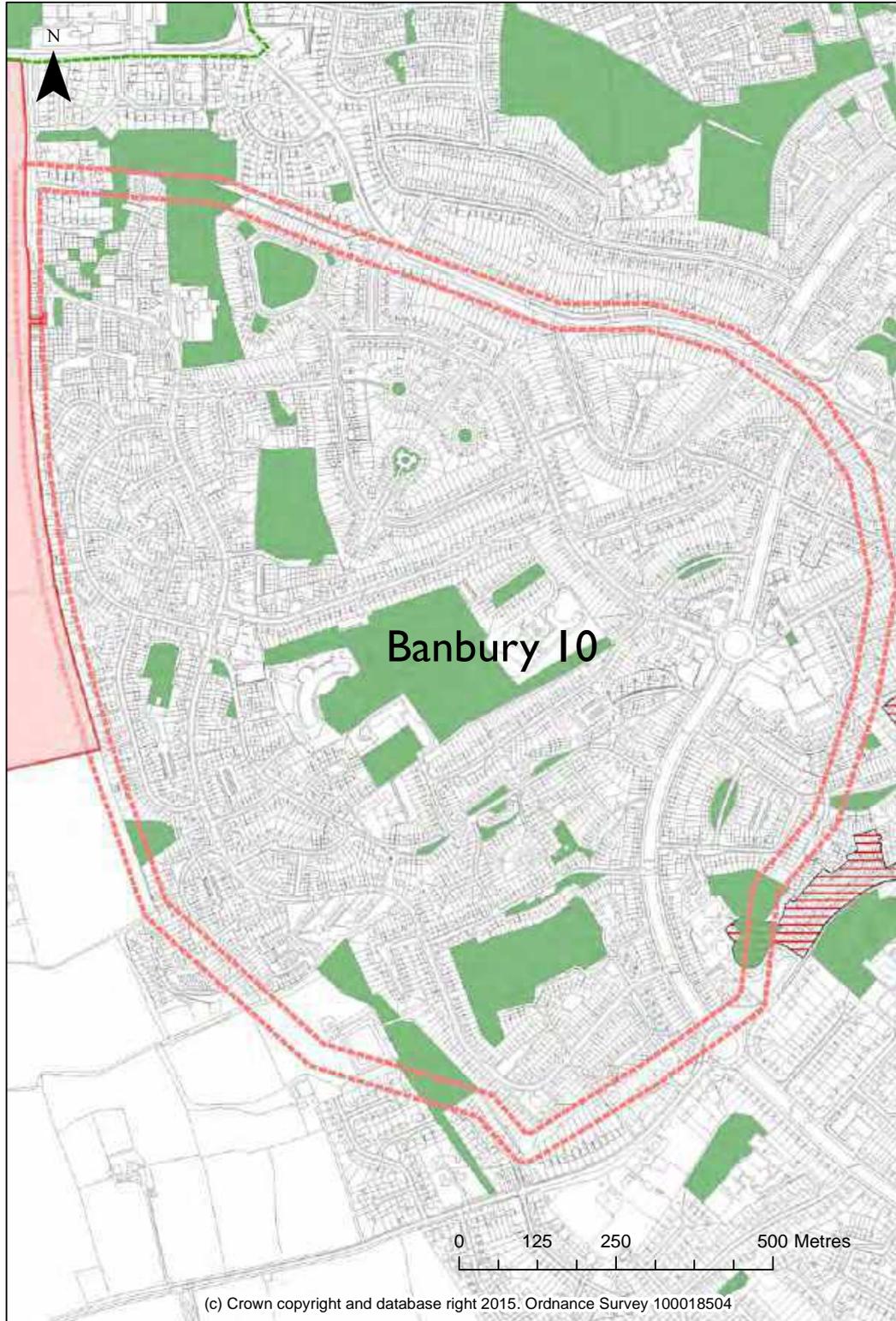
Policy Banbury 8: Bolton Road Development Area



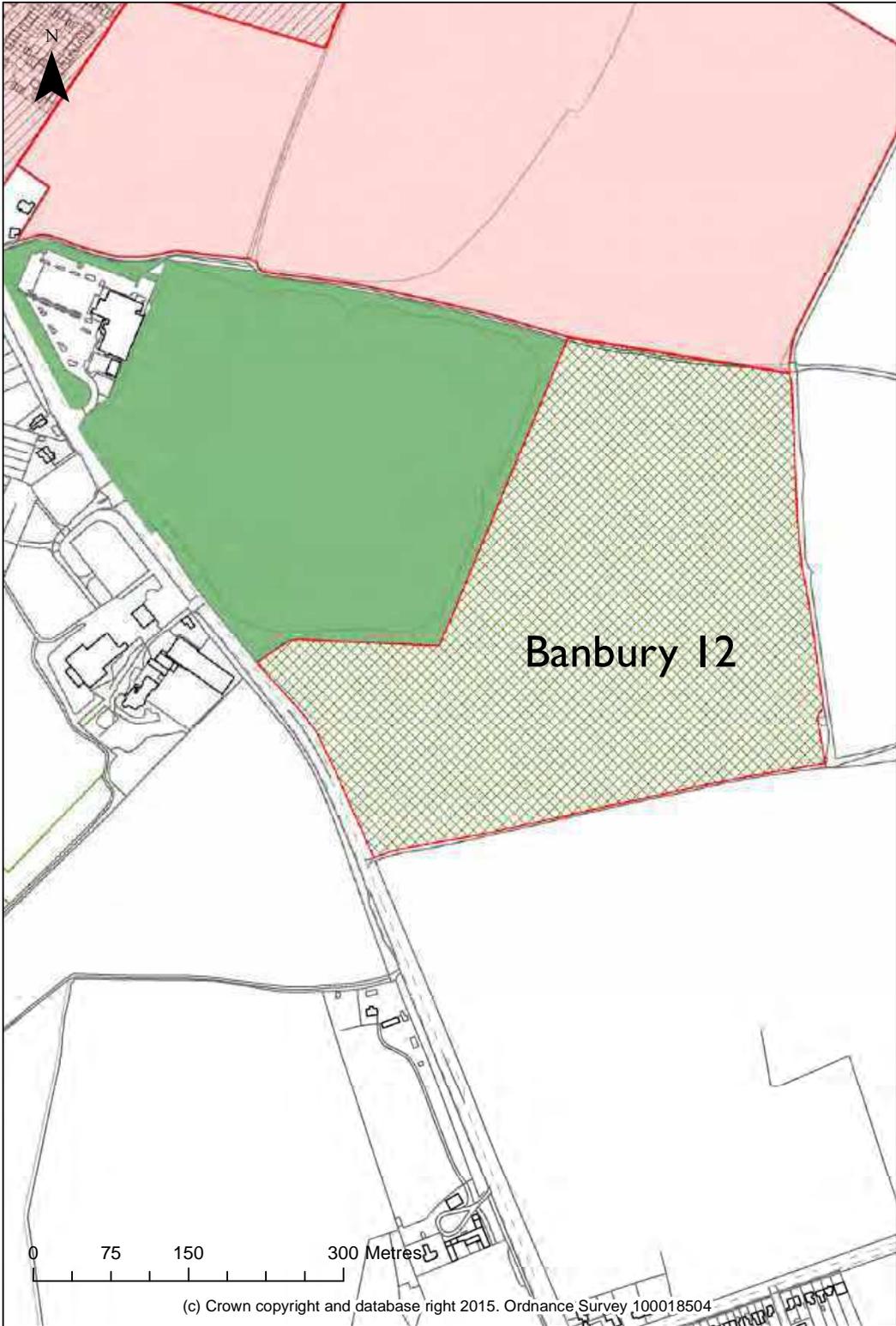
Policy Banbury 9: Spiceball Development Area



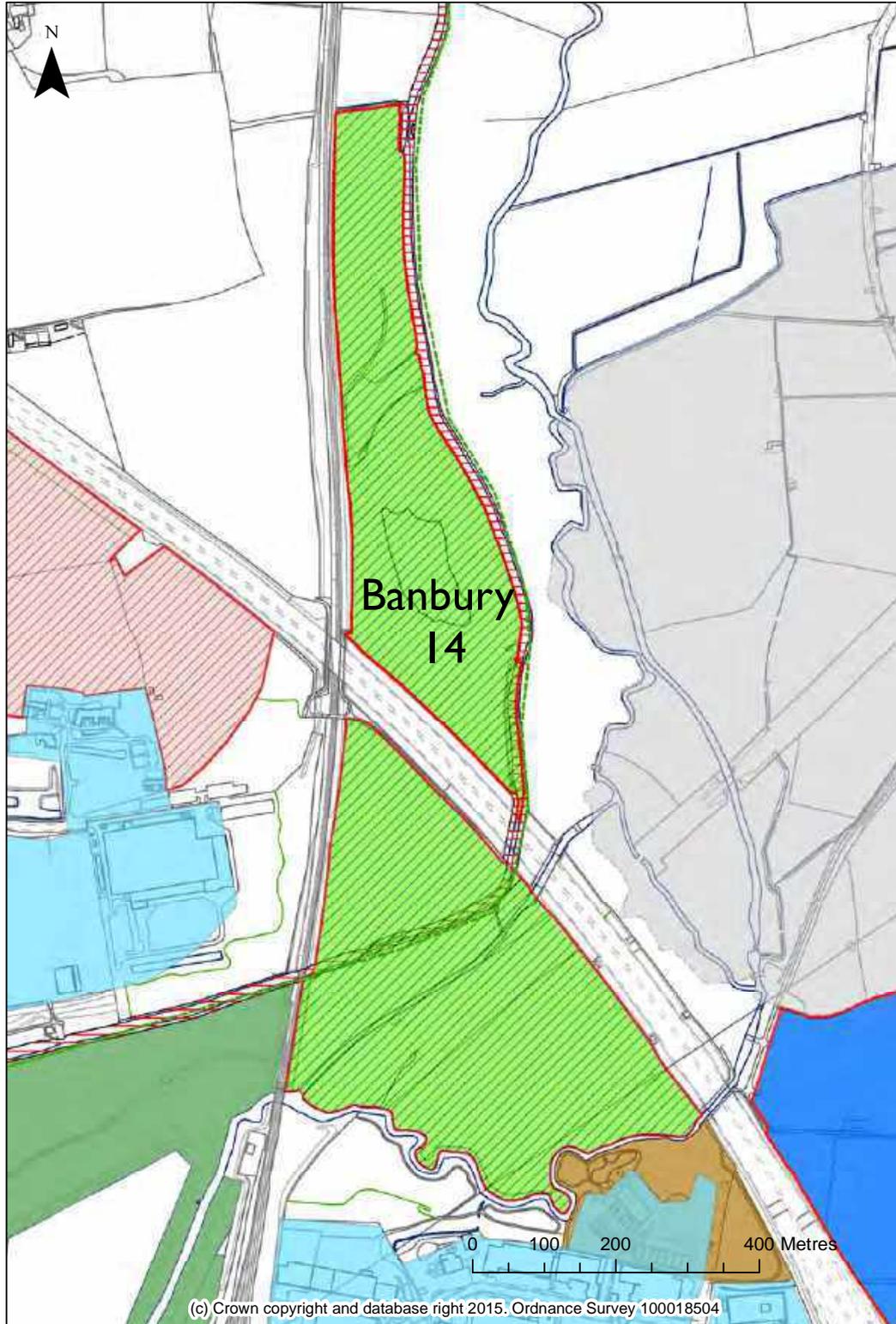
Policy Banbury 10: Bretch Hill Regeneration Area



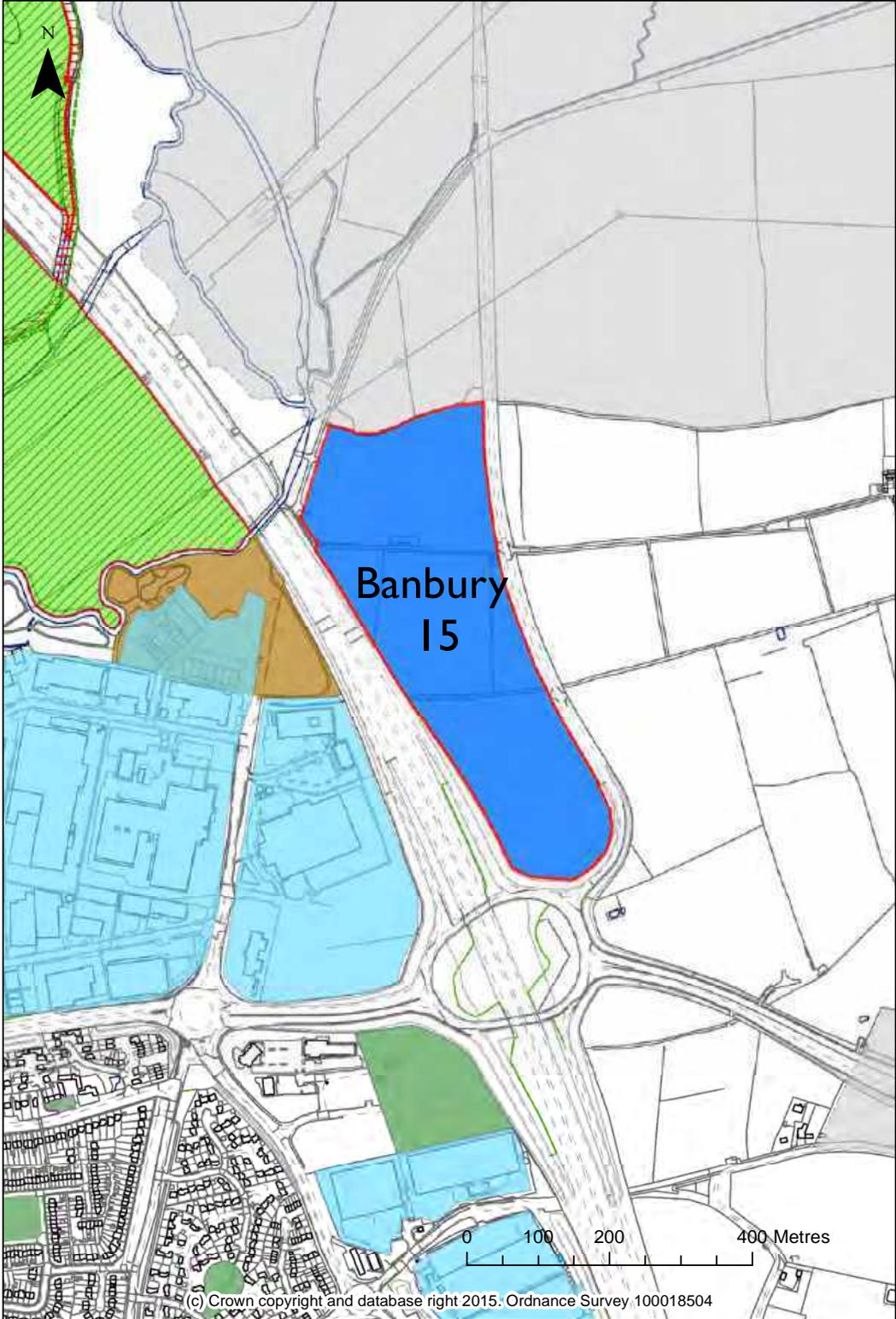
Policy Banbury I2: Land for the Relocation of Banbury United FC



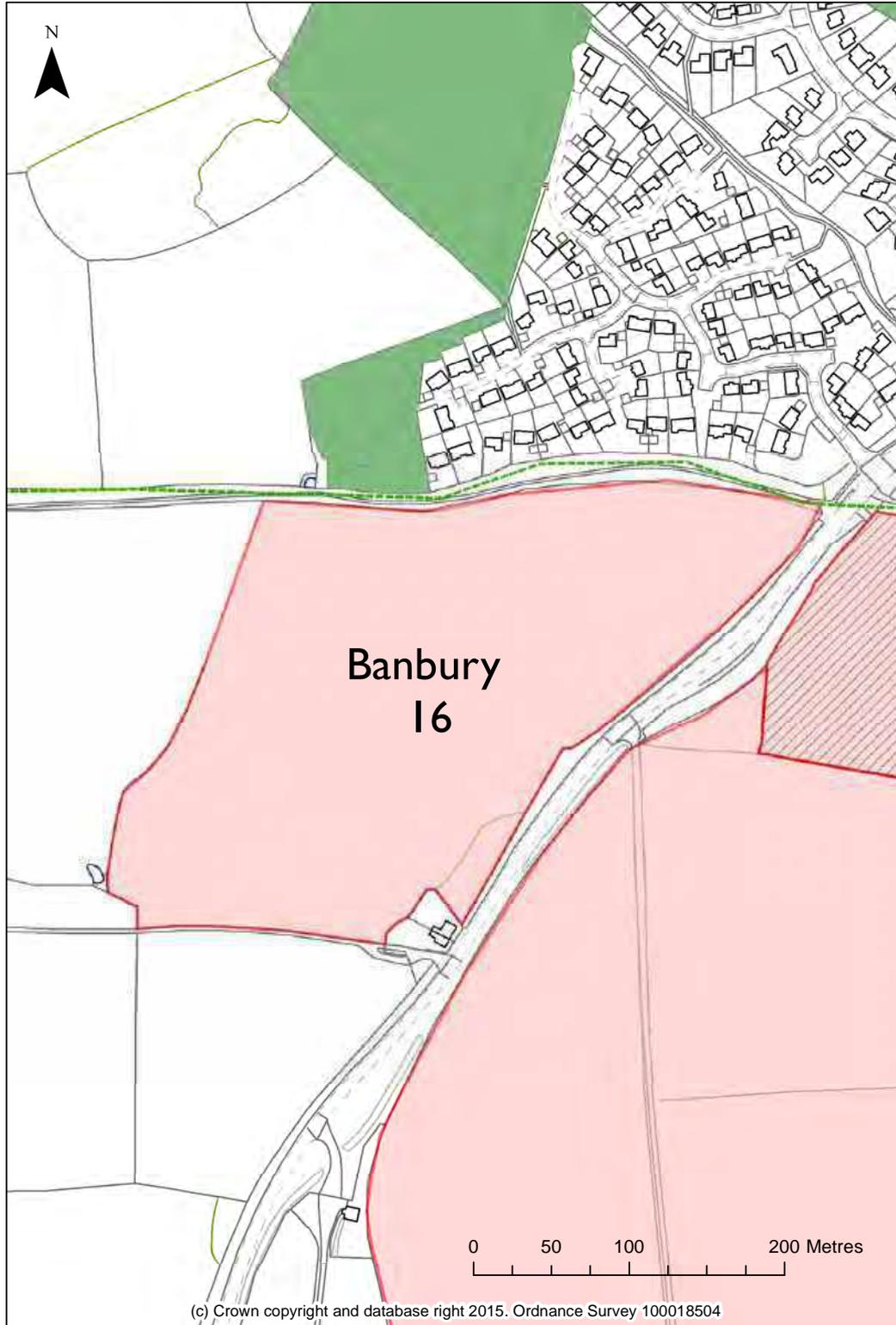
Policy Banbury 14: Cherwell Country Park



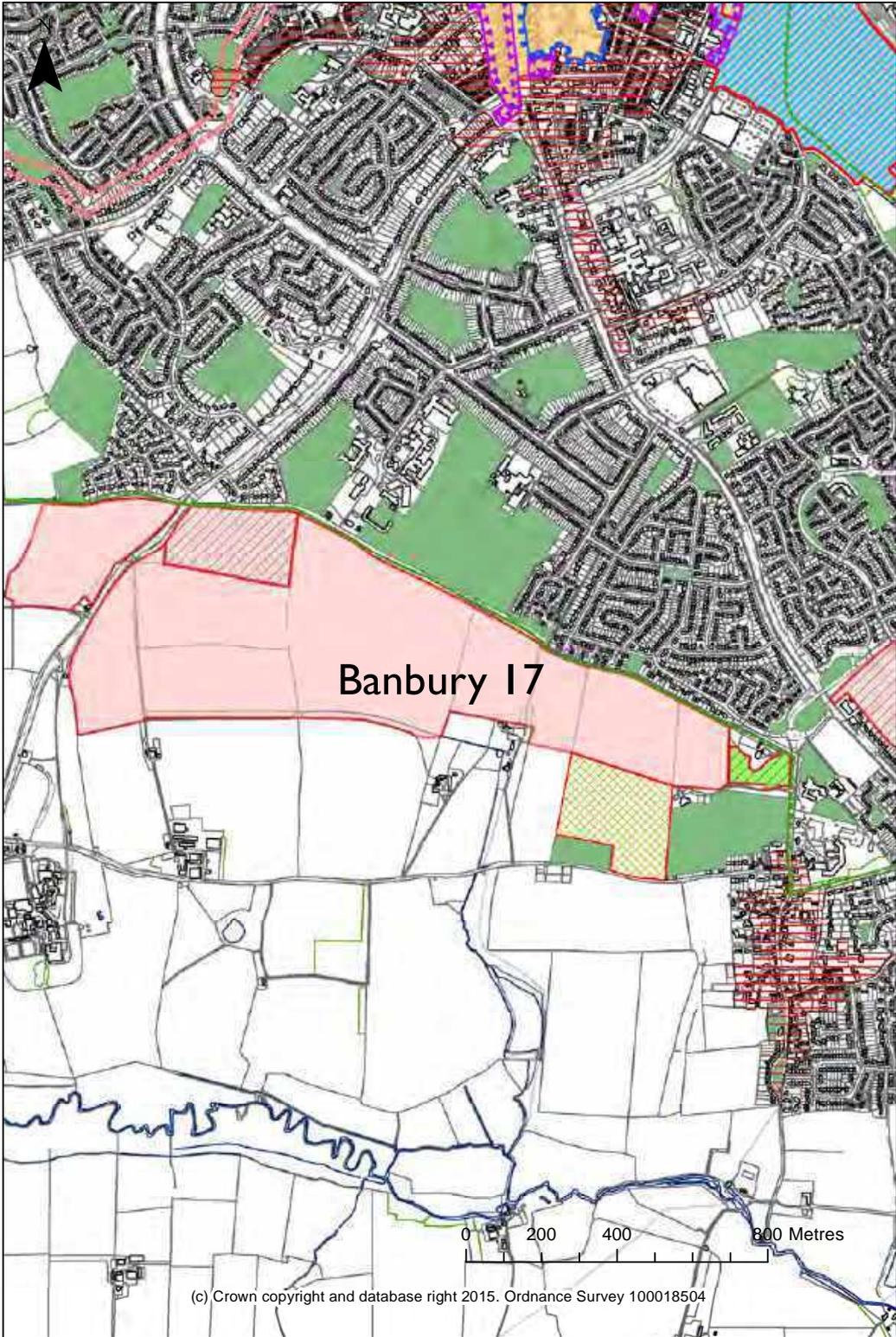
Policy Banbury 15: Employment Land North East of Junction 11



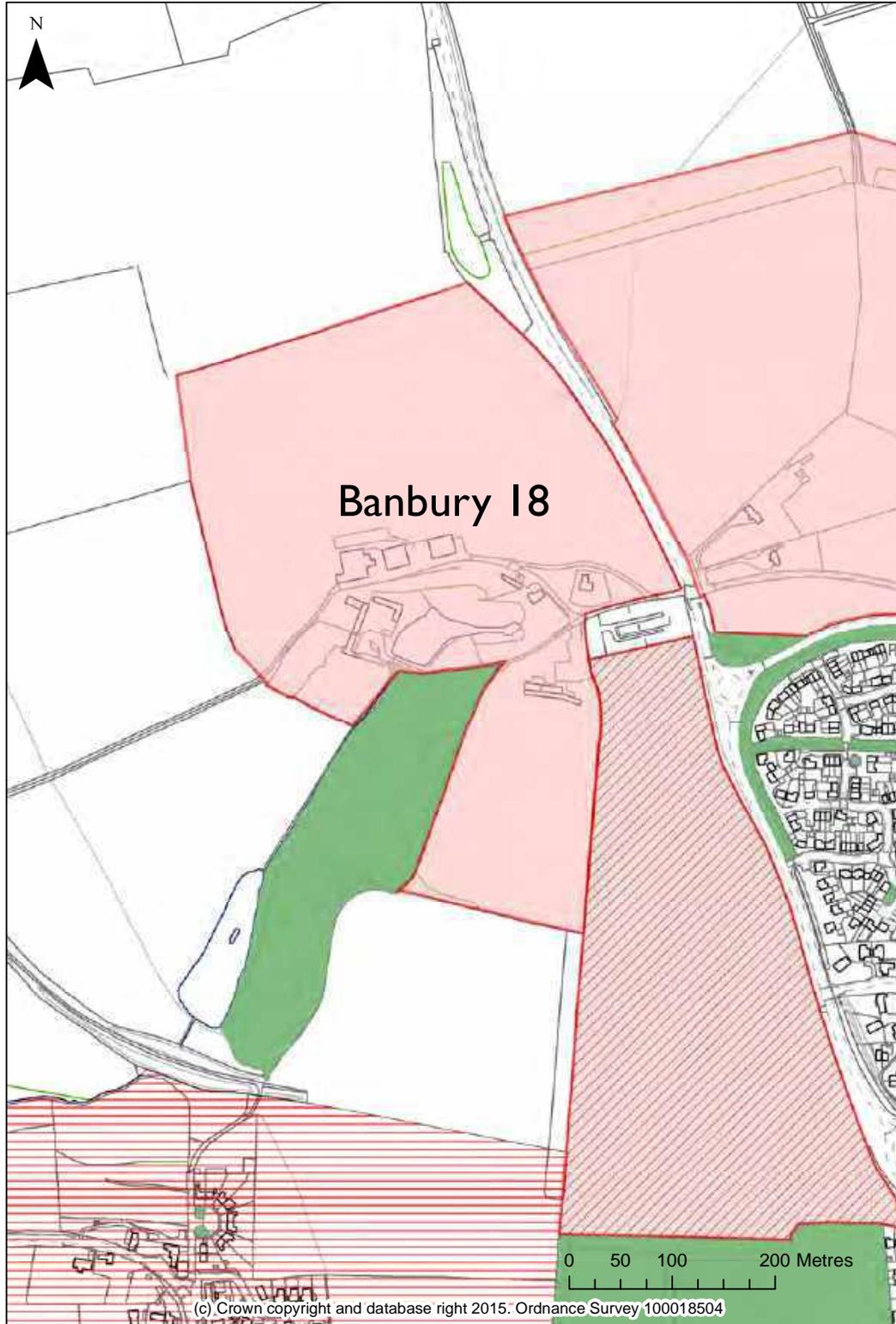
Policy Banbury I6: South of Salt Way - West



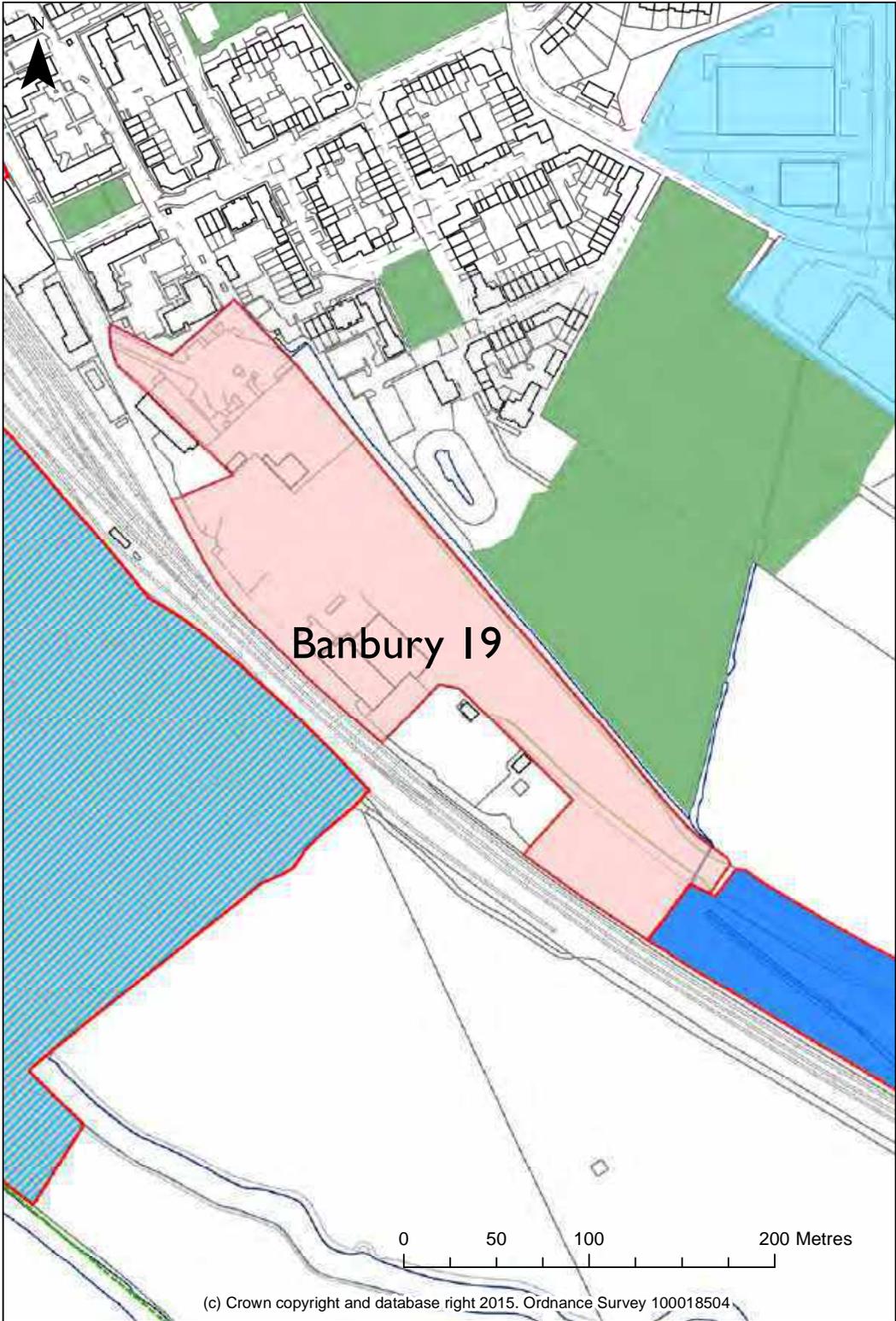
Policy Banbury 17: South of Salt Way - East



Policy Banbury I8: Land at Drayton Lodge Farm

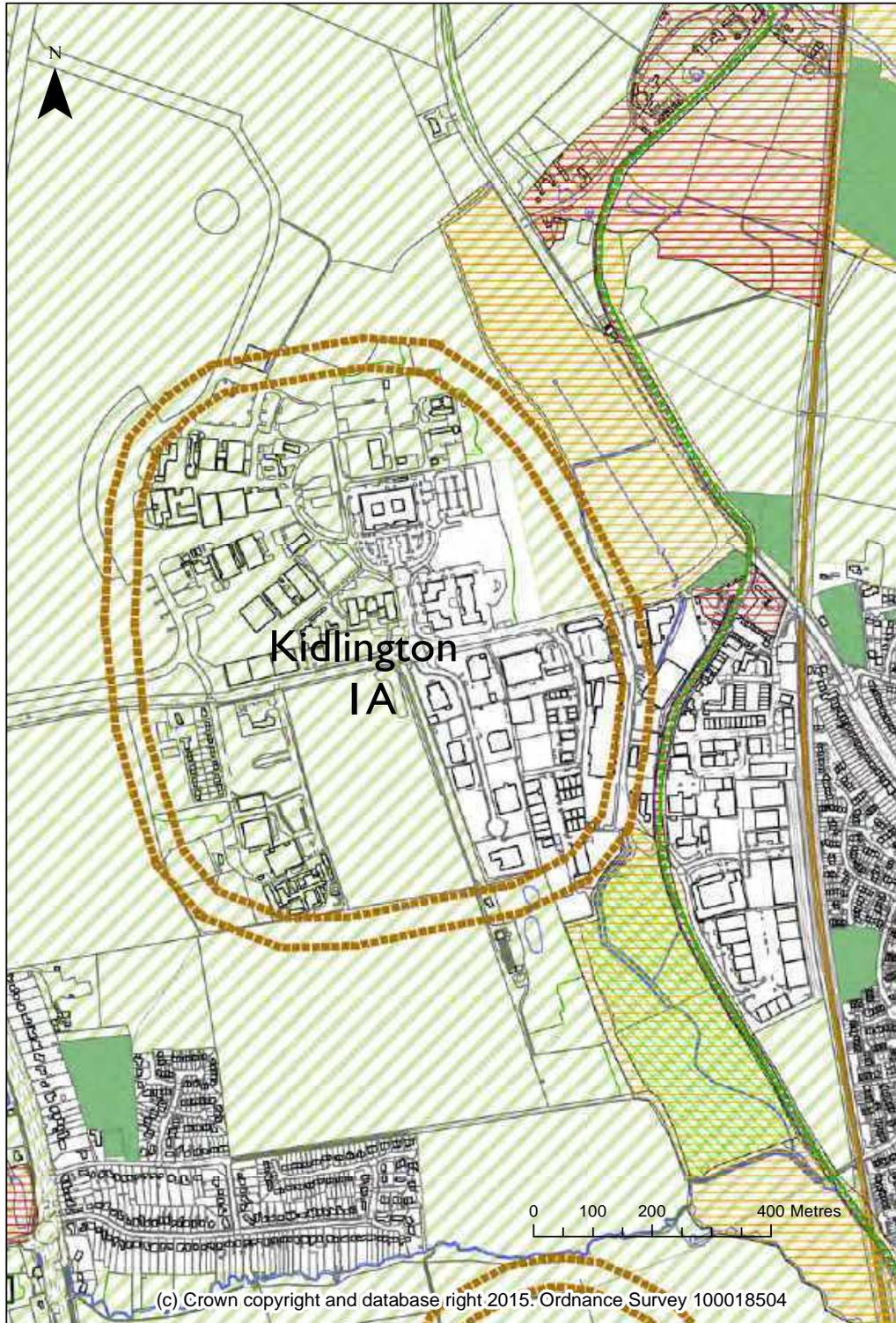


Policy Banbury 19: Land at Higham Way

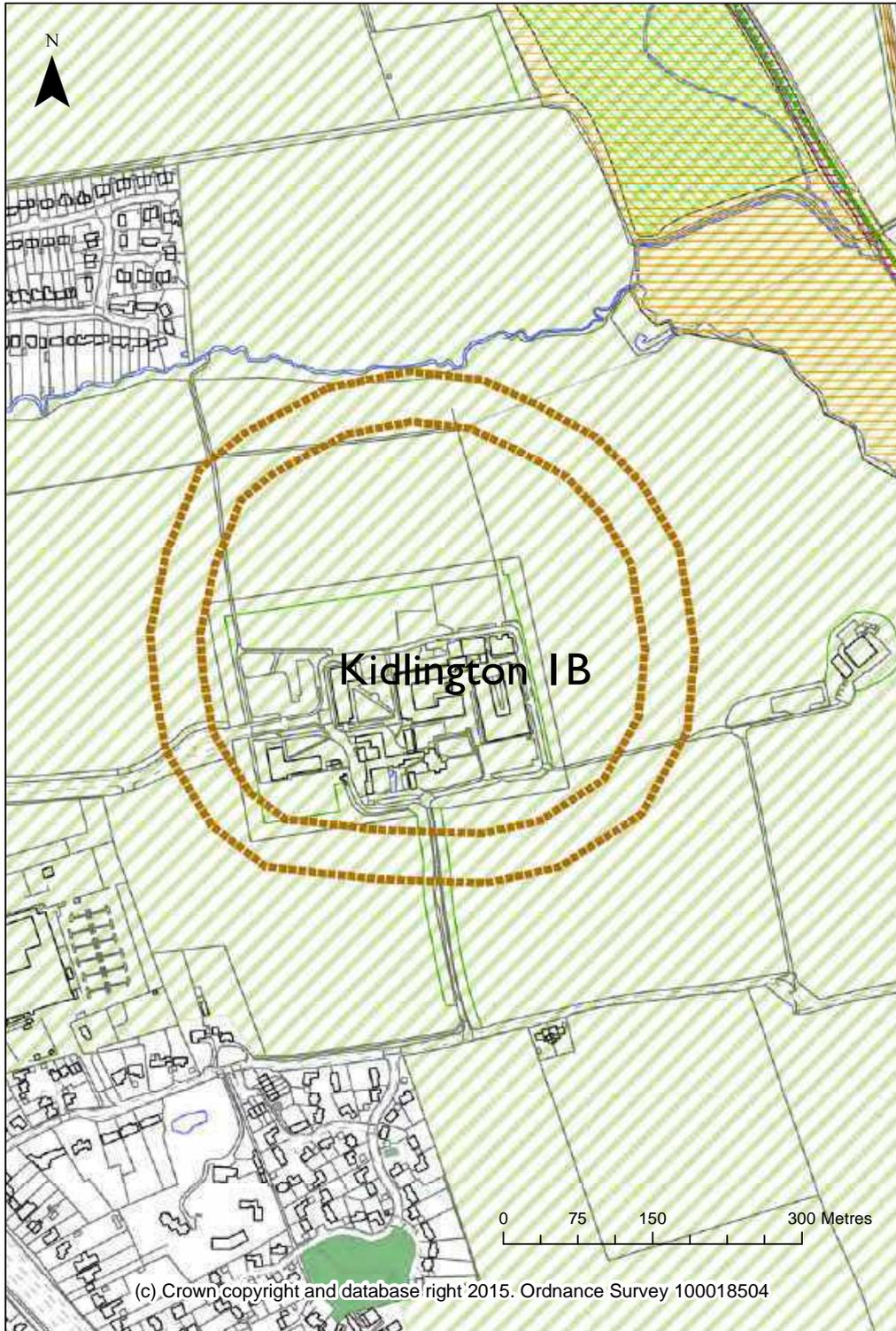


Kidlington Inset Maps

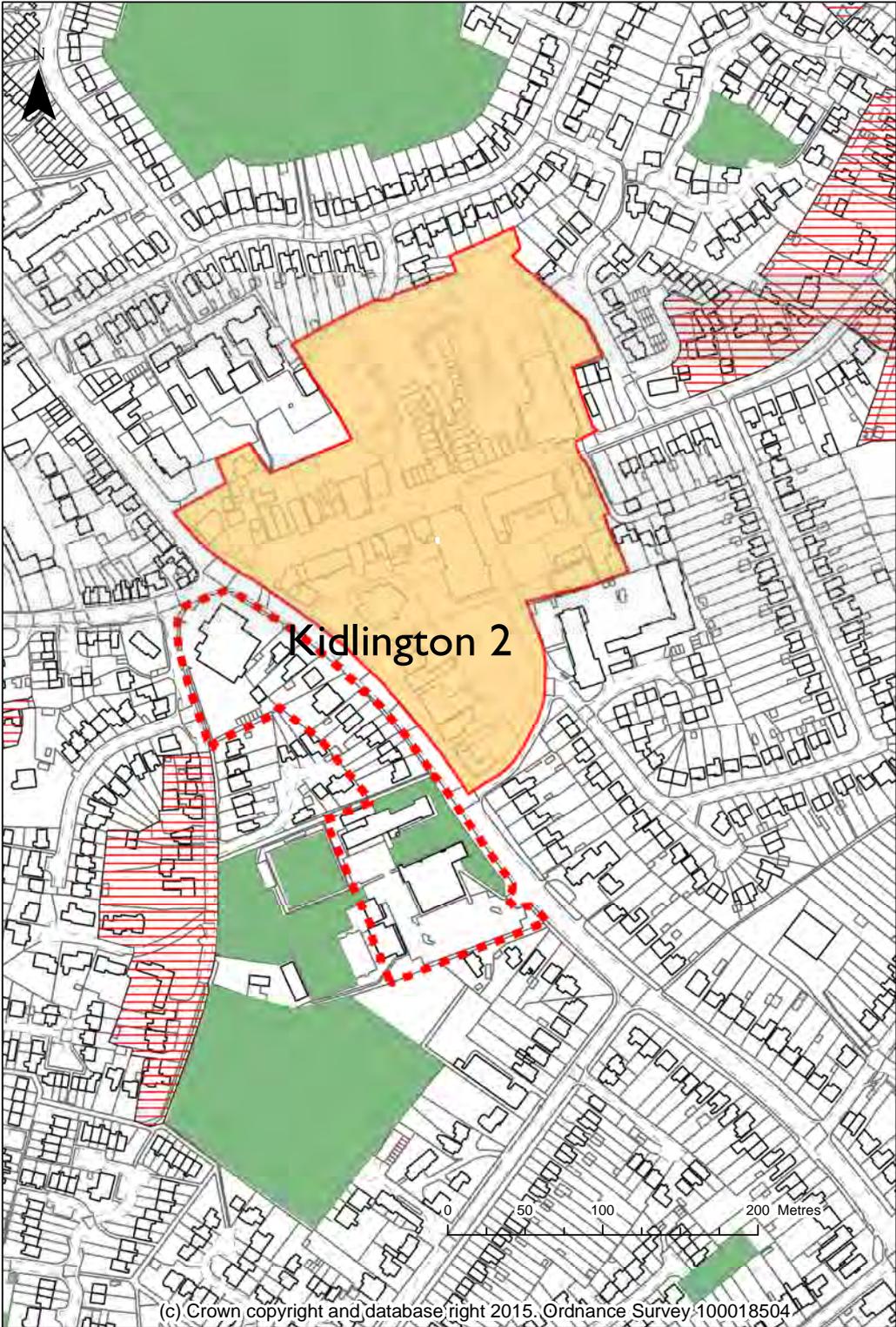
Policy Kidlington IA: Accommodating High Value Employment Needs - Langford Lane/Oxford Technology Park/London Oxford Airport



Policy Kidlington IB: Accommodating High Value Employment Needs - Begbroke Science Park

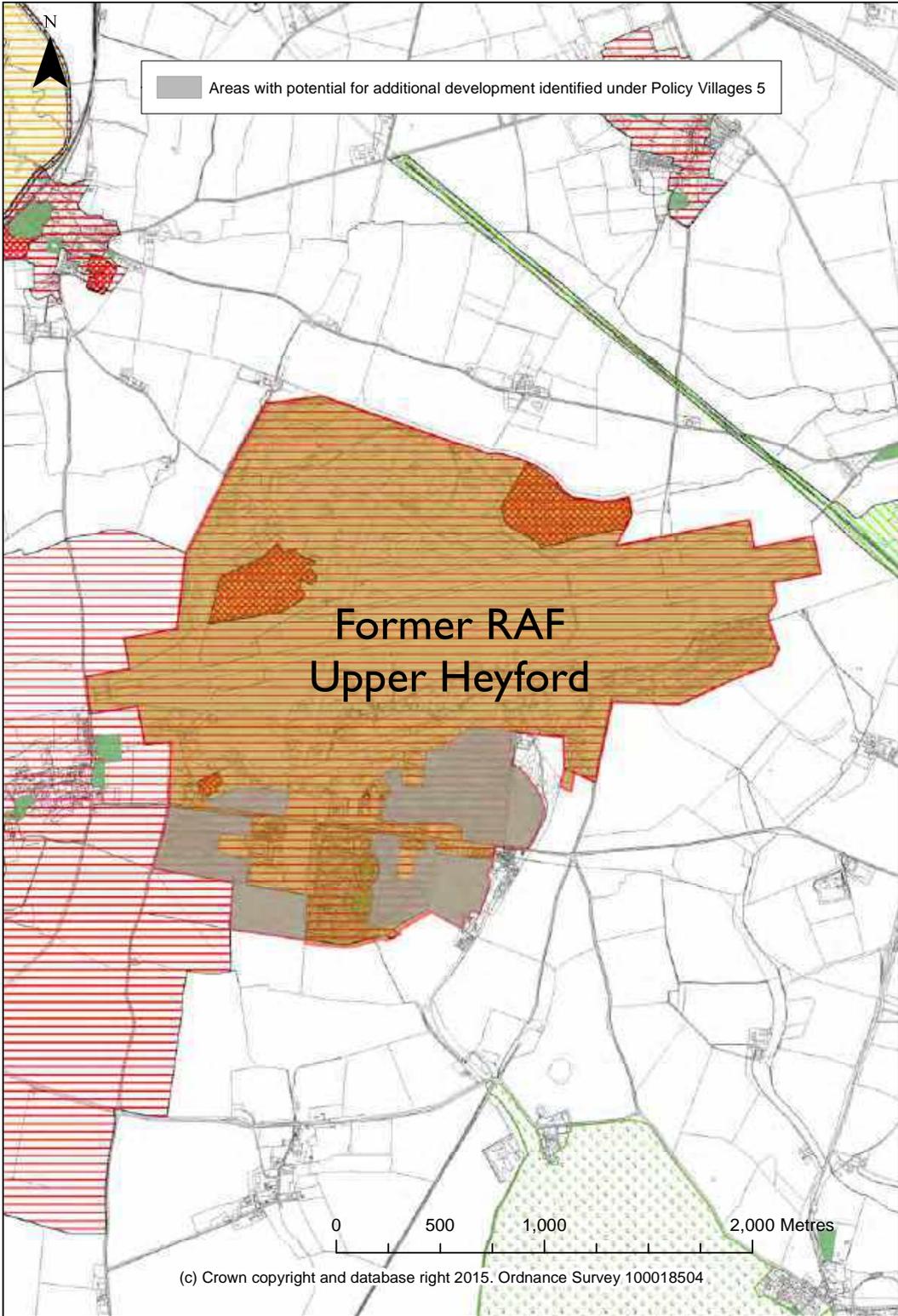


Policy Kidlington 2: Strengthening Kidlington Village Centre



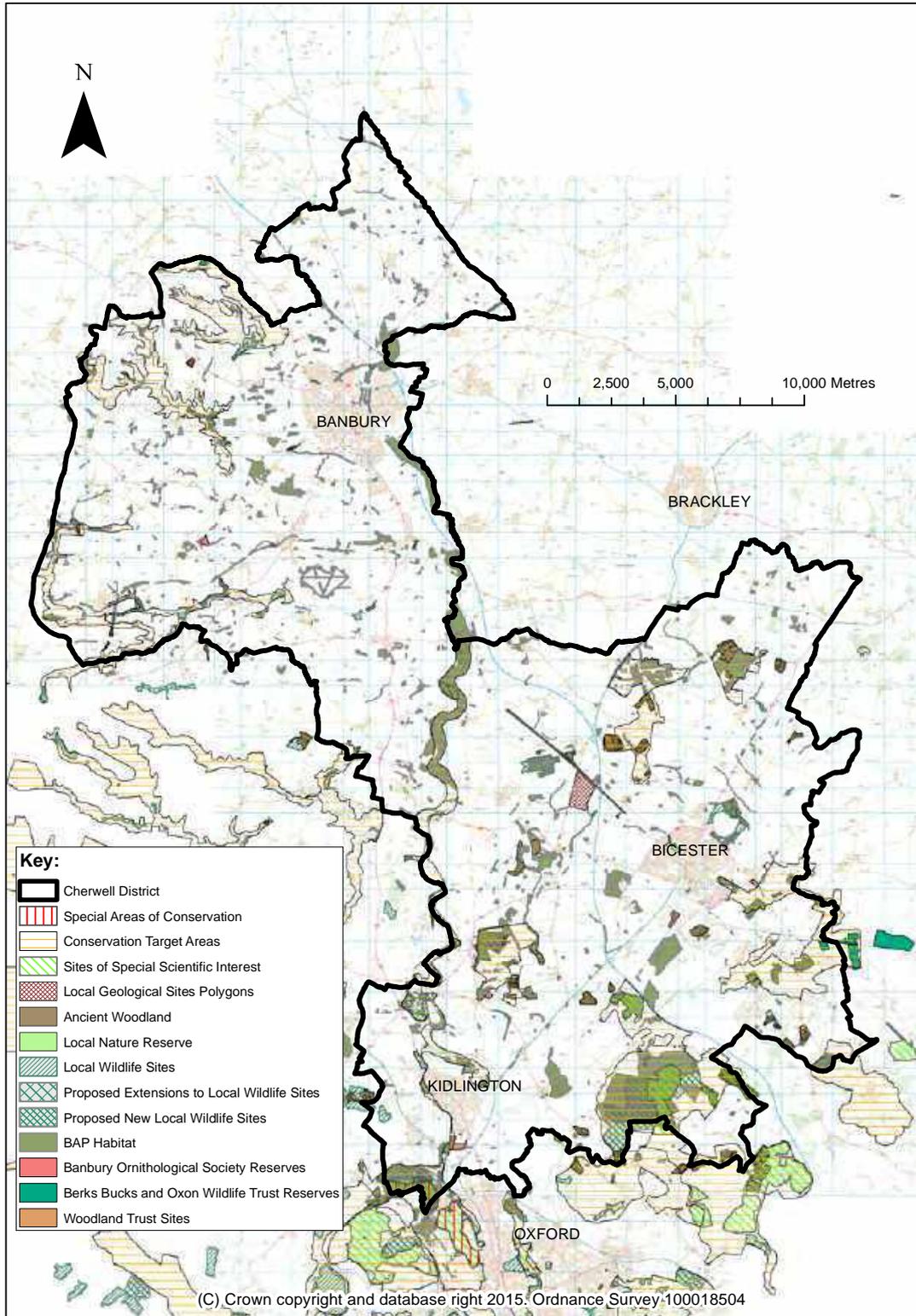
Our Village and Rural Areas Inset Maps

Policy Villages 5 - Former RAF Upper Heyford

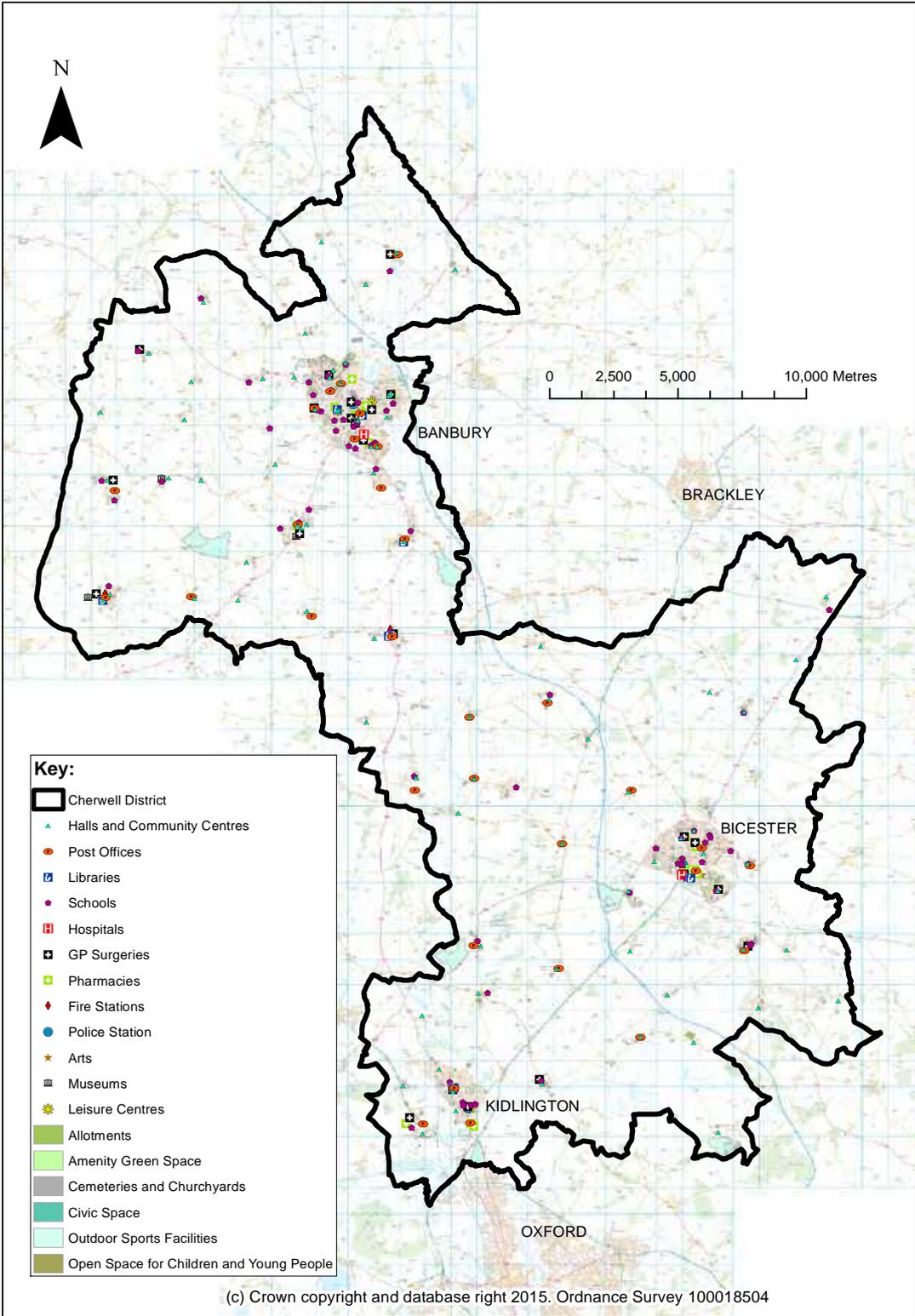


Thematic Maps

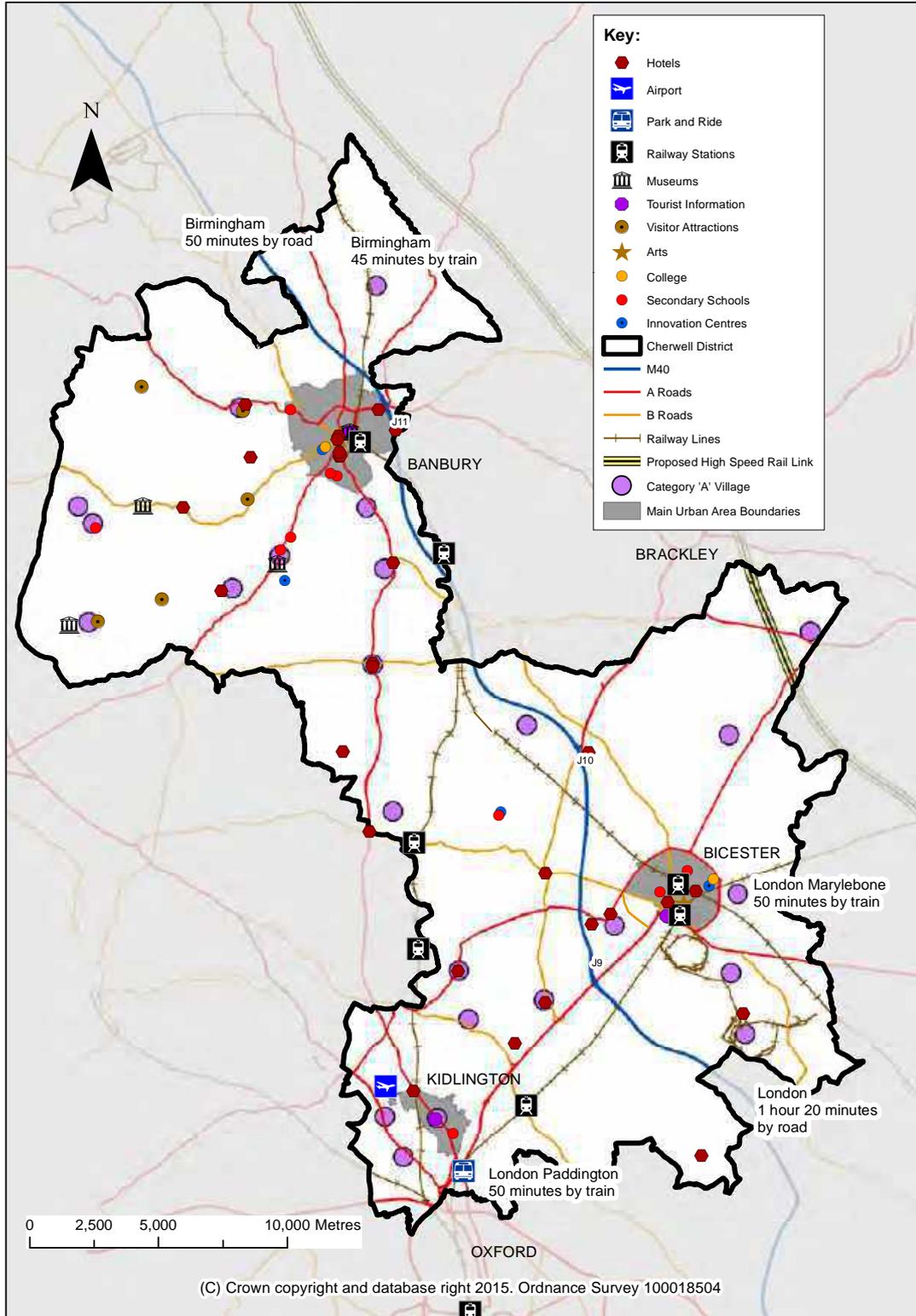
Theme Map - Biodiversity



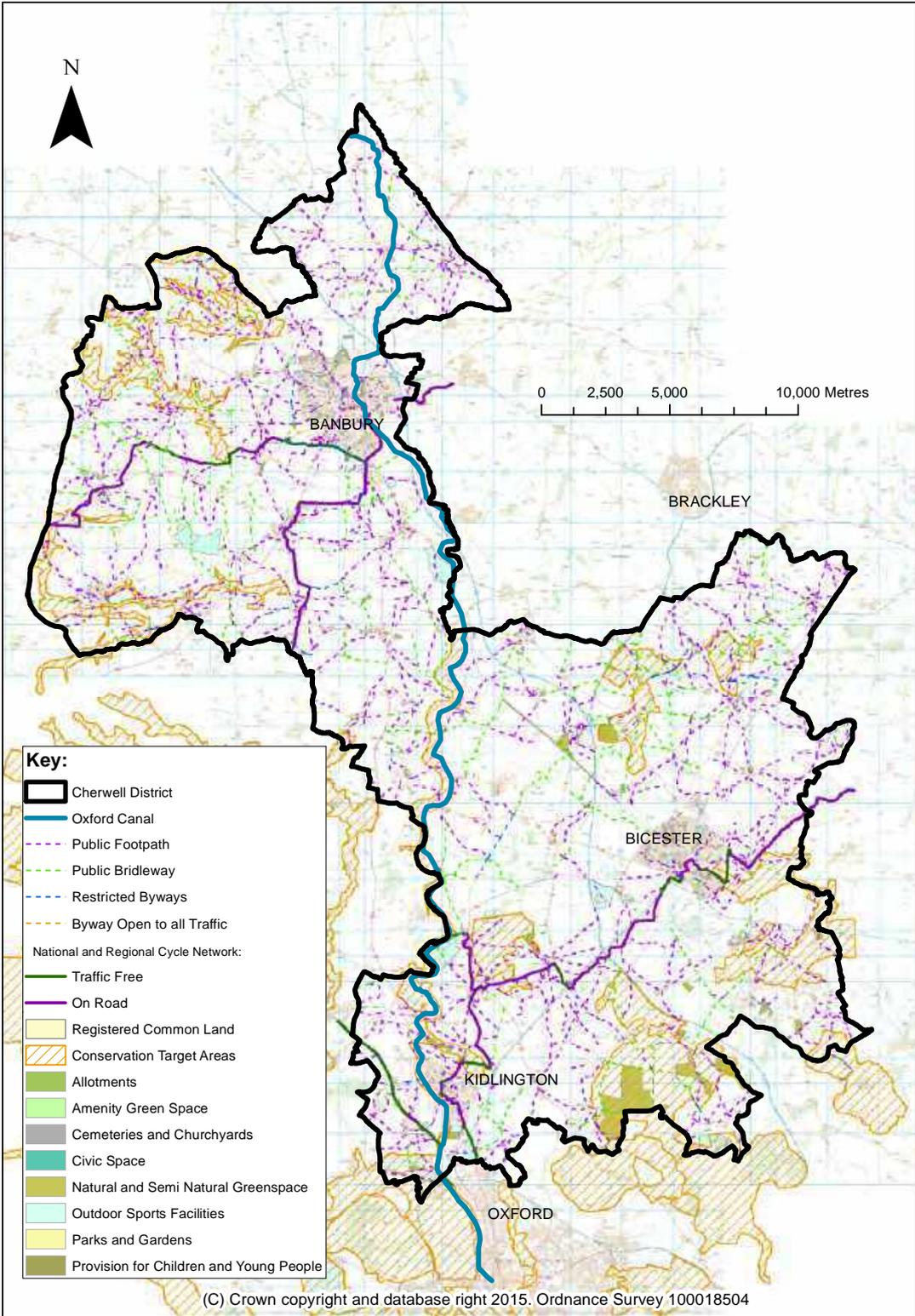
Theme Map - Community Facilities



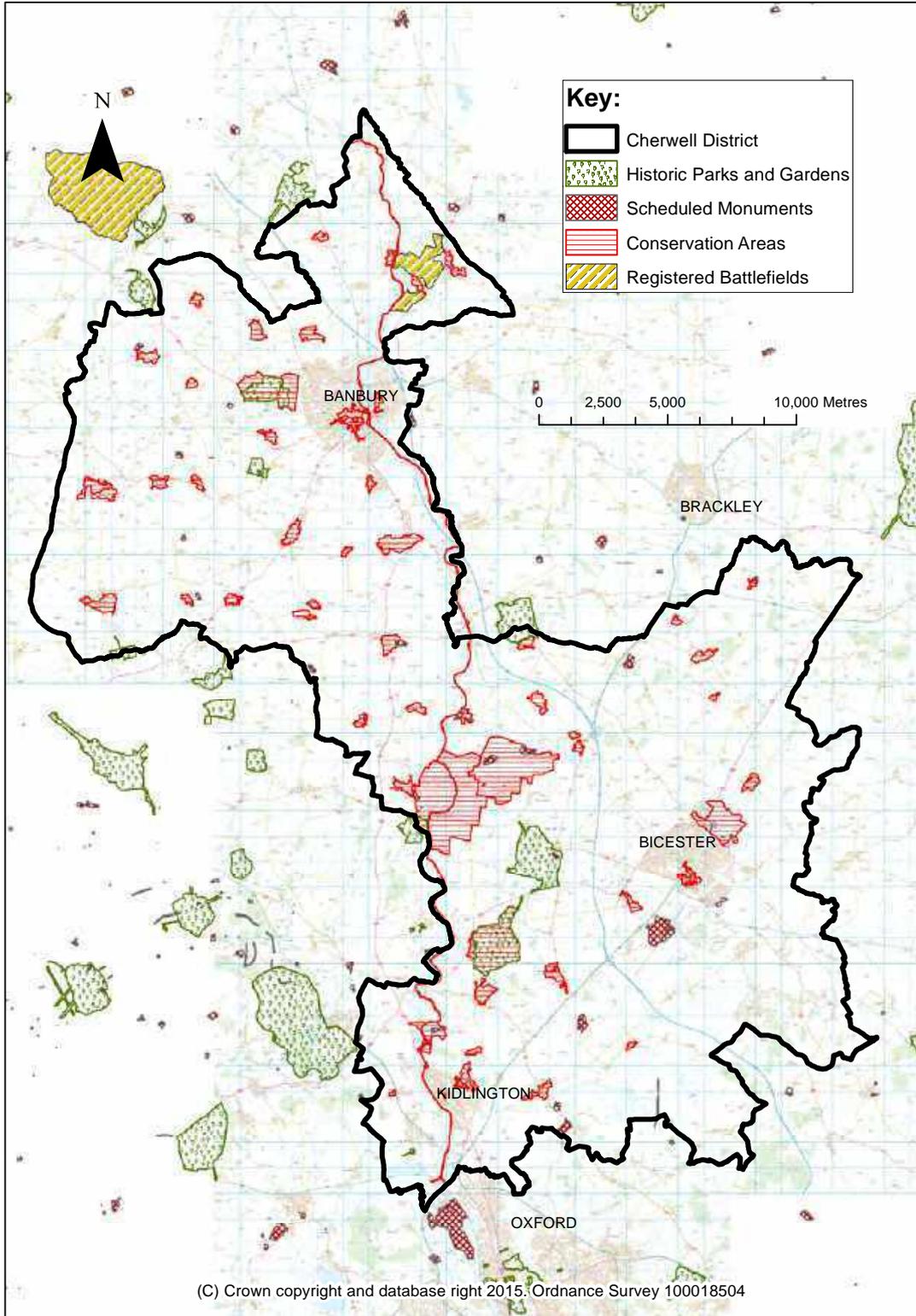
Theme Map - Economy



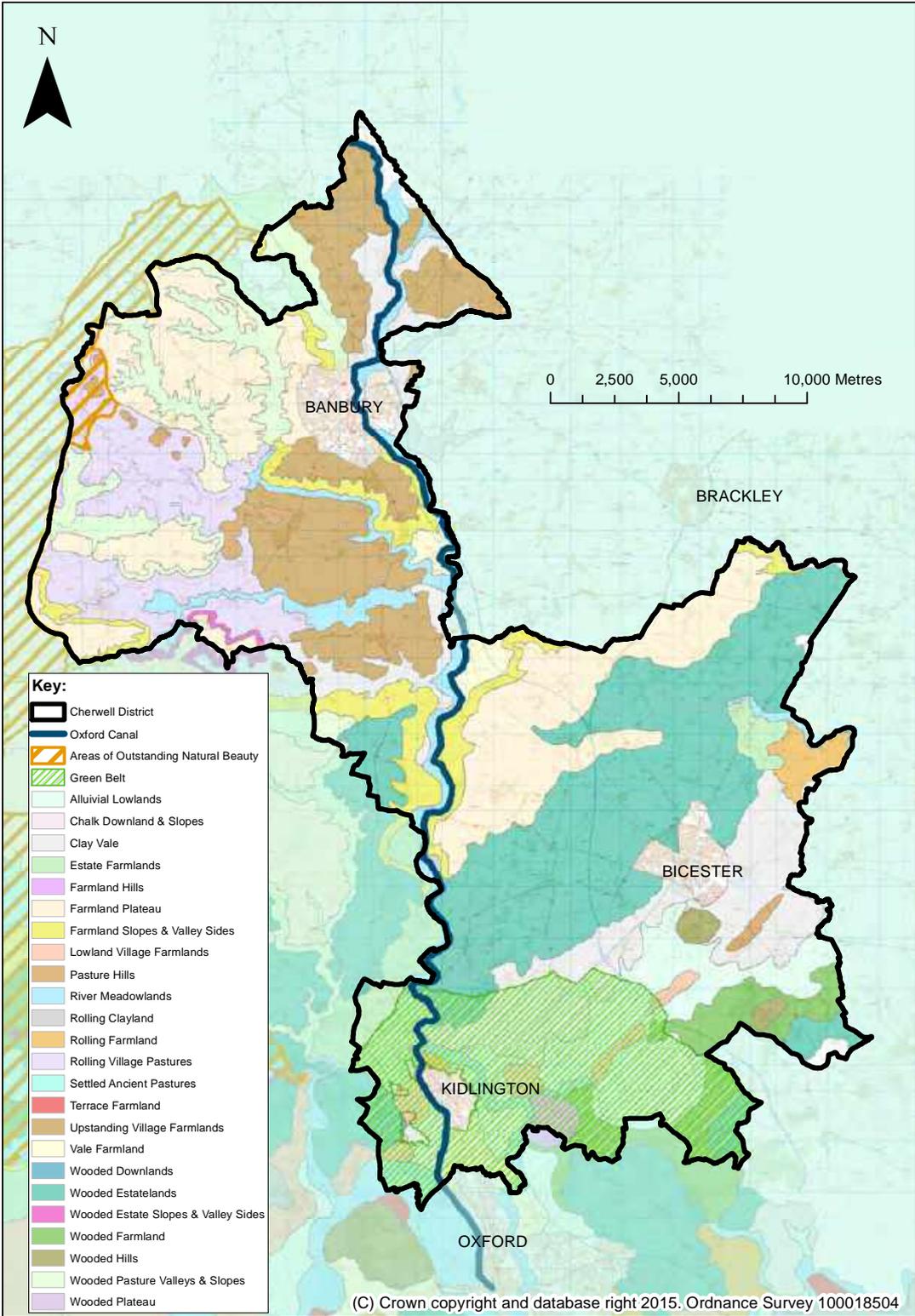
Theme Map - Green Infrastructure



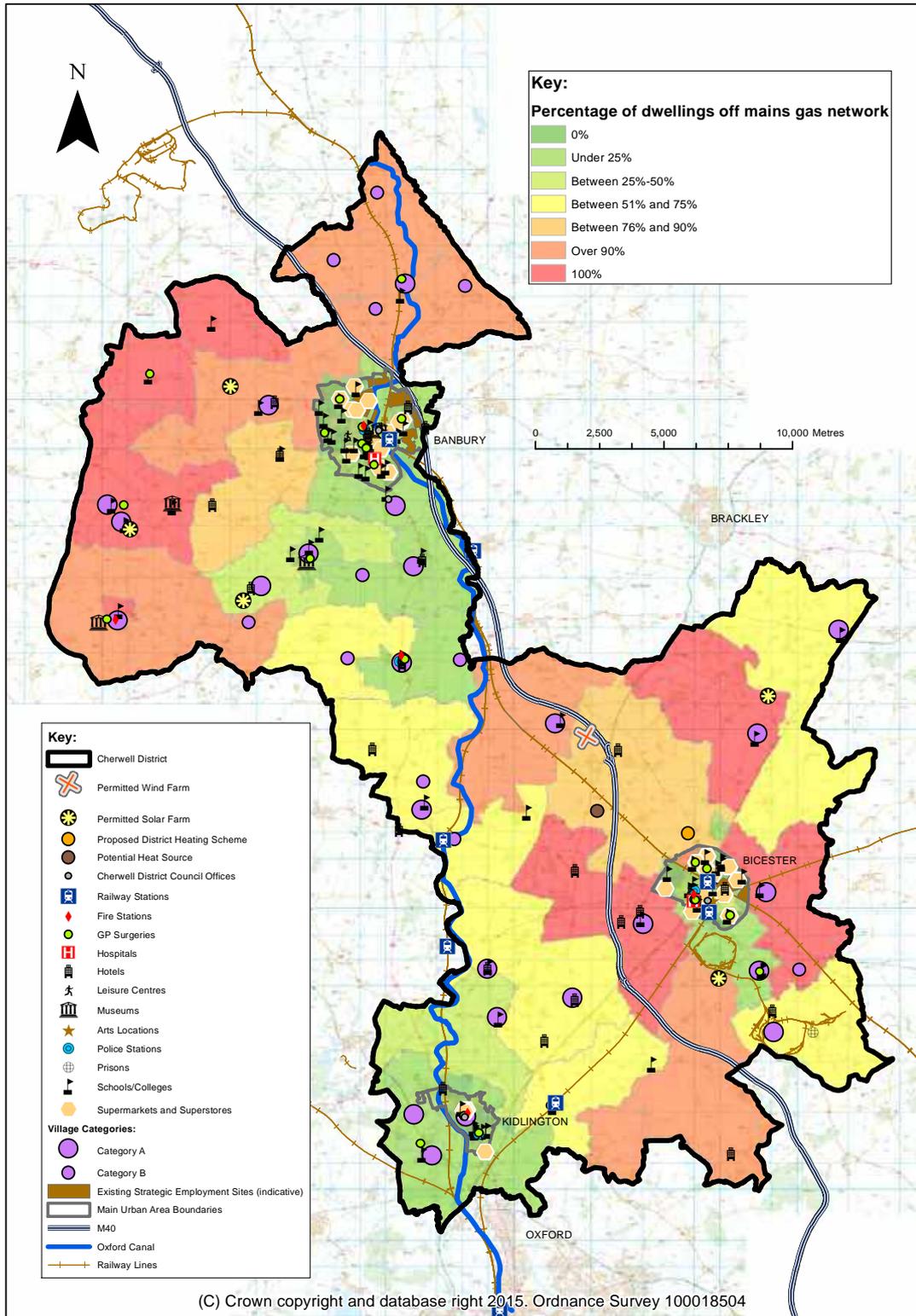
Theme Map - Historic Environment



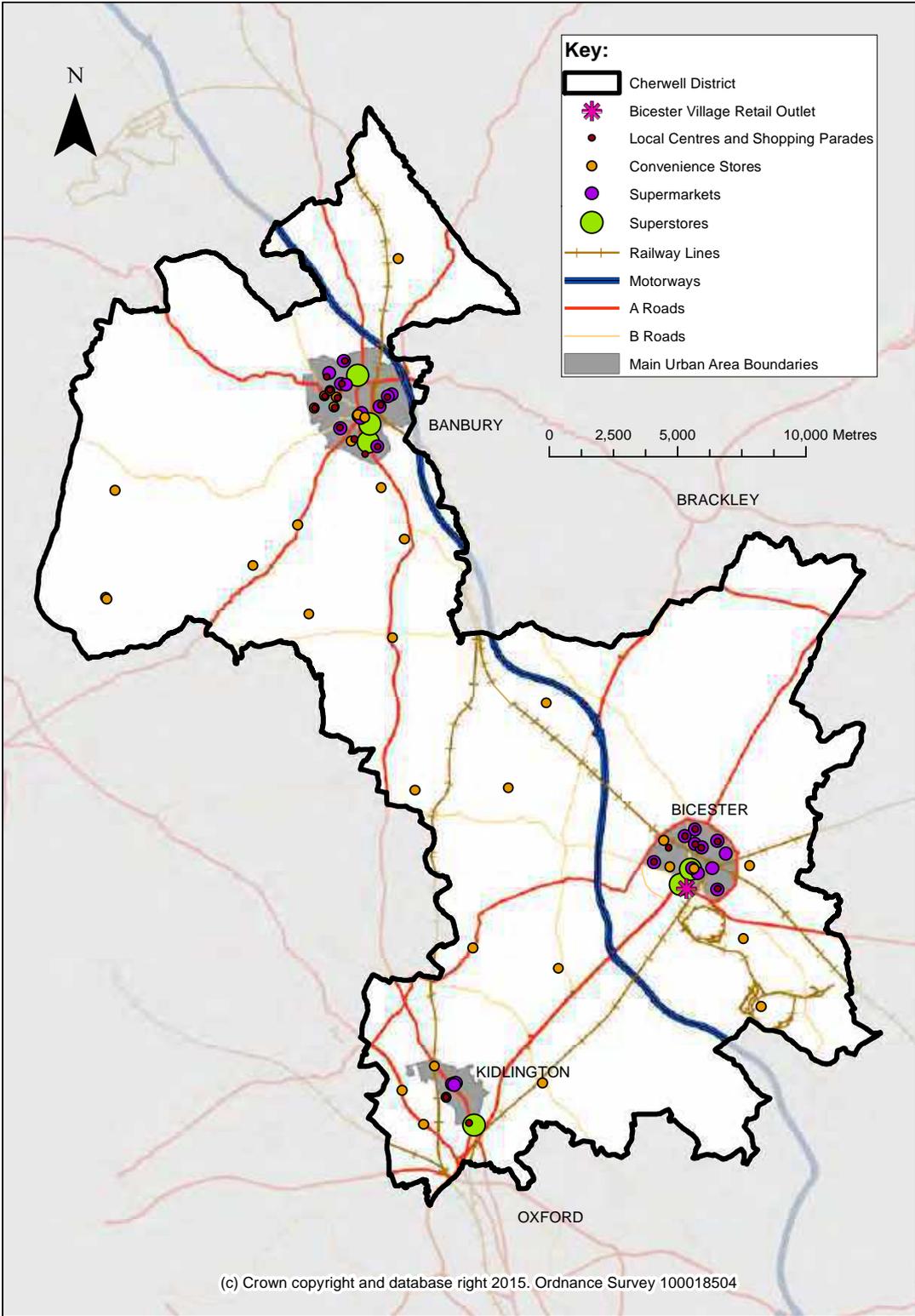
Theme Map - Landscape



Theme Map - Renewable & Low Carbon Energy



Theme Map - Retail



Appendix 6 Monitoring Framework

The tables below set out the monitoring framework referred to in Section E. The tables list the indicators and targets that will be used to measure the effectiveness of the Local Plan policies. Reporting arrangements and delivery mechanisms are presented in

Section E. This monitoring framework will be used alongside the Sustainability Appraisal monitoring framework, as set out in the SA Report, which sets out the indicators required to monitor the 'significant effects' of the plan's policies.

A Strategy for Development in Cherwell

Policy Reference	Policy Title	Local Plan Indicators	Target
PSD I	Presumption in favour of Sustainable Development	Monitoring of PSD I is undertaken by Sustainability Indicators	Monitoring of PSD I is undertaken by Sustainability Indicators

Policies for Development in Cherwell

Theme One: Policies for Developing a Sustainable Local Economy

Policy Reference	Policy Title	Local Plan Indicators	Target
SLE I	Employment Development	Employment commitments and completions on allocated employment land per sub area (Banbury, Bicester, Kidlington, Rural Areas)	100% take up of allocations by the end of the plan period
SLE I	Employment Development	Employment commitments and completions on non-allocated employment land per sub area (Banbury, Bicester, Kidlington, Rural Areas)	Yearly increase in employment use class commitments and completions

Policy Reference	Policy Title	Local Plan Indicators	Target
SLE 1	Employment Development	Completions resulting in a loss of employment use to non employment use per sub area (Banbury, Bicester, Kidlington, Rural Areas)	No overall net loss of employment land
SLE 2	Securing Dynamic Town Centres	Town centre use (including use classes A1 -A5, B1a, D2) completions within and outside of each of the town centres	No net loss of town centre use floor space within town centres
SLE 2	Securing Dynamic Town Centres	No. of retail impact assessments submitted with planning applications	100% of applications over the thresholds set out in Policy SLE2
SLE 3	Supporting Tourism Growth	Completed tourism developments (including D use class uses, Sui Generis uses)	An annual increase in completed tourism developments over the plan period
SLE 3	Supporting Tourism Growth	Number of visitors to tourist attractions in the District	An annual increase over the plan period
SLE 3	Supporting Tourism Growth	Number of visitors to tourist attractions in the District	An annual increase over the plan period
SLE 4	Improved Transport and Connections	Completed transport improvement schemes	Timely provision of transport infrastructure in accordance with strategic site delivery and as set out in the IDP
SLE 4	Improved Transport and Connections	Developer contributions to transport infrastructure	To meet development needs, as set out in the IDP
SLE 5	High Speed Rail 2 – London to Birmingham	Level of Council involvement with the proposed High Speed Rail Link	Respond to all relevant Government consultations on HS2 Respond to all planning applications relating to HS2.

Theme Two: Policies for Building Sustainable Communities

Policy Reference	Policy Title	Local Plan Indicators	Target
BSC 1	District Wide Housing distribution	Housing commitments and completions per sub area (Banbury, Bicester, Kidlington, rural areas)	As set out in Policy BSC1
BSC 2	The Effective and Efficient Use of Land	% of residential completions on previously developed land	As set out in Policy BSC2
BSC 2	The Effective and Efficient Use of Land	Net housing density of completions	As set out in Policy BSC2
BSC 3	Affordable Housing	Net affordable housing completions/acquisitions per tenure	As set out in Policy BSC3
BSC 3	Affordable Housing	No. of self-build completions	An annual increase in the number of self-build completions
BSC 4	Housing Mix	Number of completed dwellings per number of bedrooms	As set out in Policy BSC4
BSC 4	Housing Mix	Number of 'extra care' completions	As set out in Policy BSC4
BSC 5	Area Renewal	Completed development per type in the 'area of renewal'	Improvements in levels of deprivation in the District
BSC 5	Area Renewal	The 'Brighter Futures in Banbury' Performance Measures Package Reports	Positive trends across all the Programme's indicators
BSC 6	Travelling Communities	Completed/Lost Gypsy & Traveller Plots/Travelling Showpeople Pitches, by location (location criteria as set out in Policy BSC6)	Provision for new pitches to meet identified shortfall as set out in Policy BSC6

Policy Reference	Policy Title	Local Plan Indicators	Target
BSC 7	Meeting Education Needs	Completed education infrastructure	Timely provision of education infrastructure in accordance with strategic site delivery and as set out in the IDP
BSC 7	Meeting Education Needs	Developer contributions to education infrastructure	To meet development needs, as set out in the IDP
BSC 8	Securing Health and Well Being	Completed health care infrastructure	Timely provision of health infrastructure in accordance with strategic site delivery and as set out in the IDP
BSC 8	Securing Health and Well Being	Developer contributions to health care infrastructure	To meet development needs, as set out in the IDP
BSC 8	Securing Health and Well Being	Completions at Bicester Community Hospital	Replacement of Bicester Community Hospital within the plan period
BSC 9	Public Services and Utilities	Completed public services/utilities infrastructure	Timely provision of public services/utilities infrastructure in accordance with strategic site delivery and as set out in the IDP
BSC 9	Public Services and Utilities	Developer contributions to public services/utilities	To meet development needs, as set out in the IDP
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Amount, type and location of open space/sport/recreation facilities	No net loss of open space/outdoor sport/recreation sites
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Areas deficient in recreation provision by type and amount	Annual improvements over the plan period
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Completed built development on (former) sites of open space, outdoor sport and recreation	No net loss of open space/outdoor sport/recreation sites

Policy Reference	Policy Title	Local Plan Indicators	Target
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Open spaces in the District meeting quality standards	A yearly improvement in the quality of sites/facilities
BSC 11	Local Standards of Provision - Outdoor Recreation	Developer contributions to open space/sport/recreation facilities per typology	As set out in policy BSC11
BSC 12	Indoor Sport, Recreation and Community Facilities	Developer contributions to open space/sport/recreation facilities per typology	As set out in policy BSC12
BSC 12	Indoor Sport, Recreation and Community Facilities	Completed community facilities infrastructure	As set out in policy BSC12

Theme Three: Policies for Ensuring Sustainable Development

Policy Reference	Policy Title	Local Plan Indicators	Target
ESD 1	Mitigating and Adapting to Climate Change	Carbon emissions in the District per capita	Reductions over the plan period
ESD 1	Mitigating and Adapting to Climate Change	Permissions granted contrary to Environment Agency advice on Flood Risk grounds	No permissions granted contrary to EA advice on flood risk grounds
ESD 1	Mitigating and Adapting to Climate Change	Access to services and facilities by public transport, walking and cycling	Improvement over the plan period, linked to Oxfordshire LAA target (National Indicator 175)
ESD 2	Energy Hierarchy	Number of Energy Statements submitted	As set out in Policy ESD2 i.e. required for all major applications

Policy Reference	Policy Title	Local Plan Indicators	Target
ESD 3	Sustainable Construction	% of new dwellings completed achieving water use below 110 litres/person/day	As set out in Policy ESD3
ESD 3	Sustainable Construction	Completed non residential development achieving BREEAM Very Good, BREEAM Excellent	As set out in Policy ESD3
ESD 4	Decentralised Energy Systems	Number of District Heating Feasibility Assessments submitted	As set out in Policy ESD4 i.e. required for all applications for 100 dwellings or more
ESD 4	Decentralised Energy Systems	Number of permitted District heating schemes in the District	Increase over the plan period
ESD 5	Renewable Energy	Permitted renewable energy capacity per type	Increase over the plan period
ESD 6	Sustainable Flood Risk Management	Permissions granted contrary to Environment Agency advice on flood risk grounds	No permissions granted contrary to EA advice on flood risk grounds
ESD 6	Sustainable Flood Risk Management	Flood Risk Assessments received for development proposals within Flood Zones 2 & 3, within 1 ha of Flood Zone 1, or 9m of any watercourse	As set out in Policy ESD6 i.e. required for all proposals meeting the locational criteria
ESD 7	Sustainable Drainage Systems (SuDS)	Completed SuDS schemes in the District	Annual increase over the plan period
ESD 8	Water Resources	Number of permissions granted contrary to Environment Agency advice on water quality grounds	No permissions granted contrary to EA advice on water quality grounds
ESD 9	Protection of the Oxford Meadows SAC	Number of permissions granted contrary to consultee (Environment Agency, BBOWT, CDC/OCC etc) advice on water quality grounds within the SAC catchment	No permissions granted contrary to consultee (EA, BBOWT, CDC/OCC etc) advice on water quality grounds within the SAC catchment

Policy Reference	Policy Title	Local Plan Indicators	Target
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Total LWS/LGS area	A net gain in total areas of biodiversity importance in the District
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Changes in priority habitats by number & type	An annual increase over the plan period
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Changes in priority species by number & type	A net gain in priority species by number and type
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Ecological condition of SSSIs	100% of SSSI units in favourable or unfavourable recovering condition
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Distribution and status of farmland birds	A yearly increase in the District index of farmland bird presence
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Distribution and status of water voles	A yearly increase in the presence of water voles
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Permissions granted contrary to tree officer advice	No permissions granted contrary to tree officer advice
ESD 10	Protection and Enhancement of	Permissions granted contrary to biodiversity consultee advice	No permissions granted contrary to

Policy Reference	Policy Title	Local Plan Indicators	Target
	Biodiversity and the Natural Environment		biodiversity consultee advice
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Number of Ecological Surveys submitted with applications	Ecological Surveys to accompany all planning applications which may affect a site, habitat or species of known or potential ecological value
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Local Sites in Positive Conservation Management	A net gain in Local Sites in Positive Conservation Management
ESD 11	Conservation Target Areas	Total amount of Natural Environment and Rural Communities (NERC) Act s41 Habitats of Principal Importance within active Conservation Target Areas (CTAs)	A net gain of relevant NERC Act Habitats in active CTAs within the District
ESD 11	Conservation Target Areas	Permissions granted in Conservation Target Areas contrary to biodiversity consultee advice	No permissions granted in Conservation Target Areas contrary to biodiversity consultee advice
ESD 12	Cotswolds AONB	Built development permitted in the AONB	No major development in AONB
ESD 12	Cotswolds AONB	Permissions granted contrary to the advice of the AONB Management Board	No permissions granted contrary to the advice of the AONB Management Board
ESD 13	Local Landscape Protection and Enhancement	Number and location of urban fringe restoration/improvement schemes completed	An annual increase over the plan period

Policy Reference	Policy Title	Local Plan Indicators	Target
ESD 13	Local Landscape Protection and Enhancement	Permissions granted contrary to Landscape Officer advice	No permissions granted contrary to Landscape Officer advice
ESD 14	Oxford Green Belt	Completed development (per type) in the Green Belt	All development in Green Belt to comply with Policy ESD14
ESD15	The Character of the Built Environment	Permissions granted contrary to the advice of English Heritage/consultee advice on heritage grounds	All development impacting on non designated/designated heritage assets to comply with ESD15
ESD15	The Character of the Built Environment	Permissions granted contrary to design consultee advice on design grounds	No permissions granted contrary to design consultee advice on design grounds
ESD15	The Character of the Built Environment	% of permitted and completed developments with Design and Access Statements (that address the criteria of policy ESD15).	All new developments to complete a Design and Access Statement
ESD15	The Character of the Built Environment	Number of new (and reviews of) conservation area appraisals	Review 6 Conservation Areas annually
ESD16	The Oxford Canal	Completed transport/recreation/leisure/tourism uses within 1km of the Oxford Canal	Increase over the plan period
ESD16	The Oxford Canal	Permissions granted contrary to consultee advice on heritage grounds	No permissions granted contrary to consultee advice on heritage grounds
ESD17	Green Infrastructure	Completed green infrastructure schemes	A net gain in green infrastructure provision over the plan period

Policy Reference	Policy Title	Local Plan Indicators	Target
ESD17	Green Infrastructure	Developer contributions to green infrastructure	To meet development needs and as identified in IDP/Green Infrastructure Strategy

Policies for Cherwell’s Places

Bicester

Policy Reference	Policy Title	Local Plan Indicators	Target
Bicester 1	North West Bicester Eco-Town	Housing, infrastructure, employment completions at North West Bicester	As set out in policy Bicester 1 (and agreed masterplan/detailed planning documents)
Bicester 1	North West Bicester Eco-Town	Environmental standards of completed development at NW Bicester	As set out in policy Bicester 1
Bicester 1	North West Bicester Eco-Town	Embodied impacts of construction to be monitored, managed and minimised	As set out in policy Bicester 1
Bicester 1	North West Bicester Eco-Town	Sustainability metrics to be agreed and monitored	As set out in policy Bicester 1
Bicester 2	Graven Hill	Housing, infrastructure, and employment completions at Graven Hill	As set out in policy Bicester 2 (and agreed masterplan/detailed planning documents)
Bicester 3	South West Bicester Phase 2	Housing and infrastructure completions at South West Bicester Phase 2	As set out in policy Bicester 3 (and agreed masterplan/detailed planning documents)

Policy Reference	Policy Title	Local Plan Indicators	Target
Bicester 4	Bicester Business Park	Completed employment development at Bicester Business Park	As set out in policy Bicester 4 (and agreed masterplan/detailed planning documents)
Bicester 5	Strengthening Bicester Town Centre	Permitted residential development at ground floor level in Bicester Town Centre	No residential floorspace permitted at ground floor level
Bicester 5	Strengthening Bicester Town Centre	Town centre vacancies	No increase in vacancy rates over the plan period
Bicester 5	Strengthening Bicester Town Centre	Diversity of uses	Maintain or improve the balance of uses within the town centre over the plan period
Bicester 5	Strengthening Bicester Town Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Bicester Town Centre	No net loss of town centre use floorspace within Bicester Town Centre
Bicester 6	Bure Place Town Centre Redevelopment Phase 2	Completions (plot level) at Bicester Town Centre Phase 1 & 2	Development to accord with Policy BIC6 and agreed masterplan/detailed planning documents for the site
Bicester 7	Meeting the Need for Open Space, Sport & Recreation	Urban edge park schemes in Bicester	An annual increase in such schemes over the plan period
Bicester 7	Meeting the Need for Open Space, Sport & Recreation	Community woodland provision in Bicester	An annual increase in provision over the plan period
Bicester 7	Meeting the Need for Open Space, Sport & Recreation	Type of permitted/completed development at Stratton Audley Quarry	In accordance with a planning consent
Bicester 8	Former RAF Bicester	Completed development at former RAF Bicester	Development to accord with any agreed

Policy Reference	Policy Title	Local Plan Indicators	Target
			masterplan/detailed planning documents
Bicester 9	Burial Site Provision in Bicester	Developer contributions for Burial Site in Bicester	To meet needs and as set out in IDP
Bicester 10	Bicester Gateway	Employment and infrastructure completions at Bicester Gateway site	As set out in Policy Bicester 10 (and agreed masterplan/detailed planning documents)
Bicester 11	Employment Land at North East Bicester	Employment and infrastructure completions at Employment Land at North East Bicester	As set out in Policy Bicester 11 (and agreed masterplan/detailed planning documents)
Bicester 12	South East Bicester	Employment, housing and infrastructure completions at South East Bicester	As set out in Policy Bicester 12 (and agreed masterplan/detailed planning documents)
Bicester 13	Gavray Drive	Housing and infrastructure completions at Gavray Drive	As set out in policy Bicester 13 (and agreed masterplan/detailed planning documents)

Banbury

Policy Reference	Policy Title	Local Plan Indicators	Target
Banbury 1	Banbury Canalside	Employment, housing and infrastructure completions at Canalside	As set out in Policy Banbury 1 and Canalside SPD (i.e. masterplan/detailed planning documents)
Banbury 1	Banbury Canalside	Progress on completing the Canalside Supplementary Planning Document	As set out in an up to date Local Development Scheme

Policy Reference	Policy Title	Local Plan Indicators	Target
Banbury 2	Hardwick Farm, Southam Road (East and West)	Housing and infrastructure completions at Southam Road	As set out in Policy Banbury 2 (and agreed masterplan/detailed planning documents)
Banbury 3	West of Bretch Hill	Employment, housing and infrastructure completions at West of Bretch Hill	As set out in Policy Banbury 3 (and agreed masterplan/detailed planning documents)
Banbury 4	Bankside Phase 2	Housing and infrastructure completions at Bankside Phase 2	As set out in Policy Banbury 4 (and agreed masterplan/detailed planning documents)
Banbury 5	Land North of Hanwell Fields	Housing and infrastructure completions at Land North of Hanwell Fields	As set out in Policy Banbury 5 (and agreed masterplan/detailed planning documents)
Banbury 6	Employment Land West of the M40	Employment and infrastructure completions at Land West of the M40	As set out in policy Banbury 6 (and agreed masterplan/detailed planning documents)
Banbury 7	Strengthening Banbury Town Centre	Permitted residential development at ground floor level in Banbury Town Centre	No residential floorspace permitted at ground floor level
Banbury 7	Strengthening Banbury Town Centre	Town centre vacancies	No increase in vacancy rates over the plan period
Banbury 7	Strengthening Banbury Town Centre	Diversity of uses	Maintain or improve the balance of uses over the plan period
Banbury 7	Strengthening Banbury Town Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Banbury Town Centre	No net loss of town centre use floorspace within Banbury Town Centre

Policy Reference	Policy Title	Local Plan Indicators	Target
Banbury 8	Bolton Road Development Area	Housing, Retail and Leisure Completions on the Bolton Road site	In accordance with Policy Banbury 8 and the Masterplan/detailed planning documents for the site
Banbury 9	Spiceball Development Area	Completions at the Spiceball Development Area	In accordance with Policy Banbury 9 and the Masterplan/detailed planning documents for the site
Banbury 10	Bretch Hill Regeneration Area	Completed development in the Bretch Hill Regeneration Area by type	Increase over the plan period
Banbury 11	Meeting the Need for Open Space, Sport & Recreation	Completed open space/sport/recreation facility provision within Banbury	As set out in Policy BSC10 and BSC11
Banbury 12	Meeting the Need for Open Space, Sport & Recreation	Completions at the relocation site for Banbury United FC	As set out in policy Banbury 12, to be achieved over the plan period
Banbury 13	Burial Site Provision in Banbury	Developer contributions for Burial Site in Banbury	To meet needs and as set out in the IDP
Banbury 14	Cherwell Country Park	Progress on delivering the Cherwell Country Park	As set out in Policy Banbury 11
Banbury 15	Employment Land North East of Junction 11	Employment and infrastructure completions at Employment Land North East of Junction 11	As set out in policy Banbury 15 (and agreed masterplan/detailed planning documents)
Banbury 16	Land South of Salt Way: West	Housing and infrastructure completions at Land at South of Salt Way: West	As set out in policy Banbury 16 (and agreed masterplan/detailed planning documents)
Banbury 17	Land South of Salt Way: East	Housing and infrastructure completions at Land at South of Salt Way: East	As set out in policy Banbury 17 (and agreed masterplan/detailed planning documents)

Policy Reference	Policy Title	Local Plan Indicators	Target
Banbury 18	Land at Drayton Lodge Farm:	Housing and infrastructure completions at Land at Drayton Lodge Farm	As set out in policy Banbury 18 (and agreed masterplan/detailed planning documents)
Banbury 19	Land at Higham Way	Housing and infrastructure completions at Land at Higham Way	As set out in policy Banbury 19 (and agreed masterplan/detailed planning documents)

Kidlington

Policy Reference	Policy Title	Local Plan Indicators	Target
Kidlington 1	Accommodating High Value Employment Needs	Employment completions in Kidlington (at a. Langford Lane/London-Oxford Airport and b. Begbroke Science Park)	An annual increase over the plan period
Kidlington 1	Accommodating High Value Employment Needs	Completed employment development on Green Belt land in Kidlington beyond review areas	To accord with Policy ESD14
Kidlington 2	Strengthening Kidlington Village Centre	Permitted residential development at ground floor level in Kidlington Village Centre	No residential floorspace permitted at ground floor level
Kidlington 2	Strengthening Kidlington Village Centre	Village centre vacancies	No increase in vacancy rates over the plan period
Kidlington 2	Strengthening Kidlington Village Centre	Diversity of uses	Maintain or improve the balance of uses within the town centre over the plan period

Policy Reference	Policy Title	Local Plan Indicators	Target
Kidlington 2	Strengthening Kidlington Village Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Kidlington Village Centre	No net loss of town centre use floorspace within Kidlington Village Centre

Our Villages and Rural Areas

Policy Reference	Policy Title	Local Plan Indicators	Target
Villages 1	Village Categorisation	Completed development per village category and size of scheme (number of dwellings)	As set out in policy Villages 1
Villages 2	Distributing Growth Across the Rural Areas	Land allocations made in the rural areas	As set out in policy Villages 2 and to be set out in the Local Plan Part 2.
Villages 2	Distributing Growth Across the Rural Areas	Completions on allocated sites in rural areas	100% take up of allocations over the plan period
Villages 2	Distributing Growth Across the Rural Areas	Completions on non-allocated sites in rural areas	As set out in the criteria in policy Villages 1 and 2
Villages 3	Rural Exception Sites	Completions on rural exception sites	To meet needs as per Policy Villages 3
Villages 4	Meeting the Need for Open Space, Sport & Recreation	Developer contributions to open space/sport/recreation facilities in the rural areas	As set out in policy BSC11 and BSC12 and the Infrastructure Delivery Plan
Villages 4	Meeting the Need for Open Space, Sport & Recreation	Open space/sport/recreation facilities created in the rural areas	As set out in policy Villages 4, BSC11, BSC12 and the Infrastructure Delivery Plan
Villages 5	Former RAF Upper Heyford	Housing, employment and infrastructure completions	As set out in policy Villages 5, and agreed

Policy Reference	Policy Title	Local Plan Indicators	Target
		at Former RAF Upper Heyford	masterplan/detailed planning documents

The Infrastructure Delivery Plan

Policy Reference	Policy Title	Local Plan Indicators	Target
INF 1	Infrastructure	Projects provided to date in the Infrastructure Delivery Plan	Key infrastructure to be delivered in accordance with the Infrastructure Delivery Plan

Duty to Cooperate

Reference	Title	Local Plan Indicators	Target
DTC 1	Duty to cooperate – Partial Review of the Cherwell Local Plan Part 1	Meet milestones for Partial Review of the Cherwell Local Plan Part 1 as set out in the Local Development Scheme (Nov 2014)	Adoption of a Partial Review of the Cherwell Local Plan 2011-31 Part 1 addressing wider unmet need within the housing market area within 2 years of Local Plan Part 1 adoption.

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
Saved Policies of the Cherwell Local Plan 1996				
GB1	Development in the Green Belt	replaced	ESD 14	Yes
GB2	Outdoor Recreation in the Green Belt	retained	-	
GB3	Major Development Sites in the Green Belt	retained	-	
HI	Allocation of sites for housing	replaced	BSC 1 Bicester 1 Bicester 2 Bicester 3 Bicester 12 Bicester 13 Banbury 1 Banbury 2 Banbury 3 Banbury 4 Banbury 5 Banbury 8 Banbury 16	Yes (except BSC1 and Villages 2)

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
			Banbury 17 Banbury 18 Banbury 19 Villages 2 Villages 5	
H4	Housing schemes for the elderly and disabled	replaced	BSC 4	No
H5	Affordable Housing	replaced	BSC 3	No
H6	Rural Exception Sites	replaced	Villages 3	No
H12	Housing in the rural areas	replaced	Villages 1 Villages 2 Villages 3	No
H13	Residential development in category 1 settlements	replaced	Villages 1	No
H14	Residential development in category 2 settlements	replaced	Villages 1	No
H15	Residential development in category 3 settlements	replaced	Villages 1	No
H16	White land at Yarnton	retained	-	
H17	Replacement dwellings	retained	-	
H18	New dwellings in the countryside	retained	-	

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
H19	Conversion of buildings in the countryside	retained	-	
H20	Conversion of farmstead buildings	retained	-	
H21	Conversion of buildings in settlements	retained	-	
H23	Residential Caravans	retained	-	
H25	Sites for travelling showpeople	replaced	BSC6	No
H26	Residential canal moorings	retained	-	
EMPI	Allocation of sites for employment generating development	part replaced sites replaced at Bicester, Banbury and Kidlington Rural sites retained	SLE 1 Bicester 1 Bicester 2 Bicester 4 Bicester 10 Bicester 11 Bicester 12 Banbury 1 Banbury 6 Banbury 15 Kidlington 1 Villages 5	Yes

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
EMP3	Employment generating development at Kidlington, Yarnton and Begbroke (East)	replaced	SLE1	No
EMP4	Employment generating development in the rural areas	replaced	SLE1	No
S2	Proposals for retail development in the shopping centre and town centre, Banbury	replaced	SLE 2 Banbury 7	Yes
S3	Primary shopping frontages, Banbury	replaced	Banbury 7	Yes
S8	Redevelopment of land north of Bridge Street and east of the inner relief road, Banbury for recreational or cultural use	replaced	Banbury 1	Yes
S9	Change of use of residential buildings in Banbury town centre	replaced	Banbury 7	Yes
S10	Development in Banbury commercial areas	replaced	Banbury 7	Yes
S12	Development proposals in Bicester town centre	replaced	SLE 2 Bicester 5	Yes
S13	Primary shopping frontages, Bicester	replaced	Bicester 5	Yes
S15	Redevelopment of land at Franklin's Yard, Bicester	replaced	Bicester 6	Yes
S21	Development in Kidlington shopping centre	replaced	SLE 2 Kidlington 2	Yes
S22	Provision of rear servicing, Kidlington	retained	-	

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
S25	Retail development in the rural areas	replaced	SLE2	No
S26	Small scale ancillary retail outlets in the rural areas	retained	-	
S27	Garden centres in the rural areas	retained	-	
S28	Proposals for small shops and extensions to existing shops outside Banbury, Bicester and Kidlington shopping centres	retained	-	
S29	Loss of existing village services	retained	-	
TR1	Transportation funding	retained	-	
TR7	Development attracting traffic on minor roads	retained	-	
TR8	Commercial facilities for the motorist	retained	-	
TR10	Heavy Goods vehicles	retained	-	
TR11	Oxford Canal	retained	-	
TR14	Formation of new accesses to the inner relief road and Hennef Way, Banbury	retained	-	
TR16	Access Improvements in the vicinity of Banbury Railway Station	retained	-	
TR20	Reservation of land for road schemes at Bicester	replaced	SLE 4	Yes
TR22	Reservation of land for road schemes in the countryside	retained	-	
R1	Allocation of land for recreation use	part replaced	Bicester 13	Yes

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
R5	Use of redundant railway lines and disused quarries for recreation purposes	retained	-	
R7	Protection and enhancement of the recreational roles of the Oxford Canal and River Cherwell	replaced	ESD 16	No
R9	Facilities for canal users	replaced	ESD 16	No
R12	Provision of public open space in association with new residential development	replaced	BSC 11	No
R14	Reservation of land for community buildings in association with housing developments at Hanwell Fields, Banbury and Slade Farm, Bicester	replaced	BSC 12	No
T2	Proposals for hotels, motels, guest houses and restaurants within settlements	retained	-	
T3	Land reserved for hotel and associated tourist or leisure based development, in vicinity of junction 11 of the M40, Banbury	retained	-	
T5	Proposals for new hotels, motels, guesthouses and restaurants in the countryside	retained	-	
T7	Conversion of buildings beyond settlements to self-catering holiday accommodation	retained	-	
AG2	Construction of farm buildings	retained	-	
AG3	Siting of new or extension to existing intensive livestock and poultry units	retained	-	

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
AG4	Waste disposal from intensive livestock and poultry units	retained	-	
AG5	Development involving horses	retained	-	
C1	Protection of sites of nature conservation value	replaced	ESD 10	Yes
C2	Development affecting protected species	replaced	ESD 10 ESD 11	No
C4	Creation of new habitats	replaced	ESD 10	No
C5	Protection of ecological value and rural character of specified features of value in the District	retained	-	
C6	Development proposals adjacent to the River Thames	retained	-	
C7	Landscape conservation	replaced	ESD 13	No
C8	Sporadic development in the open countryside	retained	-	
C9	Scale of development compatible with a rural location	replaced	ESD 13	No
C10	Historic landscapes, parks and gardens and historic battlefields	replaced	ESD 13 ESD 15	Yes
C11	Protection of the vista and setting of Rousham Park	retained	-	
C12	Development in the Cotswold Area of Outstanding Natural Beauty	replaced	ESD 12	Yes
C13	Areas of High Landscape Value	replaced	ESD 13	Yes

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
C14	Countryside Management Projects	retained	-	
C15	Prevention of coalescence of settlements	retained	-	
C17	Enhancement of the urban fringe through tree and woodland planting	replaced	ESD 13	Yes
C18	Development proposals affecting a listed building	retained	-	
C21	Proposals for re-use of a listed building	retained	-	
C23	Retention of features contributing to character or appearance of a conservation area	retained	-	
C25	Development affecting the site or setting of a schedule ancient monument	retained	-	
C27	Development in villages to respect historic settlement pattern	replaced	ESD 15	No
C28	Layout, design and external appearance of new development	retained	-	
C29	Appearance of development adjacent to the Oxford Canal	retained	-	
C30	Design Control	retained	-	
C31	Compatibility of proposals in residential areas	retained	-	
C32	Provision of facilities for disabled people	retained	-	
C33	Protection of important gaps of undeveloped land	retained	-	

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
C34	Protection of views of St Mary's Church, Banbury	retained	-	
C38	Satellite dishes in conservation areas and on listed buildings	retained	-	
C39	Telecommunication masts and structures	retained	-	
ENV1	Development likely to cause detrimental levels of pollution	retained	-	
ENV2	Redevelopment of sites causing serious detriment to local amenity	retained	-	
ENV6	Development at Oxford Airport, Kidlington likely to increase noise nuisance	retained	-	
ENV7	Development affecting water quality	replaced	ESD 8	No
ENV10	Development proposals likely to damage or be at risk from hazardous installations	retained	-	
ENV11	Proposals for installations handling hazardous substances	retained	-	
ENV12	Development on contaminated land	retained	-	
OA2	Protection of land at Yarnton Road Recreation ground, Kidlington for a new primary school	retained	-	
GB1	Saved Policy of the Central Oxfordshire Local Plan (Cherwell) 1992 - Development in the Green Belt	replaced	ESD 14	Yes

Appendix 7 List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
H2	Saved Policy of the Oxfordshire Structure Plan 2005 - Upper Heyford	replaced	Villages 5	Yes

**Appendix 8 Infrastructure
Delivery Plan (IDP)**

Please see separate document

Appendix 12

Cherwell Local Plan 1996

Cherwell *Local Plan*



NOVEMBER
1996

Following a legal challenge to the adoption of the Cherwell Local Plan, the High Court has ordered that the first line of paragraph 1.15 of the reasoned justification to Policy GB3 and Policy R6 and paragraph 6.45 of its reasoned justification in its entirety and the Proposals Map insofar as it affects the objection site (Shipton on Cherwell Quarry) be quashed.

CHERWELL LOCAL PLAN

ADOPTED 6TH NOVEMBER 1996

CHERWELL LOCAL PLAN

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PROPOSALS MAP AND INSET MAPS

PROPOSALS MAP Loose in wallet

This covers the whole of administrative area of Cherwell District.
Some parts of the District are shown on Inset Maps as follows:

INSET MAP NUMBER

1	Banbury	Loose in wallet
2 & 5	Bicester and Bicester Town Centre	Loose in wallet
3	Kidlington, Yarnton and Begbroke (east)	Loose in wallet
4	Banbury Town Centre	Loose in wallet

The following Inset Maps are bound at the end of the written statement

6	Kidlington Centre
7	Bodicote
8	Adderbury
9	Ambrosden
10	Balscote
11	Barford St John
12	Barford St Michael
13	Bletchington

14	Bloxham
15	Bloxham
16	Broughton
17	Charlton-on-Oxmoor
18	Chesterton
19	Claydon
20	Clifton
21	Cottisford
22	Cropredy
23	Deddington
24	Drayton and Wroxton
25	Finnere
26	Fringford
27	Fritwell
28	Hanwell
29	Hethe
30	Hook Norton
31	Hook Norton
32	Horley
33	Horton
34	Islip
35	Juniper Hill
36	Kirdlington
37	Launton
38	Milton
39	Mixbury
40	Murcott
41	North Aston
42	North Newington
43	Shipton-on-Cherwell, Hampton Gay and Thrupp
44	Sibford Ferris
45	Sibford Gower and Burdrop
46	Somerton
47	Souldern
48	South Newington
49	Steeple Aston
50	Stratton Audley
51	Swalcliffe
52	Swerford Park
53	Tadmarton
54	Upper Heyford and Lower Heyford
55	Wardington
56	Wigginton
57	Williamscot
58	Wroxton
59	Weston on the Green

OTHER MAPS (not part of Proposals Map)

MAP A The Major Historic Parks and Gardens within the District

MAP B Part of RAF Upper Heyford within the setting of Rousham Park

Cherwell Local Plan



INTRODUCTION

BACKGROUND TO THE PREPARATION OF THE PLAN

The Cherwell Local Plan (henceforth referred to as the Plan) is a local plan prepared by Cherwell District Council under the provisions of the Town & Country Planning Act, 1990 as amended by the Planning & Compensation Act, 1991. This new legislation requires that all district councils produce a single local plan covering their whole administrative area.

This Plan covers the period up to 2001. Together with the approved Oxfordshire Structure Plan, it forms the Development Plan for the whole of the Cherwell District. It replaces all of the local plans previously in force in the District.

The Council wished to secure the participation of the public, local organisations, companies, public bodies and government departments in the decision making process and to that end wide consultation and publicity was given to a draft of the Plan when it was published in February 1992.

All representations received in response to the publication of the draft Plan were carefully considered by the Council and a number of changes were made as a consequence. The Plan was placed on deposit between 15 January and 26 February 1993. A public local inquiry to hear objections and representations on the Plan was held between 16 November 1993 and 12 April 1994. Following the receipt of the Inspector's Report the Council published its proposed modifications on 14th July, 1995. Further proposed modifications were published on 28th March, 1996.

FUNCTIONS OF THE PLAN

The main functions of the Plan are:

- i) to develop the policy and general proposals of the approved Oxfordshire Structure Plan and to relate them to precise areas of land;
- ii) to provide a detailed basis for development control throughout the District;
- iii) to provide a detailed basis for co-ordinating the development and other use of land in the District; and
- iv) to bring local and detailed planning issues before the public.

THE STRUCTURE PLAN CONTEXT

The framework for planning in Oxfordshire is provided by the Structure Plan for Oxfordshire.

On 24 January 1992 the Secretary of State for the Environment approved the "Alterations (No 4)" to the Structure Plan. The approved Alterations became operative on 14 February 1992 and relate to the period to 2001. All references in this Local Plan to the "Structure Plan" include "Alteration No 4" as approved by the Secretary of State.

The general strategy of the Structure Plan, to which this local plan conforms, seeks "to protect the environment, character and agricultural resources of the County by restraining the overall level of development. The Country Towns of Banbury, Bicester, Didcot and Witney will be the preferred locations for new development. Elsewhere in the County, development, and consequent expansion of population, will be limited".

The strategy is one that has been pursued since the approval of the first Structure Plan for Oxfordshire in 1979. It seeks to protect the special character of Oxford, a heritage city of international importance by restraining its propensity for growth and to promote the surrounding 'Country Towns' as the preferred locations for new housing and employment generating development. Similarly, the rural areas of the County are to be protected by limiting new development.

The construction of the new M40 motorway extension through Cherwell District has reduced traffic congestion in a number of settlements by removing through traffic. At the Examination in Public, the question of whether the motorway should be regarded as a corridor for growth as well as a corridor for movement was the subject of debate. In his modifications to the submitted Alterations to the Structure Plan, the Secretary of State confirmed that, "with the exception of the country towns of Banbury and Bicester, the M40 in Oxfordshire passes through an area of environmental restraint and policies apply accordingly".

FORMAT OF THE PLAN

The Plan comprises the Proposals Map, including insets and this written statement. The Proposals Map identifies all the proposals in the Written Statement, indicating sites for development and those areas to which specific development control policies will be applied. The written statement describes the policies and proposals and sets out the reasoned justification for them. Policies and proposals are distinguished from the rest of the text by the use of capital letters in bold type.

SUMMARY OF THE MAIN PROPOSALS

This Plan is structured by topic heading and discusses first the Oxford Green Belt which is of fundamental importance to the general strategy in seeking to restrain the growth of Oxford and protect its countryside setting. The boundaries of the Green Belt in Cherwell District proposed in this Plan are the same as those which have been defined in the Council's Central Oxfordshire Local Plan and which were finally

confirmed by the adoption of that plan in December 1992.

Chapter two of the Plan explains how the Council is intending to ensure that sufficient land will be available to the house building industry to provide the number of houses intended by the Structure Plan in the period to 2001. The proposals are discussed under the four policy area headings defined by the Structure Plan ie (i) Banbury, (ii) Bicester, (iii) Kidlington, Yarnton and Begbroke (East) and (iv) the Rural Settlements.

The Plan proposes large new sites for housing development north of Hardwick Estate, Banbury and at Slade Farm, Bicester. Both proposals will be required to provide associated community facilities and major highway improvements.

The proposals for new employment generating development set out in Chapter three identify new sites north of the existing Alcan works at Banbury and at Bicester Airfield. The latter envisages a comprehensive development including the diversion of the A421 and the provision of public recreation facilities extending to over 80 hectares (200 acres). (Chapters 5 and 6).

Chapter four sets out the Council's proposed policies for the main shopping centres in the District. To strengthen the role of Banbury's town centre, a major new shopping development is proposed between Bridge Street and the Oxford Canal. In the three centres of Banbury, Bicester and Kidlington the Council is intending to continue to promote improvements to the shopping environment during the period of the plan.

CHAPTER ONE

THE OXFORD GREEN BELT

INTRODUCTION

- 1.1 The Oxford Green Belt plays an important part in the general strategy set out in the Oxfordshire Structure Plan, in restraining development around the City of Oxford to protect its character and its setting.

BACKGROUND

- 1.2 The conservation of Oxford's heritage, which is of international importance, has been recognised in planning policy since the war. The achievement of that objective for the benefit of future generations cannot be realised without strict restraint of the development pressures which threaten to damage the character of the City through increased scale of activity, traffic and the outward sprawl of the urban area. Similarly, the character of Oxford in a rural setting cannot be maintained without the protection of the spatial relationship of Oxford and nearby settlements and the maintenance of the character of the intervening countryside.
- 1.3 In 1958, against a background of growing concern that a continued unrestrained growth of Oxford would irrevocably damage its unique character and setting, proposals for a Green Belt were submitted for the approval of the then Minister of Housing and Local Government. The outer Green Belt boundary was approved by the Secretary of State in 1975. The Central Oxfordshire Local Plan (Cherwell) defined new inner boundaries of the Green Belt which were confirmed when the Plan was adopted in December 1992.
- 1.4 The most recent Central Government advice on Green Belts is set out in the Department of the Environment's revised Planning Policy Guidance Note (PPG2) published in January 1995. This reaffirms that the essential characteristic of a Green Belt is its permanence, and its protection must be maintained as far as can be seen ahead, and that detailed Green Belt boundaries defined in adopted local plans should be altered only exceptionally. Due regard was given to this advice in defining the inner boundaries of the Green Belt in the Central Oxfordshire Local Plan and it is not proposed to amend the Green Belt boundaries in this local plan.
- 1.5 PPG2 lists five purposes of green belts generally. These are to:
- (i) check the unrestricted sprawl of large built-up areas;
 - (ii) prevent neighbouring towns from merging into one another;
 - (iii) assist in safeguarding the countryside from encroachment;
 - (iv) preserve the setting and special character of historic towns; and
 - (v) assist urban regeneration, by encouraging the recycling of derelict and other urban land.
- 1.6 In addition PPG2 states that Green Belts have a positive role to play in fulfilling the following objectives

- (i) to provide opportunities for access to the open countryside for the urban population;
- (ii) to provide opportunities for outdoor sport and outdoor recreation near urban areas;
- (iii) to retain attractive landscapes and enhance landscapes near to where people live;
- (iv) to improve damaged and derelict land around towns;
- (v) to secure nature conservation interest; and
- (vi) to retain land in agricultural, forestry and related uses.

DEVELOPMENT IN THE GREEN BELT

1.7 Policy EN5 of the Oxfordshire Structure Plan sets out the main purposes of the Oxford Green Belt and proposes severe restriction of development within it. The essence of this policy is incorporated in Policy GB1 below.

GB1 THERE WILL BE A GREEN BELT AROUND THE BUILT UP AREA OF OXFORD, APPROXIMATELY 6.4-9.6 Km (4-6 miles) WIDE, WHERE DEVELOPMENT WILL BE SEVERELY RESTRICTED. THE PURPOSES OF THE GREEN BELT ARE TO:

- (i) PROTECT THE SPECIAL CHARACTER OF OXFORD AND ITS LANDSCAPE SETTING,
- (ii) CHECK THE GROWTH OF OXFORD AND PREVENT RIBBON DEVELOPMENT AND URBAN SPRAWL, AND
- (iii) PREVENT THE COALESCENCE OF SETTLEMENTS.

INSIDE THE GREEN BELT, APPROVAL WILL NOT BE GIVEN, EXCEPT IN VERY SPECIAL CIRCUMSTANCES, FOR DEVELOPMENT OTHER THAN FOR AGRICULTURE, FORESTRY, RECREATION, CEMETERIES, OR FOR OTHER USES OF LAND WHICH PRESERVE THE OPENNESS OF THE GREEN BELT AND DO NOT CONFLICT WITH THE PURPOSES OF INCLUDING LAND IN IT. RESIDENTIAL INFILLING OR OTHER APPROPRIATE DEVELOPMENT IN SETTLEMENTS IN THE GREEN BELT MAY BE PERMITTED PROVIDED IT DOES NOT CONFLICT WITH THE PURPOSES OF THE GREEN BELT OR ITS OPEN AND RURAL CHARACTER. SOME SETTLEMENTS WITHIN THE GREEN BELT WILL NOT BE COVERED BY GREEN BELT POLICIES IN ORDER TO ALLOW LIMITED EXPANSION.

CARE WILL BE TAKEN TO ENSURE THAT THE VISUAL AMENITIES OF THE GREEN BELT ARE NOT INJURED BY DEVELOPMENT WITHIN, OR CONSPICUOUS FROM, THE GREEN BELT WHICH, ALTHOUGH NOT PREJUDICIAL TO ITS MAIN PURPOSE, MIGHT BE INAPPROPRIATE BY REASON OF SITING, MATERIALS OR DESIGN.

1.8 All development proposals in the Green Belt will be considered against Policy GB1 above. There is in the Green Belt a general presumption against inappropriate development, and development other than that mentioned in policy GB1 and that which meets the criteria set out in policy GB3 below will not normally be permitted. Proposals for low cost housing schemes

will be considered against policy H6. In addition there are a number of general policies relating to the control of development in the countryside in this Plan, which will be applicable to the Green Belt.

1.9 The settlements of Begbroke (west), Bletchington, Charlton on Otmoor, Fencott and Murcott, Gosford and Water Eaton, Hampton Gay and Poyle, Horton-cum-Studley, Islip, Noke, Oddington, Shipton on Cherwell and Thrupp, and part of Weston on the Green are washed over by the Green Belt. Within those settlements, the erection of new dwellings will be restricted to infilling, defined as the development of a small gap in an otherwise built-up frontage suitable for the erection of one or two dwellings. The decision to limit the erection of new dwellings to infill sites is based in part on the strict restraint of housing development in Central Oxfordshire as a whole, and the green belt in particular, intended by the Structure Plan. The only exceptions to this are likely to be schemes to meet a local housing need which comply with policy H6 (Chapter Two).

GB2 THE CHANGE OF USE OF LAND WITHIN THE GREEN BELT FOR OUTDOOR RECREATION PURPOSES WILL NORMALLY BE PERMITTED PROVIDED:

- (i) THERE IS NO OVERRIDING AGRICULTURAL OBJECTION;
- (ii) THE VISUAL IMPACT ON THE RURAL LANDSCAPE IS NOT UNDULY HARMFUL;
- (iii) THERE IS NO CONFLICT WITH OTHER POLICIES IN THIS PLAN.

PLANNING PERMISSION FOR NEW BUILDINGS RELATED TO SUCH USES WILL ONLY BE GRANTED IF THEY ARE SMALL IN SCALE AND IT CAN BE DEMONSTRATED THAT THEY ARE ESSENTIAL AND ANCILLARY TO THE USE OF THE LAND AND CAN BE LOCATED UNOBTRUSIVELY.

1.10 PPG2 identifies Green Belts in having a role to play in fulfilling the objectives of providing access to the countryside for the urban population and for opportunities for outdoor sport and recreation near urban areas. Proposals for outdoor recreational facilities will be considered against policy GB2 above. Buildings for indoor sports or sports stadia will be resisted.

GB3 PROPOSALS FOR THE COMPLETE OR PARTIAL REDEVELOPMENT OF A SITE IDENTIFIED IN THIS PLAN AS A MAJOR DEVELOPED SITE IN THE GREEN BELT WILL NOT BE CONSIDERED INAPPROPRIATE DEVELOPMENT PROVIDED IT WOULD:

- (i) HAVE NO GREATER IMPACT THAN THE EXISTING DEVELOPMENT ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND IN IT, AND WHERE POSSIBLE HAVE LESS;
- (ii) CONTRIBUTE TO THE ACHIEVEMENT OF THE OBJECTIVES FOR THE USE OF LAND IN GREEN BELTS;
- (iii) NOT EXCEED THE HEIGHT OF EXISTING BUILDINGS;

AND

(iv) NOT OCCUPY A LARGER AREA OF THE SITE THAN THE EXISTING BUILDINGS (UNLESS THIS WOULD ACHIEVE A REDUCTION IN HEIGHT WHICH WOULD BENEFIT VISUAL AMENITY).

1.11 This policy is included in response to Government advice in PPG2, which recognises that the complete or partial redevelopment of major developed sites in the Green Belt may offer the opportunity for environmental improvement without adding to their impact on the openness of the Green Belt and the purposes of including land within it. Where this is the case, redevelopment of an identified site need not be inappropriate development, subject to the above criteria being met.

1.12 In considering redevelopment proposals, the relevant area for clause (iv) of policy GB3 is the aggregate ground floor area of the existing buildings (the 'footprint'), excluding temporary buildings, open spaces with direct external access between wings of a building and areas of hardstanding. The character and dispersal of proposed redevelopment will also be important considerations.

1.13 Any proposals for partial redevelopment of the site should be put forward in the context of comprehensive, long term plans for the site as a whole, as advised in PPG2.

1.14 Redevelopment proposals will need to comply with other relevant policies in the plan including those covering environmental and transportation issues. In considering proposals the Council will assess the impact of the physical mass and scale of activity compared to the previous operational use. The special character of Oxford and its landscape setting which the Green Belt seeks to protect, is partially dependant on the level of activity, in that growth generates more traffic and leads to pressures for additional development.

1.15 Two major sites have been identified within the Plan area as follows:

(i) Oxford Airport, Kidlington

Oxford Airport is a major land use and employer in the area. The site includes the built up part of the airport (which comprises a number of hangars, administrative buildings and buildings used in connection with the air training school and aircraft maintenance) and the runways.

(ii) Thames Water Utilities Depot, Kidlington

The Thames Water Utilities depot comprises a number of buildings and areas of open storage, and is contiguous with the Oxford Airport site.

1.16 In addition to the major sites identified in paragraph 1.15, there are a number of other existing developed sites in the Green Belt. PPG2 makes it clear that development on such sites would be inappropriate unless very special circumstances can be demonstrated by the applicant. In considering development proposals at these sites the Council will need to be satisfied that the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations. Proposals should be essential for the operational needs of an operator whose value and importance are recognised and should normally improve the contribution of the site to the purposes of the Green Belt.

GB4 PROPOSALS FOR THE EXTENSION OR ALTERATION OF EXISTING DWELLINGS IN THE GREEN BELT WILL BE RESISTED IF BY REASON OF THEIR DESIGN OR SIZE THEY WOULD RESULT IN AN UNREASONABLY CONSPICUOUS INTRUSION IN THE LANDSCAPE.

1.17 The substantial enlargement of an existing dwelling can in some circumstances result in an unacceptable visual intrusion, to the detriment of the appearance of the Green Belt, and the Council will resist such proposals.

GB5 PROPOSALS FOR THE CONVERSION OF A BUILDING WHOSE FORM, BULK AND GENERAL DESIGN IS IN KEEPING WITH ITS SURROUNDINGS WILL BE FAVOURABLY CONSIDERED PROVIDED:

(i) THE BUILDING IS OF PERMANENT AND SUBSTANTIAL CONSTRUCTION, AND IS CAPABLE OF CONVERSION WITHOUT MAJOR OR COMPLETE RECONSTRUCTION;

(ii) IT WOULD NOT HAVE A MATERIALLY GREATER IMPACT THAN THE PRESENT USE ON THE OPENNESS OF THE GREEN BELT AND THE PURPOSES OF INCLUDING LAND WITHIN IT;

(iii) THE PROPOSAL MEETS THE REQUIREMENTS OF THE OTHER POLICIES IN THE PLAN.

1.18 PPG2 states that the re-use of buildings in the Green Belt is not inappropriate development subject to certain criteria being met. The conversion of a building can avoid it being left vacant and falling into disrepair, and can assist in the diversification of the rural economy.

1.19 The Council will, in dealing with proposals of this kind, have regard to the extent to which any extension or activities outside the building such as storage and parking would be necessary and the extent to which that would be harmful to the purpose of the Green Belt or its appearance and open character. Proposals which conflict with Green Belt objectives will be resisted.

CHAPTER TWO

HOUSING

INTRODUCTION

2.1 This chapter sets out the policies relating to housing which the Council intends to include in the Local Plan. The principal objective is to ensure that the opportunity is created for additional housing to be provided, commensurate with the growth of population and the change in the number of households anticipated by the Structure Plan, during the period to 2001.

2.2 The plan makes no distinction between public sector and private sector housing. The size and location of public sector housing provision is a matter for continuing assessment and review in the context of the Council housing investment programmes.

OVERALL PROVISION FOR HOUSING

2.3 The Structure Plan states that in the period from the 1st April 1986 to the 31st March 2001 land will be released to enable 12400 new dwellings to be built in Cherwell District. This total included dwellings with planning permission on the 1st April 1986 and an estimate of the number that could be built on land which had already been allocated in local plans but which did not, at that time, have planning permission.

2.4 The number of new dwellings completed since the 1st April 1986 stood at 5466 on the 1st April 1993 leaving a further 6934 new dwellings to be provided by 2001. Commitments to additional new dwellings in the form of planning permissions and local plan allocations amounted to 5228. A list of the large sites (sites for 10 dwellings or more) that have planning permission is contained in appendix E. To conform to the Structure Plan this local plan must therefore decide how and where sufficient additional land will be released to enable at least 1706 further dwellings to be provided by the end of the plan period.

2.5 The allocation of specific sites for housing development in the local plan is not the only source of housing land supply. From time to time small "unforeseen" sites within towns and villages emerge, for example, through the development of open land or redevelopment and replacement of other land uses. The conversion of existing buildings, including large single dwellings, to provide multiple units of accommodation also makes a small but important addition to the housing stock.

2.6 The Structure Plan not only sets out total housing requirement but also its distribution between four policy areas, Banbury, Bicester, the Rural Areas and Central Oxfordshire. The requirement for each policy area is discussed below including the assumptions that the Council has made about the expected contribution of "unforeseen" sites (small sites up to one hectare in area in the urban areas and up to 0.4ha elsewhere) and the land that needs to be specifically allocated in each policy area in order to meet the overall Structure Plan requirement. Appendix F provides this information in tabulated form. It has been assumed that 10% of the dwellings on allocated sites without planning permission will not be completed by 2001. The Council will monitor housing commitments and will publish summary reports regularly.

H1 RESIDENTIAL DEVELOPMENT WILL BE PERMITTED ON THE SITES SHOWN ON THE PROPOSALS MAP, SUBJECT TO THE OTHER RELEVANT POLICIES IN THE PLAN.

2.7 The proposals map includes "inset maps" which indicate the intended boundaries of the allocated sites. In some cases, the Council will, where appropriate, seek agreement with land owners/developers and/or between land owners/developers and other statutory bodies, water and sewerage undertakers, to secure infrastructure provision, the phased release of land and an element of "affordable housing".

H2 THE COUNCIL WILL MONITOR HOUSING COMPLETIONS AND COMMITMENTS AND MAY WITHHOLD PLANNING PERMISSION FOR HOUSING DEVELOPMENT ON LARGE SITES NOT IDENTIFIED IN THE PLAN IF THIS WOULD RESULT IN GROWTH ON A SCALE THAT WOULD NOT CONFORM GENERALLY TO THE STRUCTURE PLAN.

2.8 Section 46 of the Town and Country Planning Act 1990 requires that the proposals in a local plan shall be in general conformity with the Structure Plan. The proposals in this plan identify areas of land which, together with the expected emergence of "unforeseen" sites, will be sufficient to meet the scale of housing provision required by the Structure Plan over the period to 2001. The release of further large sites in addition to those proposed in this plan will therefore normally be resisted unless the release of land now identified is seriously delayed for reasons outside the Council's control. The Structure Plan itself will be reviewed before 2001 and further specific sites may be allocated in the context of subsequent review of this local plan. Decisions on individual planning applications will not turn on too precise a calculation of whether the supply of identified sites exactly matches, exceeds or falls short of the five year requirement. For the purposes of this policy, the term "large sites" means sites that have an area of 1 ha or more.

H3 THE COUNCIL WILL SEEK TO NEGOTIATE ELEMENTS OF HOUSING, ACCESSIBLE TO THE DISABLED, ON THE SITES ALLOCATED FOR RESIDENTIAL DEVELOPMENT AT HARDWICK/HANWELL FIELDS, BANBURY AND AT SLADE FARM, BICESTER.

2.9 The Council recognises that the needs of the disabled for mobility housing are not being met adequately by the private sector. This policy is intended to secure a small but valuable contribution to the stock of mobility housing that is available in the District. These houses should be located on level ground, close to local shops and bus stops. The Council will normally seek to secure that approximately 2% of new housing will be designed as mobility housing in recognition of the fact that approximately 2% of the community suffer mobility impairments. The Council will normally seek legal agreements for the provision of these houses. Further design advice will be prepared in design briefs.

H4 THE PROVISION OF HOUSING SCHEMES FOR THE ELDERLY AND PEOPLE WITH DISABILITIES WILL BE ENCOURAGED ON SITES WITHIN CONVENIENT REACH OF SHOPS, COMMUNITY FACILITIES AND PUBLIC TRANSPORT. PROPOSALS THAT DO NOT MEET THESE CRITERIA WILL NORMALLY BE RESISTED.

2.10 The erection of sheltered accommodation for the elderly by the private sector and the targeting of public-sector investment towards housing for those with special needs is an important element of new housing provision. It is equally important that schemes of this kind are located where maximum independence, particularly for those with reduced mobility, can

continue to be enjoyed. Developers will be expected to discuss the suitability of a site with the registration authority before submitting a planning application.

AFFORDABLE HOUSING

2.11 There has been increasing concern in recent years over the provision of affordable housing to meet local needs. The most recent Government advice on this issue is contained in "Planning Policy Guidance: Housing (PPG3)" and the subsequent "Draft Explanatory Note on Planning and Affordable Housing" which describe the role the planning system can play in enabling such provision to be made.

2.12 The Circular advises that where there is a demonstrable lack of affordable housing, local planning authorities may negotiate with developers to include an element of affordable housing in new developments. The following policy is included in view of this advice to encourage developers to include affordable housing within larger schemes. The policy is designed to be flexible to accommodate changes in the need for affordable housing which may occur during the plan period.

H5 WHERE THERE IS A DEMONSTRABLE LACK OF AFFORDABLE HOUSING TO MEET LOCAL NEEDS, THE DISTRICT COUNCIL WILL NEGOTIATE WITH DEVELOPERS TO SECURE AN ELEMENT OF AFFORDABLE HOUSING IN SUBSTANTIAL NEW RESIDENTIAL DEVELOPMENT SCHEMES. THE DISTRICT COUNCIL WILL NEED TO BE SATISFIED THAT SUCH AFFORDABLE HOUSING:-

(i) IS ECONOMICALLY VIABLE IN TERMS OF ITS ABILITY TO MEET THE NEED IDENTIFIED

(ii) WILL BE AVAILABLE TO MEET LOCAL NEEDS LONG TERM THROUGH SECURE ARRANGEMENTS BEING MADE TO RESTRICT THE OCCUPANCY OF THE DEVELOPMENT

(iii) IS COMPATIBLE WITH THE OTHER POLICIES IN THIS PLAN.

2.13 At the present time, there is evidence of a lack of affordable housing for local need in Cherwell District in the main urban areas and in a number of rural settlements. It is envisaged however that policy H5 will be implemented principally in the urban areas of Banbury and Bicester, where larger residential development schemes will take place. In particular, large areas of land north of Hardwick Estate, Banbury and at Slade Farm, Bicester are proposed to be allocated for residential development, a proportion of which will be encouraged through negotiation to be developed for affordable housing.

2.14 In addition, a number of unidentified sites within the District may come forward during the plan period where it would be reasonable for the authority to negotiate for the inclusion of a proportion of affordable housing. The willingness of a developer to include an element of affordable housing in such circumstances will be a material consideration in determining a planning application. However it is not envisaged that the policy would apply to sites less than 1 ha in size, as it would not be reasonable to expect a proportion of affordable housing to be provided on sites smaller than this.

2.15 Similarly, it is not intended that the policy should apply to those housing sites that were previously allocated in the Banbury Local Plan Review or the Bicester Local Plan and now have

planning permission. Many of these sites have already been acquired by developers on the basis that the sites have been allocated for general housing available on the open market.

2.16 Evidence of the need for affordable housing to be provided at Banbury, Bicester and Kidlington has been supplied by the Council's Housing Department. It is estimated that each year about 100 families who are assessed as being in severe housing need are being added to the housing waiting list. To this number can be added about 50 families each year who are accepted as homeless, making a total of 150 families each year. There are no indications that this rate will fall in future.

2.17 The supply of Housing Association developments on land provided by the Council is likely to average about 50 dwellings each year for a period of about 3 years after which the supply of land is likely to be substantially less as the Council exhausts its reserves of land and seeks to assist Housing Associations by searching for other sites on an ad hoc basis.

2.18 It follows that the need for affordable housing is likely to be approximately 100 dwellings per year in the Council's urban areas. The plan makes provision at Kidlington for local housing needs to be provided for on the site owned by the Council and referred to in Policy H9. It is estimated that at least 80 dwellings per annum would be needed at Banbury and Bicester in total and the 1991 Census shows that 200 households in Banbury and Bicester combined were sharing accommodation with other households.

2.19 The number of households on the Council's housing list in May 1995 was 778 for Banbury, 397 at Bicester and 263 at Kidlington. As people are housed from the waiting list, so the list grows again and there is no apparent end to this cycle.

2.20 Given this background the Council concludes that there is a substantial and continuing level of affordable housing need in Banbury, Bicester and Kidlington and particularly at Banbury.

2.21 Accordingly the Council will have as a target in negotiations with developers, the provision of 20% of new dwellings on sites of 1 ha and over as affordable housing at Banbury and 15% at Bicester and, should the opportunity arise, at Kidlington.

2.22 The Council recognises, however, that such needs, both in terms of the quantity and type, as well as site and market conditions are likely to differ in each location and may vary over the period covered by the plan.

2.23 It therefore, intends to conduct a full housing needs survey of the whole of the District during the summer of 1995, and to make periodical reviews, and to use the results in negotiations with developers to seek the provision of an appropriate element of affordable housing on a site by site basis.

2.24 The definition of what constitutes "affordable housing" is dependent on such factors as the local housing market, which may vary during the plan period. However affordable housing will generally be regarded as being housing, whether it be for the outright sale, rent or staircasing to full ownership, within the financial means of households that are otherwise unable to secure private sector housing for purchase or rent in prevailing economic circumstances. This is what is meant by the words "economically viable" in Policy H5(i).

2.25 The Authority will need to be satisfied of arrangements to ensure that the housing continues to meet local need in the long term. This is likely to involve management by a housing

association or charitable trust. In the case of a site in local authority ownership, this may be achieved through a local authority and private development partnership scheme.

2.26 Throughout negotiations with developers, the Council will seek to play an active part in assisting both developers and housing associations in achieving the satisfactory provision of affordable housing. The Council recognises the key role of Housing Associations in the provision of affordable housing and believes that they should be registered with the Housing Corporation so as to ensure that good standards of practice are maintained and so that they are able to receive full grant aid.

H6 WITHIN SETTLEMENTS IN THE OXFORD GREEN BELT AND WITHIN OR IMMEDIATELY ADJACENT TO RURAL SETTLEMENTS ELSEWHERE PLANNING PERMISSION MAY BE GRANTED FOR SMALL-SCALE LOW-COST HOUSING DEVELOPMENT WHICH IS TO HELP MEET A SPECIFIC AND IDENTIFIED LOCAL HOUSING NEED WHICH CANNOT BE SATISFIED ELSEWHERE, PROVIDED THAT:

(i) IT CAN BE DEMONSTRATED THAT THE PROPOSED DEVELOPMENT IS ECONOMICALLY VIABLE IN TERMS OF ITS ABILITY TO MEET THE NEED IDENTIFIED;

(ii) SECURE ARRANGEMENTS ARE MADE TO RESTRICT THE OCCUPANCY OF THE DEVELOPMENT TO ENSURE THAT IT CONTINUES TO MEET LOCAL NEEDS IN THE LONG TERM;

(iii) THE PROPOSAL IS COMPATIBLE WITH THE OTHER POLICIES IN THIS PLAN.

2.27 "Planning Policy Guidance: Housing (PPG3)" advises that sites which would not normally be released for housing development can exceptionally be released for low-cost schemes if the planning authority is satisfied that there is a need for such housing and that arrangements will be made to reserve it for local people. The nature and extent of local need will be assessed in consultation with the respective Parish Council and the District Council's Housing Department, taking the following factors into account:

- (a) whether the proposed occupier is on or would qualify for the Council housing waiting list;
- (b) whether the proposed occupier is currently resident within the parish and needing separate accommodation;
- (c) place of employment; (eg those who provide important local services and need to live closer to the community)
- (d) local connections/family ties with the parish;
- (e) previous periods of residence within the parish.

2.28 In some instances the area within which needs will be considered "local" may consist of more than one parish. This would enable a local need in a parish where a suitable site is not available to be accommodated in a scheme in a neighbouring parish.

2.29 Before granting planning permission for such schemes, the Council will seek a legal agreement with the landowner/developer to restrict occupancy of a development to people meeting the local-needs criteria. Any proposals must be shown to be economically viable, (see paragraph 2.24), and capable of proper management by a housing association or charitable trust to ensure long-term control over occupancy.

2.30 Schemes which result in a discounted initial purchase price only will not be considered acceptable. Cross-subsidy on mixed development on sites considered under policy H6 will not be acceptable. However proposals to cross-subsidise between general housing schemes on land allocated for housing and affordable housing on sites nearby which comply with policy H6 may be considered appropriate.

2.31 Schemes should be small-scale development reflecting the size and character of the village in which they are proposed. Whilst not wishing to discourage a limited number of housing schemes which will improve the choice of house types and tenure, the District Council also recognises the need to avoid prejudicing its other policies, and will therefore consider such schemes with extreme caution. It is recommended that any proposals are discussed with the Local Planning Authority at an early stage.

2.32 The housing provided under policy H6 will be regarded as being additional to that required by the Oxfordshire Structure Plan during the plan period and not part of the allocation.

2.32 The housing provided under policy H6 will be regarded as being additional to that required by the Oxfordshire Structure Plan during the plan period and not part of the allocation.

BANBURY

2.33 The Structure Plan requires provision to be made for about 4400 houses to be built at Banbury in the period from 1986 to 2001. By the 1st April 1993, 2178 dwellings had been completed and a further 1587 were committed by virtue of planning permissions or land allocations in the Banbury Local Plan Review (1989) (assuming that an average of 10% of the dwellings on allocated sites without planning permission will not be completed by the year 2001). These figures imply a need to plan for about 635 further dwellings at Banbury.

2.34 It is assumed that, after allowing for dwellings that may not be completed, up to 450 dwellings will be built on the land referred to in Policy H7 by the year 2001, about 70 will be built on land at Manor Road and that the balance of the Structure Plan housing requirement (about 115 dwellings) will come from "unforeseen" small sites. Over the past decade these have provided an average of 39 dwellings per annum.

2.35 The proposals map indicates a major allocation of land for residential development north of Hardwick Estate. The decision to include this allocation in this local plan was taken in September 1991 following a period of public consultation on a number of options for the future direction of housing growth at Banbury. Copies of a assessment of the options considered together with the report on the public participation exercise is available from the Department of Development and Property Services.

H7 PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT ON THE LAND ALLOCATED FOR THAT PURPOSE ON THE PROPOSALS MAP NORTH OF HARDWICK ESTATE, BANBURY WILL BE PHASED SO THAT LAND FOR THE CONSTRUCTION OF NO MORE THAN 500 DWELLINGS IS RELEASED BEFORE 2001 UNLESS A HIGHER NUMBER CAN BE SHOWN TO BE NECESSARY IN ORDER TO MAINTAIN A FIVE YEAR SUPPLY OF LAND FOR HOUSE BUILDING.

2.36 The phased release of the land allocated by this plan north of Hardwick Estate is necessary in order to ensure general conformity with the Structure Plan. The Council will however monitor the release of land for residential development during the plan period and will permit further land to be released in that area in the event of committed sites not coming forward for development within the timescale of the plan or the contribution from unforeseen sites being below that assumed. Also, it is probable that the Structure Plan upon which the proposals in this Local Plan are based, will be reviewed early in the plan period and may justify the release of land for more than 500 dwellings before 2001.

2.37 The net developable area of the land allocated north of Hardwick Estate is about 28.3 ha (70 acres), 1.6 ha (4 acres) of which will be reserved for a new primary school. The 28.3 ha (70 acres) is comprised in three sections, separated by open space, and avoids building on the most visible areas of land. The development will be carried out so as to protect the Area of High Landscape Value, conserve the best and most versatile agricultural land and provide new areas of open space. The site is prominently situated and substantial landscape mitigation measures will be required to avoid a long term adverse impact on the countryside and on views of the urban area from the north and east. Detailed guidance on these matters will be given in the development brief which is to be prepared for the site.

2.38 The release of this land will be conditional upon the construction of a road to link the B4100 and A423 roads and other highway improvements to accommodate the additional traffic generated by the development. Links for pedestrians and cyclists between the new development, the existing estate and the Beaumont Road Industrial Estate will also be required. An extension of Rother Road into the new development area will be required to ensure that it can be adequately accessed by bus services. The provision of a local centre and other community facilities are also required.

2.39 The phased release of this land will commence at the western end and proceed eastwards. The early connection to Rother Road will enable public transport facilities to be provided to serve the development at the earliest possible stage and the construction of the primary school is likely to be required to be available for occupation before 200 dwellings have been completed. The 500 dwellings that the Council intends should be built on this site during the Plan period are likely to be accommodated on the land between the B4100 and Hanwell Fields farmhouse. The identification of precise boundaries within which this number will be accommodated is not made to this Plan in order to retain flexibility.

2.40 A development brief will set out, inter alia, the Council's requirements for community facilities and detailed guidance on the transportation and infrastructure implications, both on and off site, of the development. In all instances the developer contributions required to provide such facilities and services will be sought in accordance with the criteria set out in DoE Circular 16/91.

2.41 The proposals for residential development at Banbury shown on the proposals map also include allocations that were made in the Banbury Local Plan Review and have already been the subject of public consultation. These sites amount to sufficient land to construct a further 460 new dwellings.

BICESTER

2.42 The Structure Plan requires provision to be made for about 4900 houses to be built at Bicester in the period from 1986 to 2001. By the 1st April 1993, 2041 dwellings had been completed and a further 2484 were committed by virtue of planning permissions or land allocations in the Bicester Local Plan (assuming that an average of 10% of the dwellings on

allocated sites without planning permission will not be completed by the year 2011). These figures imply a need to plan for about 375 further dwellings at Bicester.

2.43 Over the past decade, an average of about 20 dwellings per annum have been provided in the town on "unforeseen" sites, ie on sites other than those allocated in the Local Plan, with an area of up to 1 ha. On the assumption that the emergence of unforeseen sites will continue at the same rate over the plan period, there will remain a shortfall of at least 215 dwellings unless further site specific allocations are made in the Local Plan. This figure excludes any contribution as a consequence of the development of school playing fields for the reason explained in para 2.46 below. It also excludes any contribution from other sites in excess of 1 ha in size in accordance with government advice in Planning Policy Guidance 3 annex B.

2.44 The proposals map indicates a major allocation of land for residential development in a segment to the north west of the town centre bounded by the Banbury Road, the Bicester to Banbury Railway Line and Lords Lane. This area is known as Slade Farm. In its reasoned justification for the Alterations to the Structure Plan which were submitted for the Secretary of State's approval in 1990, the County Council stated that the additional housing provision envisaged for Bicester "could be provided in the north west of the town and could provide for the expansion of the town beyond 2001. However, the release of this land during the plan period may not be necessary if other potential sites within the town are developed". Further, the Inspector who conducted the public inquiry into objections to the Bicester Local Plan remarked in his report following the inquiry that "if additional housing is required in the longer term Slade Farm merits close investigation".

2.45 The potential of sites within the town to provide sufficient opportunity to meet the 215 "shortfall" identified above has been considered during the preparation of this Plan. Oxfordshire County Council are known to be reviewing the provision of school playing fields in the town and have identified a number of areas which were regarded as being surplus to education requirements and which the County Council considers suitable for housing development.

2.46 The release of school playing fields for development is a contentious issue, particularly when considered against the background of a shortfall in sports pitches for general community use. The Council will therefore normally resist the loss of open spaces of this kind, which could be made available for use by the wider community through a joint user agreement between the County Council and the District Council, until an adequate supply of playing fields in Banbury and Bicester is secured (see policy R13 in the recreation and community facilities chapter). No allowance has been made at this stage therefore, for a contribution by school playing fields towards the overall housing requirement to 2001. After allowing for dwellings that may not be completed, it is assumed that up to 270 houses will be built on the land referred to in Policy H8 by the year 2001 which will meet the shortfall of at least 215 dwellings identified above.

H8 PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT ON THE LAND ALLOCATED FOR THAT PURPOSE ON THE PROPOSALS MAP AT SLADE FARM, BICESTER WILL BE PHASED SO THAT LAND FOR THE CONSTRUCTION OF NO MORE THAN 300 DWELLINGS IS RELEASED BEFORE 2001 UNLESS A HIGHER NUMBER CAN BE SHOWN TO BE NECESSARY IN ORDER TO SATISFY THE PROVISIONS FOR BICESTER IN THE OXFORDSHIRE STRUCTURE PLAN.

2.47 The phased release of land allocated by this plan at Slade Farm is necessary in order to ensure general conformity with the Structure Plan. The Government require local planning authorities to maintain a 5 year supply of land for house building in accordance with structure and local plan policies, (PPG3). The Council will therefore monitor the release of land for residential development during the plan period and will permit further land to be released in that

area in the event of other sites allocated in this plan at Bicester not coming forward for development within the time scale of the plan or being seriously delayed. Also, it is probable that the Structure Plan upon which the proposals in this local plan are based, will be reviewed early in the plan period and may justify the release of land for more than 300 dwellings on the Slade Farm site before 2001.

2.48 The total area of the Slade Farm site is approximately 58.3 ha (144 acres) and this is clearly considerably in excess of the area required to be released before 2001. Policy H8 makes provision for the development of about 12.9 ha (32 acres) in the southern corner of the site of which about 8.9 ha (22 acres) will be housing land and the balance will be a balancing pond, open space, a sports field, and a primary school and associated playing fields/open space. It is intended that development should commence in the southern portion of the site with access to Banbury Road. The identification of the precise boundaries of the land within which 300 dwellings will be accommodated is not made in this Plan in order to retain flexibility. The development of the site will nevertheless need to be planned comprehensively and will require investment in major drainage infrastructure, including a balancing pond to attenuate storm water flows and investment in off site highway improvements which would need to be funded in total by the owners/developers. In particular, the highway improvements would need to ensure that most of the traffic generated by the Slade Farm site as a whole is distributed around the edge of the town, rather than through the centre, by taking access from Lords Lane and details of those improvements will be included in the development brief referred to below. Reference should therefore be made to policies S20, R14 and OA3 and paragraph 11.5 in the Plan. Off-site highway improvements will be sought in accordance with Policy TR1 and Circular 16/91.

2.49 The Council has prepared a development brief for the new residential development at Slade Farm to assist in bringing the land forward for development and to provide guidance for intending developers. The development brief will set out the transportation implications for developing this site. In particular the Council will expect the developer to follow the design principles in Department of the Environment revised Design Bulletin 32 "Residential Roads and Footpaths" (which seeks to promote walking, cycling and the use of public transport as the dominant means of travel) and is likely to seek contributions to various off-site highway improvements. The County Council will be specifying and justifying those improvements, and levels of developer contribution, in accordance with policy TR1 and the criteria in DOE Circular 16/91. The brief will have regard to preserving and enhancing the natural beauty of the site, and in particular the small valley that runs through it, protecting trees and wildlife habitats, and ensuring that the potential of this area for recreation (including walking) is fully realised. Considerably more than the minimum of 10% of the site area will be required to achieve this. The brief will also incorporate a requirement that an archaeological field evaluation is carried out prior to the determination of formal proposals for the site in accordance with Policy C26.

2.50 The land allocated in this plan at Bicester for residential development also includes those sites that are already allocated for residential development in the Bicester Local Plan but which have not come forward for development and do not yet have planning permission. These sites are located in the south east development area and should their release not take place in the early years of the period covered by this plan, then further land will be released at the Slade Farm site in order to maintain a five year land supply for the house building industry. An archaeological field evaluation will be required for these sites also. Development briefs have been prepared for the South East Bicester development area.

KIDLINGTON, YARNTON AND BEGBROKE (EAST)

2.51 The built-up areas of Kidlington, Yarnton and Begbroke (to the east of the A44) lie in the midst of the Oxford Green Belt but are excluded from it. These areas are not covered by Green Belt policies, to allow for limited expansion in accordance with Structure Plan policy EN5.

2.52 It is the intention of the Structure Plan that provision will be made for 10,100 new dwellings to be built in Central Oxfordshire during the period from 1986 to 2001, and 800 of these will be in the Cherwell part. Cherwell's part of the Central Oxfordshire policy area comprises the parishes of Begbroke, Bletchingdon, Charlton-on-Otmoor, Fencott and Murcott, Gosford and Water Eaton, Hampton Gay and Poyle, Horton-cum-Studley, Islip, Kidlington, Noke, Oddington, Shipton on Cherwell and Thrupp, and Yarnton. Apart from the built up areas of Kidlington, Yarnton and Begbroke (east), the Structure Plan policy area therefore consists of small villages and open countryside, the majority of which lies within the Oxford Green Belt where opportunities for additional development will be severely limited.

2.53 By 1st April 1993, 489 houses had been completed and a further 227 either had planning permission or were allocated in the Central Oxfordshire Local Plan. None of these permissions/allocations are subject to phasing conditions. Therefore completions and commitments together amount to 716, leaving 84 dwellings to be accommodated in the plan period to meet the Structure Plan requirement.

2.54 In the past, despite policies of restraint, more land has been released for housing development in Central Oxfordshire than has been necessary to meet the Structure Plan requirement. The Structure Plan intends that the allocation to 2001 will be met without the loss of important open land within the built up area or the release of Green Belt land.

2.55 In Cherwell's part of Central Oxfordshire, past development trends indicate that the Structure Plan requirement to 2001 can be met by "unforeseen" sites continuing to come forward for development. Over the last decade, an average of 24 dwellings per annum have been provided by unforeseen sites in the policy area. Pressures for new housing development must be restrained to comply with the strategy for the Central Oxfordshire policy area. For these reasons no proposals to identify sites for housebuilding, apart from one site at Kidlington which will be reserved for demonstrable special local housing needs eg sheltered accommodation for the elderly, have been made.

H9 PLANNING PERMISSION FOR RESIDENTIAL DEVELOPMENT WITHIN THE BUILT-UP LIMITS OF KIDLINGTON, YARNTON AND BEGBROKE (EAST) WILL ONLY BE GRANTED FOR:

(i) PROPOSALS FOR SPECIAL LOCAL HOUSING NEEDS ON THE LAND SHOWN ON THE PROPOSALS MAP AT THE SOUTHERN EDGE OF KIDLINGTON

(ii) PROPOSALS FOR MINOR DEVELOPMENT IN ACCORDANCE WITH POLICY H10

(iii) THE SUBDIVISION OF EXISTING DWELLINGS IN ACCORDANCE WITH POLICY H22

(iv) THE CONVERSION OF SUITABLE BUILDINGS IN ACCORDANCE WITH POLICY H21

2.56 The site referred to in policy H9 is owned by the Council and consists partly of land that has been used to extend the rear gardens of some of the houses in Lock Crescent and South

Avenue. The remainder is land that is generally unused and overgrown, some of the gardens have been extended much further than others, and consequently the boundary between the gardens and the unused land is very irregular.

2.57 The site was originally allocated in the Central Oxfordshire Local Plan (Cherwell). It is not proposed that the site may be used for speculative housing. In the period covered by this Plan (ie up to 2001) it is intended that the site may be used exceptionally for proposals that meet special local housing needs that cannot be met elsewhere in the Kidlington area. This could include warden-supervised schemes for the elderly, residential-care homes or nursing homes, and housing for the disabled. The Council will prepare a development brief for this area which will include guidance on such matters as traffic, access, drainage, open space, landscaping and protecting the amenity of the area. Any proposed scheme must include the retention of the pond and be able to demonstrate that it will not interfere with its integrity.

H10 PROPOSALS FOR MINOR DEVELOPMENT ON SMALL SITES WITHIN THE BUILT-UP LIMITS OF KIDLINGTON, YARNTON AND BEGBROKE (EAST) WILL NORMALLY BE PERMITTED PROVIDED THAT:

(i) THE PROPOSAL IS COMPATIBLE WITH EXISTING DEVELOPMENT IN ITS VICINITY IN TERMS OF SCALE, DENSITY AND DESIGN;

(ii) THE PROPOSAL WOULD NOT BE UNREASONABLY DETRIMENTAL TO THE AMENITIES OF ADJACENT PROPERTY BY REASON OF OVERLOOKING AND OVERSHADOWING;

(iii) THE PROPOSAL WOULD NOT BE DETRIMENTAL TO THE SETTING OF A LISTED BUILDING OR THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA, OR BE CONSPICUOUS FROM AND INJURIOUS TO THE GREEN BELT BY REASON OF SITING, MATERIALS OR DESIGN;

(iv) THE REQUIREMENTS OF OTHER POLICIES IN THE PLAN ARE MET.

2.58 The scope for new residential development in Kidlington, Yarnton and Begbroke (east) is limited. It is possible that suitable sites will emerge through redevelopment, and such proposals might be particularly worthy of support if a site is situated within a predominantly residential area. It is expected that each development approved under Policy H10 will generally provide only a limited number of dwellings and that this will have the effect of spreading the modest housing allocation in the Structure Plan over a number of years. It is recognised that occasionally sites may come forward on somewhat larger sites where there is potential for rather more dwellings to be provided than is envisaged in the policy. Such proposals will not be ruled out provided they otherwise comply with the policy and provided they would not rapidly exhaust the housing allocation in the first part of the plan period.

2.59 The Council considers that opportunities for development sites outlined above are rare. If over a period of time this is shown not to be the case and a number of redevelopment sites come to the fore, the Council will seek to protect the restraint strategy of the Central Oxfordshire Policy Area which would otherwise be undermined.

RURAL SETTLEMENTS

2.60 The Structure Plan requires provision to be made for about 2300 houses to be built in the rural areas of Cherwell during the period from 1986 to 2001. Policy RUR2 in the Structure Plan

also requires development to be phased so that provision is made for 1650 new dwellings in the first ten years of the plan period and 650 dwellings in the period from 1996 to 2001. By the 1st April 1993, 758 dwellings had been completed and a further 930 were committed by virtue of planning permissions or land allocations in the Rural Areas Local Plan (adopted 1991) (assuming that an average of 10% of the dwellings on allocated sites without planning permission will not be completed by the year 2001). These figures imply a need to plan for about 610 further dwellings in the rural areas.

2.61 The larger proportion of new dwellings in the rural areas have, over the past decade, been constructed on "unforeseen" sites and this is expected to continue in the current plan period. The emergence of unforeseen sites at a rate which will enable the construction industry to provide the additional 610 dwellings referred to above during the plan period is likely on the basis of past trends (an average of 87 dwellings per annum on sites of less than 0.4 ha). However, the contribution by unforeseen sites is very difficult to predict and the Council is therefore proposing to make site specific allocations as shown on the proposals map at Adderbury, Fritwell, Sibford Ferris and Steeple Aston in addition to those already proposed at Bloxham, Bodicote and Cropredy which were first identified in the Rural Areas Local Plan. Where necessary the Council will prepare development briefs to provide guidance for intending developers of these sites and will require archaeological field evaluations to be carried out in accordance with Policy C26 at the sites at Adderbury House, Fritwell and Steeple Aston.

With regard to new development at Fritwell, Anglian Water Services have advised that the existing foul sewerage system within the village is at its capacity. As such, necessary improvements/uprating of the system are required before further development can be connected to the Fritwell public sewers. Developers are therefore advised to contact Anglian Water Services Ltd prior to the submission of a planning application for housing development within the village.

H11 PERMISSION WILL ONLY BE GRANTED FOR RESIDENTIAL DEVELOPMENT ON THE SITE SHOWN ON THE PROPOSALS MAP AT ADDERBURY HOUSE, ADDERBURY IF ADEQUATE PROVISION HAS BEEN MADE TO SECURE THE RESTORATION OF ITS LISTED BUILDINGS AND THEIR SETTINGS.

2.62 The Council's decision to allocate land for development within the grounds of Adderbury House is founded in large part on the expectation that the new development will enable the restoration and beneficial use of the listed buildings and their setting. To this end, the Council will wish to ensure that no new residential unit erected within the grounds is occupied until the repair and restoration of the listed buildings has been satisfactorily completed. In addition, the Council has prepared a development brief to provide guidance for intending developers of the site which, inter alia, identifies those parts of the site which will remain free from development and require an archaeological field evaluation to be carried out in accordance with Policy C26.

H12 NEW HOUSING IN THE RURAL AREAS OF THE DISTRICT WILL BE PERMITTED WITHIN EXISTING SETTLEMENTS IN ACCORDANCE WITH POLICIES H13, H14 AND H15. SCHEMES WHICH MEET A SPECIFIC AND IDENTIFIED LOCAL HOUSING NEED WILL BE PERMITTED IN ACCORDANCE WITH POLICIES H5 AND H6.

2.63 Structure Plan policies RUR3 and RUR4 seek to direct most development in the rural areas to settlements where a reasonable range of services and facilities exist or can be provided, to ensure that people in new houses have easy access to services and community facilities and in turn help to maintain such services and facilities. Development in other settlements will normally be restricted.

2.64 The Rural Areas Local Plan identified three categories of settlement with the intention that most development should take place within those with the greatest number of facilities and services. Such a policy had been in operation in Cherwell District since 1976 and although it has been re-examined in the course of the preparation of this plan, it is proposed to retain it for the reasons that it has provided a sound and well tested basis for development control.

THE CATEGORY-1 SETTLEMENTS

H13 RESIDENTIAL DEVELOPMENT WITHIN THE VILLAGES OF ADDERBURY, AMBROSDEN, BLOXHAM, BODICOTE, CHESTERTON, CROPREDY, DEDDINGTON, FINMERE, FRINGFORD, FRITWELL, HOOK NORTON, KIRTLINGTON, LAUNTON, MOLLINGTON, STEEPLE ASTON, SHENINGTON, SIBFORD GOWER AND SIBFORD FERRIS WILL BE RESTRICTED TO:-

(i) INFILLING;

(ii) MINOR DEVELOPMENT COMPRISING SMALL GROUPS OF DWELLINGS ON SITES WITHIN THE BUILT-UP AREA OF THE SETTLEMENT;

(iii) THE CONVERSION OF NON-RESIDENTIAL BUILDINGS IN ACCORDANCE WITH POLICY H21.

IN EACH INSTANCE DEVELOPMENT PROPOSALS WILL BE SUBJECT TO THE OTHER POLICIES IN THE PLAN.

2.65 The category-1 settlements are so classified because their physical characteristics and the range of services within them enable them to accommodate some limited extra housing growth.

2.66 Structure Plan policy RUR 3 requires that most housing development should take place within settlements where a reasonable range of services and community facilities exist. This should usually include a primary school, a sub-post office and a food shop. The District Council considers the existence of a primary school to be particularly important when the suitability of a settlement for further housing growth is determined.

2.67 Infilling will be regarded as being the development of a small gap in an otherwise continuous built-up frontage suitable for one or two dwellings. Policies H13 (i) and H13 (ii) should not be regarded as creating a presumption in favour of the filling of every small space within the category-1 settlements. Many spaces within them are important to their character and should remain undeveloped. Proposals within conservation areas will also be considered against Policy C22. The interpretation of 'minor development' will have regard to the size of the village, the general location of the site within the settlement structure, and the need to maintain a five-year supply of building land and to conform generally to Structure Plan policy RUR2.

THE CATEGORY-2 SETTLEMENTS

H14 WITHIN THE VILLAGES OF ARDLEY, ARNCOTT, BALSCOTE, BARFORD ST. MICHAEL, BLACKTHORN, BUCKNELL, CLIFTON, CLAYDON, DRAYTON, DUNS TEW, EPWELL, FEWCOTT, GREAT BOURTON, HANWELL, HEMPTON, HETHE, HORLEY, HORNTON, LITTLE BOURTON, LOWER HEYFORD, MERTON, MIDDLETON STONEY, MILCOMBE, MIXBURY, NORTH NEWINGTON, PIDDINGTON, SHUTFORD, SOMERTON, SOULDERN, SOUTH NEWINGTON, STOKE LYNE, STRATTON AUDLEY,

SWALCLIFFE, UPPER HEYFORD, UPPER TADMARTON, WARDINGTON, WENDLEBURY, WESTON ON THE GREEN, WIGGINTON, WROXTON, NEW RESIDENTIAL DEVELOPMENT WILL BE RESTRICTED TO:-

(i) CONVERSIONS WHICH ACCORD WITH POLICY H21 AND

(ii) INFILLING

(iii) OTHER SMALL SCALE DEVELOPMENT THAT CAN BE SHOWN TO SECURE SIGNIFICANT ENVIRONMENTAL IMPROVEMENT WITHIN THE SETTLEMENT.

IN ALL INSTANCES DEVELOPMENT PROPOSALS WILL BE SUBJECT TO THE OTHER POLICIES IN THE PLAN.

2.68 The category-2 settlements are generally the smaller villages with a lesser range of services available. Some potential still exists within them for limited residential growth but, in order to accord with Structure Plan policies RUR3 and RUR4, it will be restricted to infilling (defined as a small gap in an otherwise continuous built up frontage suitable for one or two dwellings) and the conversion of suitable non-residential buildings.

2.69 Policy H14 will permit the construction of houses in small gaps in a village street. When environmentally acceptable such gaps may be filled by the construction of a single house or by the construction of two smaller units.

2.70 Many spaces in village streets are important to their character and cannot be filled without detriment to their environmental quality. Such gaps may afford views out into the landscape or help to impart a spacious rural atmosphere to the settlement. This is particularly important in a loose-knit settlement pattern where the spaces may be as important as the buildings. The character of such settlements can be rapidly eroded by infilling. The environmental policies will be used to protect important gaps in the village street. There may however be occasions where the environment of the settlement might be significantly improved by small scale development which does not strictly comply with H14 (i) or (ii) and such schemes will be considered favourably subject to their compliance with other relevant policies in the Plan.

THE CATEGORY-3 SETTLEMENTS

H15 WITHIN THE CATEGORY-3 SETTLEMENTS NEW RESIDENTIAL DEVELOPMENT WILL BE RESTRICTED TO:-

(i) THE CONVERSION OF NON-RESIDENTIAL BUILDINGS IN ACCORDANCE WITH POLICY H21, OR

(ii) A NEW DWELLING WHEN AN ESSENTIAL NEED FOR AGRICULTURE OR OTHER EXISTING UNDERTAKING CAN BE ESTABLISHED.

IN BOTH INSTANCES DEVELOPMENT PROPOSALS WILL BE SUBJECT TO THE OTHER POLICIES IN THE PLAN.

2.71 The category-3 settlements are either hamlets which are so small that they should not be subjected to any significant future growth, or villages whose location, character and settlement

pattern makes further infill development undesirable. This category includes all settlements not named in policies H13 and H14.

2.72 Most new housing development in the category-3 settlements will be provided by the conversion of suitable non-residential buildings to dwellings. New-build will be permitted when an essential need can be proven. In most cases these will be likely to be in association with agricultural undertakings.

HOUSING IN THE GREEN BELT

2.73 The erection of new dwellings in settlements in the Green Belt will be limited to those which comply with Policy GB1. For the purposes of this plan, infilling is defined as the development of a small gap in an otherwise built-up frontage and suitable for the erection of one or two dwellings only. All proposals will be considered against transport and environmental policies in this plan.

WHITE LAND

H16 DURING THE PERIOD OF THIS PLAN THE COUNCIL WILL RESIST PROPOSALS FOR THE DEVELOPMENT OF THE LAND SHOWN ON THE PROPOSALS MAP AT YARNTON AS WHITE LAND.

2.74 This policy relates to approximately 6 ha of land indicated on the Proposals Map and situated to the north of Cassington Road at Yarnton. It forms a site which in the Council's view it is unnecessary to keep permanently free of development. It was identified as white land in the Central Oxfordshire Local Plan in response to Government's advice that it is necessary to establish boundaries for the Green Belt that will endure and so avoid the risk of encroachment on the Green Belt in order to accommodate future development. In view of the importance of restraint policies in the Central Oxfordshire Policy Area it is not intended that the site will be released during the Plan period. However the position will be reviewed, through the local-plan-making process, following future reviews of the Structure Plan which may, or may not, support its release for development.

GENERAL HOUSING POLICIES

H17 PROPOSALS FOR THE ONE-FOR-ONE REPLACEMENT OF AN EXISTING STATUTORILY UNFIT OR SUBSTANDARD DWELLING WILL NORMALLY BE PERMITTED PROVIDED:

(i) **THE EXISTING BUILDING IS NOT A LISTED BUILDING CAPABLE OF RESTORATION OR SUITABLE FOR AN APPROPRIATE ALTERNATIVE AND BENEFICIAL USE;**

(ii) **IN CASES WHERE THE EXISTING BUILDING LIES OUTSIDE THE LIMITS OF AN EXISTING SETTLEMENT, THE USE OF THE BUILDING AS A DWELLING HAS NOT BEEN ABANDONED OR EXTINGUISHED AND ITS PROPOSED REPLACEMENT IS SIMILAR IN SCALE AND WITHIN THE SAME CURTILAGE;**

(iii) **THE PROPOSAL MEETS THE REQUIREMENTS OF THE OTHER POLICIES IN THE PLAN.**

2.75 The Council recognises that it will occasionally be necessary to permit the replacement of an unfit or substandard dwelling in the countryside. A strong presumption against the demolition of a listed building is embodied in planning law, and the number of instances where this might be justifiable in the plan area as a whole will be exceedingly rare. The protection of the character of the countryside will be a primary objective in all cases, and proposals for substantially larger and more conspicuous dwellings in the landscape will be resisted. Proposals for the replacement of a single dwelling by two or more new dwellings will also be resisted since their cumulative effect would threaten the fundamental objective of severely restricting new development in the countryside. Proposals for one-for-one replacement dwellings in the Green Belt will be considered under Policy H17 above.

NEW DWELLINGS IN THE COUNTRYSIDE

H18 PLANNING PERMISSION WILL ONLY BE GRANTED FOR THE CONSTRUCTION OF NEW DWELLINGS BEYOND THE BUILT-UP LIMITS OF SETTLEMENTS OTHER THAN THOSE IDENTIFIED UNDER POLICY H1 WHEN

- (i) IT IS ESSENTIAL FOR AGRICULTURE OR OTHER EXISTING UNDERTAKINGS, OR
- (ii) THE PROPOSAL MEETS THE CRITERIA SET OUT IN POLICY H6; AND
- (iii) THE PROPOSAL WOULD NOT CONFLICT WITH OTHER POLICIES IN THIS PLAN.

2.76 Policy H18 is a continuation of past policies and reflects Central Government advice. Its intention is to ensure that the countryside is protected from sporadic development whilst, at the same time, recognising the legitimate needs of agriculture and forestry.

2.77 'Essential' will normally be interpreted as a proven necessity for a worker to live at or very close to the site of their work ie it is necessary for the proper functioning of the enterprise for a new dwelling to be occupied by a worker in connection with it. Sufficient details should be provided to enable an assessment of the size, nature and viability of the existing or proposed enterprise together with details of the number and tenure of existing dwellings related to the holding or estate. Where there is any doubt that a dwelling is required for the proper functioning of an enterprise, or where a new business is being proposed, it will be necessary to supply adequate financial information to demonstrate that the proposals are sound. In particular the Council will wish to be satisfied that such need as might exist could not be reasonably secured in a nearby settlement.

2.78 When an essential need has been proven, the Council may still resist the erection of a new dwelling if the opportunity to convert an existing redundant building in compliance with policy H19, H20 or H21 exists on the land. The erection of a new dwelling will normally be expected to be of traditional design and be closely related to existing buildings in the interest of protecting the appearance and open character of the countryside.

2.79 All planning permissions for agricultural dwellings outside the villages will contain an agricultural-occupancy condition restricting their occupation to a person or persons employed or last employed in agriculture and their immediate dependants. Such conditions will only be removed if it can clearly be demonstrated that there is no need for an agricultural worker's dwelling in the locality. The requirements of any given farm holding will be considered secondary to the needs of agriculture as a whole.

2.80 Policy H18 will also apply to locations where there are already a few scattered buildings.

CONVERSION OF BUILDINGS IN THE COUNTRYSIDE

H19 PROPOSALS FOR THE CONVERSION OF A RURAL BUILDING, WHOSE FORM, BULK AND GENERAL DESIGN IS IN KEEPING WITH ITS SURROUNDINGS TO A DWELLING IN A LOCATION BEYOND THE BUILT-UP LIMITS OF A SETTLEMENT WILL BE FAVOURABLY CONSIDERED PROVIDED:-

(i) THE BUILDING CAN BE CONVERTED WITHOUT MAJOR REBUILDING OR EXTENSION AND WITHOUT INAPPROPRIATE ALTERATION TO ITS FORM AND CHARACTER;

(ii) THE PROPOSAL WOULD NOT CAUSE SIGNIFICANT HARM TO THE CHARACTER OF THE COUNTRYSIDE OR THE IMMEDIATE SETTING OF THE BUILDING;

(iii) THE PROPOSAL WOULD NOT HARM THE SPECIAL CHARACTER AND INTEREST OF A BUILDING OF ARCHITECTURAL OR HISTORIC SIGNIFICANCE;

(iv) THE PROPOSAL MEETS THE REQUIREMENTS OF THE OTHER POLICIES IN THE PLAN.

2.81 It is intended that this policy should encourage the conversion not of buildings of modern construction but of traditional farm buildings whether or not they are listed as being of architectural or historic interest whose usefulness has been displaced by modern farming methods. Many of these buildings are suitable for alternative non-agricultural use but some are not. For example, a free-standing cattle shelter or hovel will not normally be regarded as worthy or suitable for conversion whereas a substantially built barn in a relatively good structural condition might well be acceptable. The Council will resist proposals that imply substantial rebuilding and are tantamount to the erection of a new dwelling in the countryside.

2.82 It is important to protect the appearance and character of the countryside for present and future generations. Residential use can bring with it characteristics which are difficult to reconcile with unspoilt countryside, including caravans, sheds, greenhouses and swimming pools, which are often exempt from planning control. The Council will, therefore, carefully assess individual proposals in terms of the visual impact they would have on the landscape within which they are situated. In many cases it will be possible to mitigate visual intrusion by appropriate indigenous tree planting and the definition of a curtilage for the building in a manner appropriate to its setting, e.g. natural stone walls or hedging of indigenous species. In an isolated location in relatively open landscape such measures are unlikely to be effective and conversion would be resisted.

2.83 Policy H19 seeks to minimise the extent of physical changes to a building worthy of retention for architectural, historic or aesthetic reasons and for this reason, conversions of such buildings to more than a single dwelling are unlikely to be acceptable. The conversion of a barn for example, the intrinsic character of which is in most cases in its simplicity, is less likely to be satisfactorily achieved if it requires fenestration and door openings to serve two dwellings rather than one. Similarly while the conversion to a dwelling or other new uses can frequently be the key to the preservation of an historic rural building the work should not damage the fabric or character of the building for example through the subdivision of large spaces or the removal of features which contribute to the special character and interest of the building.

H20 THE COUNCIL WILL NORMALLY RESIST PROPOSALS TO CONVERT RURAL BUILDINGS TO PROVIDE TWO OR MORE DWELLINGS WITHIN A FARMSTEAD SITUATED BEYOND THE BUILT-UP LIMITS OF A SETTLEMENT UNLESS THE BUILDINGS ARE UNSUITABLE FOR CONVERSION TO AN EMPLOYMENT GENERATING USE. WHERE SUCH UNSUITABILITY IS ACCEPTED BY THE COUNCIL PROPOSALS WILL BE SUBJECT TO THE PROVISOS SET OUT IN POLICY H19 PARAGRAPHS (i) TO (iv).

2.84 This policy is intended to ensure that opportunities remain for the re-use of suitable groups of rural buildings for employment and tourist-related development in accordance with policies which seek to promote the implementation of advice from Central Government concerning the re-use of buildings in the countryside. "A farmstead" will be interpreted as a farmhouse or houses together with a range of agricultural buildings.

CONVERSION OF BUILDINGS WITHIN SETTLEMENTS

H21 WITHIN SETTLEMENTS THE CONVERSION OF SUITABLE BUILDINGS TO DWELLINGS WILL BE FAVOURABLY CONSIDERED UNLESS CONVERSION TO A RESIDENTIAL USE WOULD BE DETRIMENTAL TO THE SPECIAL CHARACTER AND INTEREST OF A BUILDING OF ARCHITECTURAL AND HISTORIC SIGNIFICANCE. IN ALL INSTANCES PROPOSALS WILL BE SUBJECT TO THE OTHER POLICIES IN THIS PLAN.

2.85 The Council has approved a design guide relating to the conversion of farm buildings, which is available from the Department of Development and Property Services. The aim of all successful conversion should be the retention and re-use of an interesting old building, whether or not it is listed as being of architectural or historic interest, and it is essential that conversion proposals fully respect the intrinsic character of the building.

SUBDIVISION OF EXISTING DWELLINGS

H22 PROPOSALS FOR THE CONVERSION OF EXISTING DWELLINGS TO PROVIDE TWO OR MORE SELF-CONTAINED UNITS OF ACCOMMODATION WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:

(i) THE PROPOSAL MUST BE COMPATIBLE WITH THE CHARACTER OF THE EXISTING RESIDENTIAL AREA, THE NATURE AND CHARACTER OF THE EXISTING STRUCTURE, AND THE PRIVACY AND AMENITIES OF ADJOINING PROPERTY;

(ii) THE EXISTING DWELLING MUST BE GENERALLY UNSUITABLE FOR OCCUPATION BY A SINGLE FAMILY, AND NO LESS THAN 111.35 SqM (1,200 SQ FT) IN FLOOR AREA;

(iii) THE PROVISION OF CAR-PARKING SPACE WITHIN THE CURTILAGE IN CONFORMITY WITH THE COUNCIL'S OFF-STREET CAR-PARKING STANDARDS MUST NORMALLY BE POSSIBLE.

2.86 The conversion of existing housing to flats or maisonettes makes a relatively small but important contribution to the housing stock. The Council may be prepared to reduce or relax the normal on-site car parking requirements in the following circumstances:

(a) when sufficient space for car parking cannot reasonably be provided within the curtilage of the property; and

(b) the proposal would not significantly worsen a local street parking problem, e.g. in the case of an existing dwelling in multiple occupation proposed to be converted to a smaller number of flats; or

(c) when public car-parking facilities exist in the vicinity; or

(d) in cases where a large single house is proposed to be converted into

(i) not more than two units of accommodation or (ii) not more than three units where each contains not more than one bedroom.

2.87 In cases where the existing building is attached to other residential property, the Council will wish to be satisfied that an acceptable degree of sound attenuation will be achieved by the existing party walls or improvements to them.

RESIDENTIAL CARAVANS

H23 PLANNING PERMISSION MAY BE GRANTED FOR RESIDENTIAL CARAVANS TO BE LOCATED FOR A TEMPORARY PERIOD WITHIN THE CURTILAGE OF A HOUSE OR IN CLOSE ASSOCIATION WITH AN EXISTING LAND USE PROVIDED THE DEVELOPMENT ACCORDS WITH THE OTHER POLICIES IN THE PLAN.

2.88 Not infrequently a caravan is required for a temporary period to house a keyworker, an elderly relative or a family while they construct or renovate their own house. In such cases, provided there are no overriding planning objections on highway, amenity or servicing grounds, a planning consent may be granted on a temporary basis. Normally such consents will be of short duration and will only be granted on the clear understanding that alternative permanent accommodation is sought. Thus planning permissions will not automatically be renewed at the end of the time period.

CARAVAN SITES FOR GYPSIES

H24 PROPOSALS FOR THE PROVISION OF GYPSY CARAVAN SITES WILL BE CONSIDERED IN THE LIGHT OF A DEMONSTRABLE NEED AND SUBJECT TO THE OTHER POLICIES IN THE PLAN.

2.89 In operating this policy, the Council will interpret the term 'gypsy' in accordance with the definition in Section 16 of the Caravan Sites Act 1968. Demonstrable need will be assessed by an examination of the capacity of existing authorised sites in relation to the number of gypsies (and their caravans) residing in or regularly resorting to the District and the extent to which those sites can also cater for travellers in transit. Although The Secretary of State for the Environment has "designated" Cherwell District within the meaning of the Caravan Sites Act 1968, the Council acknowledges that the County Council is seeking to provide transit accommodation for travellers passing through the County and that the provision of such a site within the District might prove necessary.

2.90 The Council will consider proposals for gypsy sites against a number of criteria:

(1) Sites involving land classified higher than grade 3b will not normally be acceptable.

- (2) The site must be capable of being accessed safely and conveniently via an adopted public highway.
- (3) The site must be so located as to minimise the likelihood of intrusion from noise generated by traffic visiting the site or by activities on the site.
- (4) In rural areas, the site must be substantially screened by existing natural screening along the site boundaries and/or in the adjacent countryside and its development as a gypsy site must be possible without material harm to the rural landscape.
- (5) The site must be capable of development as a gypsy site without material harm to historic and/or archaeological sites or their settings.
- (6) The site must possess or be capable of being supplied with a potable drinking water supply, sanitation and refuse disposal.
- (7) The site must be located within a reasonable distance of a primary school, shops and other amenities.
- (8) The provision of gypsy sites will not normally be permitted in the Green Belt in an Area of Outstanding Natural Beauty or where it would result in damage to or the loss of a Site of Special Scientific Interest.
- (9) Proposals for the provision of gypsy sites shall be subject to other policies in the plan.

TRAVELLING SHOWPEOPLE

H25 PROPOSALS FOR RESIDENTIAL SITES FOR TRAVELLING SHOWPEOPLE WILL NORMALLY BE APPROVED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

2.91 Although showpeople travel for most of the year, they require permanent bases for the storage of equipment and for residential purposes, particularly during the winter months. Following the advice in Circular 22/91 the Council has recognised that there is a demand for showpeople's sites within the District, principally in the Banbury and Kidlington areas. It is also recognised that showpeople are finding it very difficult to find suitable permanent sites. The Council will therefore look sympathetically on proposals to establish new sites. However, in assessing any proposal regard will be had to the potential nuisance to neighbours, the desire to avoid visual encroachment into the open countryside, and the provision of a safe and convenient vehicular access. Old farm complexes and sites with substantial natural screening are considered to be particularly appropriate. Such sites will, however, not normally be acceptable in the Green Belt.

RESIDENTIAL CANAL MOORINGS

H26 PROPOSALS FOR THE SITING OF PERMANENT RESIDENTIAL MOORINGS ON THE OXFORD CANAL WILL BE CONSIDERED FAVOURABLY PROVIDED THE FOLLOWING CRITERIA ARE MET:-

- (i) THE SITE IS WITHIN THE BUILT-UP LIMITS OF A SETTLEMENT;

- (ii) ADEQUATE CAR PARKING MUST BE PROVIDED;
- (iii) MOORING SHOULD BE COMPATIBLE WITH ADJACENT

LAND USES

(iv) THE NUMBER AND DENSITY OF BOATS AT ANY ONE POINT SHOULD NOT BE SO GREAT THAT IT WOULD ACT AS A BARRIER SEPARATING PEOPLE FROM THE WATERWAY OR BE DETRIMENTAL TO THE WATERWAY'S CHARACTER. MOORING WILL NOT NORMALLY BE PERMITTED ON THE TOWING PATH SIDE.

2.92 It is currently estimated by British Waterways that there are up to 40 boats moored on the Oxford Canal without their consent and also in breach of planning control. In seeking to regularise this position and in enforcing control over proposals for new moorings the Council will, in consultation with British Waterways have regard to policy H26.

CHAPTER THREE

EMPLOYMENT

INTRODUCTION

3.1 This chapter sets out the land use policies and proposals relating to employment generating development other than retail development, and town centre redevelopment which the Council intends to include in the Local Plan. The Council's policies for shopping and the central/commercial areas of the major settlements are dealt with in chapter 4.

OVERALL PROVISION FOR EMPLOYMENT GENERATING DEVELOPMENT

3.2 Policy E1 of the Structure Plan states that "the principal locations for the provision of land for employment generating development will be in the country towns of Banbury, Bicester, Didcot and Witney". Policy E3 states that in areas outside the country towns specified in Policy E1, the provision of land for employment generating development will normally be restrained. Proposals for firms up to about 500 square metres or for firms whose sources of supply, commercial linkages, labour supply and market make the specific location necessary for them will normally be permitted in appropriate locations. Structure Plan Policy E5 states that all proposals for employment generating development will be considered against the following criteria:

- a. The development should be of a scale and type appropriate to the site and its surroundings.
- b. The development should not harm the environment, ecology and amenities of the area.
- c. There should be no overriding transport or highway objections.
- d. The development should normally be accessible by public transport.
- e. The availability of sufficient existing or planned land for housing to meet any demand generated by the proposals.

The 1987 Structure Plan specified the amount of land to be released in the country towns. The Bicester Local Plan and the Banbury Local Plan Review identified significant areas of land for employment generating development in accordance with that Structure Plan, the greater proportion of which remains to be developed. In April 1992 a total of 136.4 ha (337 acres) of land were either allocated or had planning permission for employment generating development in the district.

3.3 The principal objective of the Council's land use planning policies and proposals is to seek the maintenance of a strong local economy and the creation of jobs sufficient to ensure full employment of the residents of the district. The role of the planning system is therefore to identify a range of opportunities to meet the diverse requirements of firms wishing to expand or to relocate to the district and to encourage the release of land allocated in the local plan through the preparation of development briefs to assist and guide intending developers. The range of

opportunities includes the change of use or conversion of existing buildings and policies on this subject are also included in this chapter.

3.4 It is also important to ensure that the proposals for employment generating development in this plan are linked to the overall scale and distribution of housing and population growth as far as possible, in order to avoid over-heating the local economy which would damage the health of business and industry through labour shortages and wage inflation.

3.5 There are difficulties in predicting the amount of land that will need to be developed to generate the number of jobs needed by the growing population of the district. It is predicted that there will be an increase in the work force of the Banbury and Bicester travel to work areas of between 7,900 and 9,700 people on the basis of the planned housing and expected population growth over the period from 1991 to 2001. A proportion of these people will be seeking part time employment. In addition, there were 4605 people unemployed in the same travel to work areas in April 1992 and the likelihood of redundancies occurring as a consequence of the run down of Ministry of Defence establishments in the District could increase that figure.

3.6 Current land allocations in local plans and schemes already granted planning permission are capable of generating between about 11,200 and 22,560 new jobs. The wide variation is explained by the uncertainty as to the type and nature of development that will take place on certain of the larger allocated sites. Fully automated warehouse development generates few jobs whereas class B1 development (offices/research and development/light industry) is capable of generating a high number of jobs on a relatively small area of land. The view is taken therefore that the current commitments, including land allocations in existing local plans, may well be sufficient to provide the necessary opportunities for employment generation during the period of the plan. There are however a small number of new sites allocated in this plan in order to improve the range of sites available and to assist the economic development initiatives being taken by the District Council.

3.7 The Council vigorously promotes economic development in the District. The main features of this, a brief description of the Council-founded Cherwell-M40 Investment Partnership and a summary of the assistance that the Council gives to businesses are contained in Appendix G.

EMP1 EMPLOYMENT GENERATING DEVELOPMENT WILL BE PERMITTED ON THE SITES SHOWN ON THE PROPOSALS MAP, SUBJECT TO THE OTHER RELEVANT POLICIES IN THE PLAN.

3.8 The sites referred to in Policy EMP1 are described further under the policy area headings below.

BANBURY

3.9 The Banbury Local Plan Review (May 1989) identified 55.4 ha (137 acres) of land at Banbury for employment generating development in the period up to 1996. This figure was substantially in excess of that proposed in the 1987 Structure Plan which implied the release of up to 40.5 ha (100 acres) for development in addition to commitments that existed in 1989.

3.10 The land identified in the Banbury Local Plan Review together with current commitments (April 1992) amount to some 72 ha (178 acres) of land for employment generating development. A list of the major commercial sites is included in Appendix H. The Council estimates that, when fully developed, this land is capable of generating between about 6420 and 13430 jobs depending on the type of development that takes place.

3.11 In April 1992, over 3000 people were registered as unemployed in the Banbury travel to work area. Apart from the currently unemployed, Oxfordshire County Council have estimated, on the basis of the housing growth proposals for Banbury in the Structure Plan, that the town's workforce will increase by up to 4,200 people over the period from 1991 to 2001, (travel to work area).

3.12 In May 1992 there were 59 vacant industrial/warehouse units in Banbury totalling around 52,674 SqM (567,000 sq ft) and 45 office suites offering a total of 26,291 SqM (283,000 sq ft,) revealing a substantial capacity to generate new jobs in workspace already existing.

3.13 In drawing conclusions on the figures referred to above it must be remembered that the forecasted range of the number of jobs that might be created makes no allowance for jobs in retailing and no allowance for existing firms expanding on existing sites or increasing their workforce in more buoyant economic times; for example, by introducing or extending shift working.

3.14 The figures do suggest that there is a need for caution in increasing the land allocations at Banbury at the present time. The Council will however monitor this situation closely and will release further land for employment generating development if there are clear indications that the availability of land is frustrating the creation of sufficient jobs to ensure full employment and support the level of growth intended by the Structure Plan.

3.15 The only land allocated in this plan which is additional to that identified in the Banbury Local Plan Review is situated on the north side of the town. The Council has revised the boundary of the land previously allocated to the east of the existing Alcan Aluminium Extrusion Plant to increase its attractiveness to potential developers. The Council will seek a prestige and attractive development on this site in keeping with its location adjacent to the countryside which has been designated as an area of high landscape value. In order to reduce the environmental impact on the countryside the Council will limit development on the narrow northernmost part of the site (ie to the north of the contour line shown on the Proposals Map Inset No 1) to car parking and will seek to ensure that the impact is satisfactorily mitigated by landscaping and other appropriate measures. The site is to be accessed by a new road funded in its entirety by the development to the north of the existing Alcan works and the Council will require both this road and the new development to incorporate substantial proposals for landscaping to mitigate its effect on the countryside beyond.

3.16 The Council is also proposing to allocate a site on the Southam Road frontage to the north of the Alcan works for a low rise prestige office development. This site, in common with the land to the east of the Alcan works, adjoins a deserted medieval village based on Hardwick Farm. The site of this together with allocated sites is owned by British Alcan Aluminium Plc and the Council will require the release of the land to be accompanied by a management plan for the site of and setting of the archaeological remains. Prospective developers of these sites will be requested to carry out an archaeological field evaluation in accordance with policy C26 before planning applications relating to this land are determined.

3.17 The existing farmhouse at Hardwick Farm is a grade II* listed building and has a range of sound stone and brick barns within its curtilage. To secure the maintenance and preservation of these buildings the Council proposes to encourage their conversion and re-use for purposes compatible with their character which could include office use, residential or hotel accommodation. A development brief will be prepared for the sites allocated for employment use in the vicinity of Hardwick Farm which will provide guidance on all the matters raised in

these paragraphs and the need to ensure that the amenities of the Oxford canal corridor in this area are not adversely affected and, where possible, enhanced.

3.18 The Council will wish to safeguard the remaining areas of Hardwick Farm north of the existing and planned development and will require the proposals for the release of the allocated land to be accompanied by an agreement between the Council and the landowner to keep that land free of built development.

3.19 The Council is concerned that the appearance of the town from the M40 should be enhanced by the development and reference should be made to Policy C17.

BICESTER

3.20 The previous Structure Plan made provision for up to 45 hectares (110 acres) of commercial land in Bicester between 1981 and 1996 and provision was made for this in the Bicester Local Plan. Between 1981 and 1991, 12.6 ha (31.2 acres) of land were developed including 3.1 ha (7.6 acres) at the Talisman Centre, London Road.

3.21 In April 1992, undeveloped local plan allocations and other sites with planning permission amounted to 43.3 ha (107 acres). A list of the major commercial sites is included in Appendix H. It includes all of the commercial land to the east of Bicester that was proposed in the Bicester Local Plan and which was yet to be developed at April 1992 (31.6 ha/78 acres) and 4.45 ha (11 acres) of land, the Charterhouse/McGregor site, adjacent to the bypass.

3.22 The Oxfordshire County Council has estimated that the amount of housing proposed for Bicester between 1991 and 2001 could increase the town's workforce by up to about 5,500 people (travel to work area). Not all of these will require jobs on newly allocated industrial land, however. Some will be jobs on sites that already exist, for instance, in Bicester's industrial areas or in the town centre. Others will be on sites beyond Bicester, in the Oxford area for example. In addition to the expected increase in workforce, the pool of unemployed labour at April 1992 in the Bicester travel to work area stood at 1,592.

3.23 The Council has estimated that current planning permissions together with land allocations in the adopted Bicester Local Plan provide the opportunity for the creation of between 2,650 and 5,520 jobs depending on the type of development that takes place.

3.24 The Council will monitor closely the development of the land currently available or already identified.

EMP2 EMPLOYMENT GENERATING DEVELOPMENT WILL BE PERMITTED ON THE LAND SHOWN ON THE PROPOSALS MAP AT BICESTER AIRFIELD PROVIDED THAT IT ENSURES A COMPREHENSIVE APPROACH WITHIN WHICH:

(i) NO MORE THAN 12 ha (30 ACRES) OF LAND IS RELEASED BEFORE THE YEAR 2001 (UNLESS IT CAN BE DEMONSTRATED THAT FURTHER LAND ALLOCATED THERE SHOULD BE RELEASED IN ORDER TO MEET THE REQUIREMENTS OF THE EXISTING OR PLANNED GROWTH IN THE LOCAL LABOUR FORCE) WITH DEVELOPMENT COMMENCING IN THE SOUTH OF THE ALLOCATED LAND AND PROCEEDING NORTHWARDS AND

(ii) PROVISION WILL BE MADE FOR THE RECREATION USE ON THE LAND AT THE AIRFIELD SHOWN ON THE PROPOSALS MAP AND

(iii) ROAD IMPROVEMENTS REQUIRED TO SERVE THE DEVELOPMENT, INCLUDING THE DIVERSION OF A421 ACROSS THE AIRFIELD, WILL BE PROVIDED.

(iv) THE PROPOSAL COMPLIES WITH THE OTHER POLICIES IN THE PLAN.

3.25 The take-up of land for employment generating development in Bicester has, in recent years, been slow in comparison with the provision made in the local plan. 5.1 ha (12.7 acres) were developed between 1981 and 1986 and 7.5 ha (18.5 acres) between 1986 and 1991. However, the completion of the M40 motorway and the strategic location of Bicester together with the economic development initiatives being taken by the Council are likely to stimulate demand for land.

3.26 The workforce and job estimates described earlier suggest that there could be a shortfall of employment generating land at Bicester during the plan period, particularly as much of the new employment is likely to be in the warehousing and distribution sectors which generally employ fewer people per acre than the manufacturing and business sectors.

3.27 In considering potential sites for further employment generating development, the Council took into account that Bicester airfield had a number of advantages including its location and topography. Also using land that is already developed as an airfield would be less damaging to the landscape, and agricultural and nature interests, than using other land on the edge of the town. It also had the support of the land owners, the major one being the Ministry of Defence. These factors also make it particularly suitable for recreation use (see the assessment of need in the recreation chapter). The A421 diversion across the airfield is required to serve the development and to help distribute traffic generated by the site around the edge of the town rather than through the town centre and it will also help to define the built-up edge of the town.

3.28 The Plan therefore provides for employment generating development at Bicester Airfield. In considering the amount of employment land that should be released at Bicester airfield during the plan period, account has been taken of the success that has been achieved by the Council in promoting job creation at Bicester in recent years. In view of this and the fact that there must still be some doubt as to whether further provision during the plan period will be required, it is considered appropriate that only 12.1 ha (30 acres) of land should be released at the airfield by the year 2001. It is estimated that if all the 12.1 ha (30 acres) referred to in the policy were developed in a mixed development of business, light manufacturing and warehousing around 800 jobs would be provided on the site. It is considered that this substantial provision during the plan period will assist in establishing the necessary infrastructure. All proposals at Bicester airfield will be carefully assessed against the policies in the Structure Plan and in particular Policy E5.

3.29 The Council will prepare a development brief for the site which, amongst other matters, will seek:

- the diversion of the A421 across the airfield and other local road improvements including the improvement of the Stratton Audley/A421 junction
- the funding of these road proposals by planning obligations secured in accordance with Policy TR1 and Circular 16/91
- the provision of the recreation land shown on the Proposals Map for use partly by local sports clubs and partly by the public (see also Recreation chapter).

- the provision of substantial landscaped buffers to protect the amenities of Caversfield and north Bicester
- the creation of new public rights of way across both the commercial areas and the recreation land so as to link with the existing network and provide access to the recreation land
- the examination of the suitability of existing buildings on the airfield for recreation and community use
- the phasing of the development with the employment generating development to commence in the south and to progress northwards and the provision of the recreation land at an early date.

3.30 The development of Bicester Airfield raises a number of detailed issues, such as the precise alignment of the A421 diversion and the precise location of the first phase, that will need to be resolved in the development brief and the Council intends to consult fully with all those with an interest in this area before finalising the brief.

3.31 Prospective developers of the land at Bicester Airfield will be requested to carry out an archaeological field evaluation in accordance with policy C26 before planning applications relating to the land are determined. Similar evaluations will be required in respect of land to the north of the Bicester Bypass and south of London Road and land allocated for commercial development which does not yet enjoy planning permission at south east Bicester immediately adjacent to the south side of the main railway line.

3.32 In the northern part of the South East Bicester development area, the boundary between the land proposed for recreation and business uses adjacent to the Oxford to Bletchley railway line has been defined so as to provide continuity between the adjacent recreation proposals in this area. The Council recognises that there may be proposals to construct a railway siding to cross part of this strip of recreation land in future to serve development on the adjoining land that is proposed for business use in the Plan. In considering such proposals the Council would have regard to the desirability of moving freight by railways but would wish to keep any impact on the recreation area to a minimum. The Council would allow minor rationalisations of the boundary between land proposed for recreation and business uses in the Plan associated with the provision of such a siding. In no case would the Council allow the continuity of the recreation land on either side of this railway to be seriously prejudiced by such proposals.

KIDLINGTON, YARNTON AND BEGBROKE (EAST)

3.33 Since 1979, the Structure Plan has sought to restrict large-scale employment-generating development in the Oxford area as part of the general strategy of promoting the four 'country towns' as the preferred locations for growth in the County. Major new commercial development in and around Oxford would simply generate further pressures for more housing and yet further commercial growth. The consequences of unrestrained growth would be to worsen traffic congestion; to increase demands for new and improved roads within the City that would be environmentally damaging to its character; and to create further pressures for encroachment into the Green Belt to the detriment of the rural setting of the City.

3.34 Within the Oxford Green Belt, employment generating development will be severely restricted and reference should be made to Chapter One for a description of the purpose of the Green Belt and the Council's policies for that area.

3.35 Kidlington, Yarnton and Begbroke (East) are excluded from the Oxford Green Belt and the Structure Plan recognises that in those villages it will be appropriate to allow for the reasonable expansion of existing businesses, for small businesses and premises for firms that can demonstrate clear links with the area and whose needs would not be adequately met by a site in one of the country towns (policy E3).

3.36 The Council has approved an application for industrial and commercial development on 18.97 acres of land south of the existing Station Fields Industrial Estate (as identified on Inset Map 3). The planning consent is subject to a Section 106 Agreement concerning landscaping and drainage of the site, and in addition a number of conditions are attached to the consent.

3.37 The development of the land is limited to classes B1 and B8 [footnote] of the Town and Country Planning (Use Classes) Order 1987 in recognition of the need to safeguard the amenities of the existing residential development to the east of the railway, the recreation value of the Oxford Canal to the west, and the importance of protecting the environment of the designated Site of Special Scientific Interest on the west side of the canal. In addition, the Council requires the land to be comprehensively landscaped to minimise the visual impact of the development.

3.38 To comply with policy E3 of the Structure Plan, development proposals for this site are restricted, by conditions, to premises for small businesses up to approximately 500 square metres and premises for firms whose sources of supply, commercial linkages, labour supply and markets make this location particularly suitable for them. This restriction does not preclude premises for science-based industries falling within class B1.

3.39 It will be necessary to provide an estate-road access to this land from Langford Lane by improving the present access road serving the premises occupied by Moss Plastics Ltd. and J.A. Pye (Oxford) Ltd. and by bridging the Oxford Canal. Access to the land via the existing Station Fields Industrial Estate for other than emergency purposes will not be permitted because a significant increase in the use of the Station Approach A4260 junction would be unacceptable on road-safety grounds.

3.40 Developers have contributed towards improvements which have been carried out along Langford Lane and its junction with the A4260. Possible improvements to the junction of Langford Lane with the A44 are discussed in the Transportation chapter.

3.41 The development of the land will require the provision of a surface-water balancing pond and off-site improvements to the satisfaction of Thames Water. Care will be taken to ensure that the hydrological conditions necessary to protect the nearby Site of Special Scientific Interest are not prejudiced by the surface-water-drainage requirements relating to the development of the land.

3.42 In January 1988 the Council approved an outline planning application for the development of 6.1 ha (15 acres) of mainly derelict land to the north of Langford Lane, Kidlington, for uses falling within Class B1 of the Town and Country Planning (Use Classes) Order 1987. A condition that had restricted occupation to science based industries concerned primarily with research and development which could show a need to be located close to research facilities in Central Oxfordshire was subsequently removed and the first phase of the development has been completed. The site has been renamed the Oxford Spires Business Park.

EMP3 WITHIN THE BUILT-UP LIMITS OF KIDLINGTON, YARNTON AND BEGBROKE (EAST) PLANNING PERMISSION WILL NORMALLY BE GRANTED FOR EMPLOYMENT-GENERATING DEVELOPMENT PROVIDED THAT THE PROPOSAL

(i) REPRESENTS A MODEST EXTENSION TO AN EXISTING EMPLOYMENT-GENERATING USE; OR

(ii) IS FOR NEW PREMISES TO BE OCCUPIED IN COMPLIANCE WITH STRUCTURE PLAN POLICY E3; OR

(iii) UTILISES A SUITABLE EXISTING BUILDING TO PROVIDE ACCOMMODATION FOR SMALL BUSINESSES.

ALL PROPOSALS WILL BE CONSIDERED AGAINST THE OTHER POLICIES IN THIS PLAN.

3.43 It is not the intention of this Plan to inhibit the continued prosperity of existing firms. There will be instances, however, when plans for expansion will not be acceptable because of the limitations of their existing site area when environmental and/or traffic considerations are taken into account. In some cases relocation on the Station Fields Industrial Estate site referred to above might be possible, and for others a site in one of the country towns might be appropriate. It is not anticipated that employment-generating proposals will be approved at Begbroke (East) very often but it is included to allow small extensions to proceed in suitable locations.

3.44 Apart from the Station Fields Industrial Estate site and the Oxford Spires Business Park site north of Langford Lane, both of which are referred to above, there will be limited opportunities only for new employment-generating development within the built-up limits of Kidlington and Yarnton. Proposals relating to development within the Kidlington central shopping area are discussed in Chapter 5. Elsewhere the erection of new premises is likely to be confined to land remaining to be developed on the existing Station Fields Industrial Estate or by redevelopment of existing sites already in commercial use such as the Southern Electric site in Woodstock Road, Yarnton. Care will be taken to ensure that redevelopment schemes do not harm the amenities of residential areas or perpetuate badly-sited development.

SCIENCE PARKS

3.45 The 1987 Structure Plan included a policy (E4) to allow provision to be made in Central Oxfordshire for science based industries concerned primarily with research and development, which showed a special need to be located close to Oxford university or to other research facilities. This was in recognition of the national importance of science and technology based development. Since that time a number of proposals have been put forward by the development industry, with the result that significant provision is now being made within the Oxford area for science park development and the County Council is satisfied that no further releases of land are required for Science Park development up to 2001.

3.46 Within Cherwell, either of the sites proposed above for commercial development, ie at Station Fields Industrial Estate or at the Oxford Spires Business Park site north of Langford Lane, would be suitable for science-based research and development. In view of this background the Council considers that the identification of an additional site or sites in the Kidlington area would be unjustified. The Council will encourage science-based firms located in the Oxford area that wish to proceed to volume production to locate in one of the two country towns in the District, Banbury and Bicester, where provision has been made for such developments.

THE RURAL AREAS

3.47 The Structure Plan establishes that the principal locations for new employment generating development in Oxfordshire will be the four country towns (policy E1) and that development in the Oxford Green Belt will be severely restrained. Policy EMP4 below relates to the remaining rural areas of the District, that is the countryside, villages and other settlements north of the Green Belt, where Structure Plan policy is to provide for the expansion of existing firms and small businesses that cannot reasonably be expected to locate in one of the country towns (policy E3) and where there are opportunities to put redundant rural buildings to economic use (policy EN9). All proposals in the Oxford Green Belt will be considered under the policies in Chapter One.

3.48 The site of the former Wroxton Ironworks is considered suitable, in principle, for small scale employment generating development that is compatible with the local road network and would improve the appearance of the site.

3.49 Government planning policy guidance (PPG7) requires local planning authorities to encourage economic activity in rural areas while continuing to protect the countryside for the sake of its beauty, wealth of natural resources and its ecological, agricultural and recreational value. Small businesses can be successfully located in rural settlements and in converted rural buildings without causing unacceptable harm and they can help promote a healthy rural economy. However, PPG7 recognises that building in the open countryside should be strictly controlled, that not all proposals to adapt buildings will be acceptable and that it is for local authorities to determine more specific policies that reflect the different types of countryside found in their areas.

3.50 Given that background, Policy EMP4 seeks to encourage economic activity in the rural areas of the district by identifying opportunities for employment generating development and in particular for small businesses.

EMP4 IN THE RURAL AREAS, PROPOSALS FOR EMPLOYMENT GENERATING DEVELOPMENT OF THE FOLLOWING TYPES WILL NORMALLY BE PERMITTED:

(A) WITHIN AN EXISTING ACCEPTABLE EMPLOYMENT SITE, INCLUDING REDEVELOPMENT;

(B) CONVERSION OF AN EXISTING BUILDING OR GROUP OF BUILDINGS (PROVIDED THAT THE FORM, BULK AND GENERAL DESIGN OF THE BUILDINGS CONCERNED IS IN KEEPING WITH THE SURROUNDING AREA AND, IN THE CASE OF A BUILDING BEYOND THE LIMITS OF A SETTLEMENT, CAN BE CONVERTED WITHOUT MAJOR REBUILDING OR EXTENSION).

(C) WITHIN, OR ADJOINING SETTLEMENTS, FOR A MINOR EXTENSION TO AN EXISTING ACCEPTABLE EMPLOYMENT SITE

PROVIDED THAT:

THE PROPOSAL AND ANY ASSOCIATED EMPLOYMENT ACTIVITIES CAN BE CARRIED ON WITHOUT UNDUE DETRIMENT TO THE APPEARANCE AND CHARACTER OF THE RURAL LANDSCAPE AND WITHOUT HARMING THE AMENITIES OF SETTLEMENTS OR THE SPECIAL CHARACTER AND INTEREST OF A BUILDING OF ARCHITECTURAL OR HISTORIC SIGNIFICANCE

THE POLICIES OF OVERALL RESTRAINT OF GROWTH IN THE STRUCTURE PLAN ARE NOT BREACHED

THE PROPOSAL COMPLIES WITH THE OTHER POLICIES IN THE PLAN.

DEVELOPMENT ON EXISTING SITES

3.51 Part A of Policy EMP 4 recognises that it will often be possible to allow redevelopment or the construction of additional buildings within the boundaries of an existing employment site both within settlements and the wider countryside and that this may provide the opportunity to improve the appearance of the site or reduce its visual impact on the landscape. In villages and other small settlements, care will need to be exercised to ensure that redevelopment does not damage either the character of the village or residential amenity. Some businesses can quickly out-grow a rural site and the Council will not permit or encourage a degree of activity or a size of building that is out-of-scale with its rural surroundings or has an urban estate-like appearance.

CONVERSIONS OF EXISTING BUILDINGS

3.52 Part B of Policy EMP4 is intended to relate to the reuse, adaptation, and conversion of buildings both within settlements and in the countryside. It closely follows Structure Plan Policy EN9, which was approved by the Secretary of State, with modification, in February 1992.

3.53 The policy is intended to apply mainly to farm buildings of traditional construction, whether or not they are listed as being of architectural or historic interest, which are no longer suitable for agricultural use but are worthy of retention. Occasionally it may be appropriate to consider granting permission having regard to such matters as the size of the building, its position in the landscape, its proximity to residential property, the history of the building, vehicular access and the suitability of the local road network and the other policies in the plan. In assessing such proposals the Council will have regard to the need to balance the need to support the rural economy with the need to prevent the gradual erosion of the character of the countryside and the need for development to be sustainable.

3.54 The Council has approved a design guide relating to the conversion of redundant farm buildings, which is available from the Development and Property Services Department. The aim of all successful conversions should be the retention and re-use of interesting old buildings and it is essential that conversion proposals fully respect the intrinsic character of the buildings.

3.55 The Council will need to be satisfied that the nature of the future employment use is compatible with the rural environment in which it is situated and will wish to ensure that activities in yards and parking and servicing areas are well screened. The conversion of buildings, or groups of buildings, that form part of a yard that is enclosed or screened are less likely to harm the landscape, and are consequently more likely to be approved, than conversions of single buildings.

3.56 The District Council operates a scheme to provide financial assistance towards the conversion of buildings for new employment uses (see Appendix G). Further details can be obtained from the Economic Development Officer at Bodicote House.

MINOR EXTENSIONS TO SITES WITHIN SETTLEMENTS

3.57 Minor extensions to existing sites may occasionally be permitted within settlements and this is recognised in Part C of Policy EMP4. Such opportunities are like to occur infrequently because of the constraints imposed by such matters as residential amenity, highway safety and the need to protect the character of the village from the visual damage that can be caused by highway improvements.

GENERAL CONSIDERATIONS

3.58 Whilst wishing to encourage employment growth in suitable rural locations, the Council is mindful of the overall restraint on growth in the rural areas and, in particular, Structure Plan policy E3 which places an upper limit of 500 sq m on proposals that do not have a special local need to locate at a particular site. The Council, whilst using that figure as a guide, will have particular regard to the individual site characteristics and the nature of the proposed developments which are likely to vary considerably from case to case.

GENERAL EMPLOYMENT POLICIES

WORKING FROM HOME

EMP5 PROPOSALS REQUIRING PLANNING PERMISSION FOR THE PART USE OF RESIDENTIAL PROPERTIES FOR EMPLOYMENT PURPOSES WILL BE ASSESSED IN THE LIGHT OF THE OTHER POLICIES IN THIS PLAN.

3.59 The Council recognises that many small unobtrusive business activities may be successfully carried out from residential properties. The needs of small businesses must, however, be balanced with the need to protect the amenities presently enjoyed by the occupants of other dwellings. This balance is often difficult to achieve but will most likely be attained when the business concerned is small-scale, using little or no noisy machinery, and is located in low density housing.

CHAPTER FOUR

TOWN CENTRES AND LOCAL SHOPPING

Introduction

Structure Plan Background

4.1 The Structure Plan identifies Banbury and Bicester as two of four country towns in the County that will be the principal locations for major new shopping development, thereby increasing their attractiveness and assisting their development generally as counter-magnets to Oxford (policy S1). In Banbury town centre further comparison and specialised shopping is to be permitted in recognition of its role as a sub-regional centre (policies S2 and BAN5).

4.2 All proposals for new shopping facilities are to be considered against criteria set out in Structure Plan policy S4. These reflect the need to have regard to the effect of new proposals on the vitality and viability of the town centre as a whole, the need to protect areas of conservation importance, the need for access by public transport and the effect on highway and transportation considerations.

4.3 As a result of pressures for out of town shopping and the consequent threat to existing town centres, the Structure Plan contains a policy (S5) encouraging improvements to the range of town centre shops and their shopping environments.

Trends in retailing in recent years

4.4 In recent years, the Council has considered a large number of proposals for major new food and non-food stores in a variety of different locations at Banbury, Bicester and Kidlington. Many of these proposals related to sites outside the town centres, including land and buildings on industrial estates and beyond their built-up limits.

4.5 In 1986 and 1987 the Council employed consultants to advise it on how best to respond to such proposals. This advice was used as a basis of an interim shopping strategy for Banbury and Bicester that sought to limit the amount of retail development in the towns and to guide it to suitable locations.

4.6 The aim in both towns was to respond positively to the new retailing methods but to do so in a way that maintained a convenient and attractive town centre for all shoppers, including those without access to cars, and helped to conserve historic buildings. The same principles applied to the centre of Kidlington.

4.7 In preparing the following retail policies for each centre in the District for the period up to 2001, the Council continues to attach great importance to the need to promote and improve them as safe, convenient and attractive centres for retailing and other businesses, and in so doing it is aware that the encouragement of trade and investment is the most effective way to preserve or enhance the historic buildings in those centres.

Pedestrianisation

4.8 Throughout this plan, the term "pedestrianisation" is used to mean the creation of areas where the pedestrian has priority over other road users at certain times. Oxfordshire County Council as Highway Authority are the executive authority for achieving the pedestrianisation aims of the District Council.

4.9 In recent years, the growth of the District's shopping centres and the motor traffic coming into them has resulted in traffic congestion, overcrowded pavements and an increase in conflicts between pedestrians and motor vehicles. Apart from the inconvenience and danger involved, these conditions make those centres less attractive places in which to shop and work. Ultimately their economic wellbeing and historic buildings will suffer unless measures are introduced to create a safer and more pleasant shopping environment by removing pedestrian/vehicle conflict.

4.10 Pedestrianisation provides the opportunity to make improvements that are of benefit to people with mobility impairments including the provision of seats, tactile surfaces for people with visual impairments, repositioning of street furniture, colour contrasting of entrances, dropped kerbs and improved sign-posting.

4.11 In designing pedestrianisation schemes, the Council will seek to ensure that bus-stops and conveniently sited setting-down and picking-up points for taxis and private cars are provided close to the pedestrianised areas. In addition the local pedestrian/cycleway network will be expected to integrate with pedestrianisation proposals.

4.12 The main features of such pedestrianisation schemes are:

- (a) the removal of all non-essential traffic, including buses and taxis,
- (b) the regulation of essential servicing to set times in the day,
- (c) the designation of a "core period" during which pedestrians have priority and no vehicles are allowed, except for exempt users,
- (d) the improvement of the appearance of the street by resurfacing it and providing new street furniture, lighting and planting.

4.13 A pedestrianisation scheme was implemented in Banbury town centre in 1991 and further schemes are planned for Bicester and Kidlington.

BANBURY

Shopping

Recent developments

4.14 The town centre is defined on the Inset to the Proposals Map. It includes not only the central shopping area but adjacent areas where there are mixed land uses including service-trades, offices and housing.

4.15 In June 1986 there was 38,553 sq m (415,000 sq ft) of retail-sales floorspace within Banbury town centre. However, since that date there have been a large number of developments in the town which have added considerably to the retail floorspace in Banbury.

4.16 In 1988 a new town-centre superstore for J. Sainsbury (4,645 sq m/50,000 sq ft gross) was opened and shortly afterwards a Tesco's superstore (5,574 sq m/60,000 sq ft gross) and a retail warehouse park (13,935sq m/150,000 sq ft gross) were opened on a site at Ruscote Avenue. B & Q and Halfords also moved to new premises on the Southam Road. In June 1993 the Council resolved to grant planning permission for a new J. Sainsbury superstore (5,517 sq m/59,390 sq ft gross) on the ground of Banbury Rugby Club. Land on the corner of Swan Close Road and the Inner Relief Road is the subject of a consent for a new retail warehouse park (approximately 7,896sq m/85,000 sq ft gross) and the Council has also resolved to grant permission for a food superstore (approximately 5,295sq m/57,000 sq ft gross) on the site. Planning permission was granted in 1993 for retail development at Swan Close Road.

4.17 Since 1986 the major new developments and commitments referred to above have increased Banbury's retail floorspace by a further 41,424sq m (445,900 sq ft gross).

Redevelopment of land to the north of Bridge Street

S1 THE COUNCIL WILL PERMIT THE REDEVELOPMENT OF THE LAND SHOWN ON THE PROPOSALS MAP TO THE NORTH OF BRIDGE STREET AND WEST OF THE CANAL TO PROVIDE A MODERN COVERED SHOPPING CENTRE, SUBJECT TO:

- (i) THE PROVISION OF A NEW ROAD TO LINK CASTLE STREET WITH THE INNER RELIEF ROAD IN ACCORDANCE WITH POLICY TR13;
- (ii) COMPLIANCE WITH THE OTHER POLICIES IN THIS PLAN.

4.18 At its meeting on 28th July 1994, the Council decided that it would grant planning permission for an extension of the Castle Shopping Centre and associated works, subject to conditions and provided that the related legal agreement was entered into first. The legal agreement was signed and planning permission issued on 10th May 1995.

4.19 The scheme provides a department store and other retail shops totalling 25,240sq m of retail floorspace, a cafe and restaurants, a new bus station, service areas and car and lorry parking. The scheme has been designed to capitalise on the environmental advantages of the canal side frontage. Other associated works include an improvement to Castle Street (see chapter 5), landscaping, and improvements in pedestrian access to the scheme. The developers are to contribute to the cost of related off-site transportation measures such as improved pedestrian/cycle links and bus priority measures. Subject to statutory and other procedures work is expected to start on the scheme in the spring of 1997 (ie after further detailed design work is finished and various other matters, such as highway and compulsory purchase orders, have been finalised). Practical completion is expected to occur in the spring of 1999.

Maintenance of a compact central shopping area

S2 PROPOSALS FOR THE EXTENSION AND IMPROVEMENT OF RETAIL FACILITIES IN THE AREAS MARKED "SC" ON THE PROPOSALS MAP WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THE PLAN. ELSEWHERE IN THE TOWN CENTRE PROPOSALS FOR RETAIL DEVELOPMENT WILL NORMALLY BE RESISTED.

4.20 There is merit in seeking to maintain a compact central shopping area for the convenience and safety of the shopping public. In applying this policy, regard will be had to the

desirability of preserving listed buildings and preserving or enhancing the Conservation Area, (see Policies in Chapter 9) and to secure servicing and parking provision in accordance with policies elsewhere in this Plan. The land and buildings between the Parsons Street frontage structures and Bolton Road will be examined in the context of the Council's desire to encourage the extension and improvement of town centre shopping facilities. The Council will not permit retail proposals with frontages onto service areas or access roads that would encourage shoppers to use such areas. Outside the 'SC' areas retail development may be permitted if it is required to serve a specific local need. For the purposes of Policy S2 the term 'retail' means uses included in classes A1, A2 or A3 of the Town and Country Planning (Use Classes) Order 1987.

S3 WITHIN THE PRIMARY SHOPPING FRONTAGES OF THE TOWN CENTRE AS DEFINED ON THE PROPOSALS MAP, CHANGES OF USE AT GROUND-FLOOR LEVEL TO NON-RETAIL USES WILL NOT NORMALLY BE PERMITTED.

4.21 This Policy seeks to prevent the proliferation of Banks, Building Societies and other non-retail uses at ground floor level in the primary shopping frontages. It does not seek to prevent the use of the first floor and above of premises in those areas for non-retail uses. The Council's concern is that there should not be a reduction in ground floor shopping frontage within these areas. However, the policy is not intended to prevent the relocation of existing non-retail uses within the primary shopping frontages provided no net loss of shopping frontage would result. 'Non-retail uses' means uses not included in Class A1 or A3 of Town & Country Planning (Use Classes) Order 1987. The Council intends to keep the proportion of non-retail uses under review. The policy is intended to apply to the whole of the ground floor of any premises, any part of which is in or abuts the area defined in the policy.

Pedestrianisation and traffic management in Banbury town centre

4.22 A pedestrianisation scheme was implemented in sections of High Street, Bridge Street and Broad Street in 1991. The Council in conjunction with Oxfordshire County Council as highway authority has introduced traffic calming measures to reduce traffic speeds in Parsons Street and the redevelopment scheme north of Bridge Street will provide further traffic free shopping facilities.

Control of major retail development outside the town centre

S4 PROPOSALS FOR MAJOR OUT OF TOWN CENTRE RETAIL SCHEMES WILL NOT NORMALLY BE PERMITTED UNLESS THE FOLLOWING CRITERIA CAN BE MET:

(i) THE PROPOSAL, TOGETHER WITH OTHER RECENT AND PROPOSED DEVELOPMENTS IN THE LOCALITY, WOULD NOT UNDERMINE THE VITALITY AND VIABILITY OF BANBURY TOWN CENTRE AS A WHOLE;

(ii) THE PROPOSAL IS EASILY ACCESSIBLE BY PUBLIC TRANSPORT;

(iii) THE PROPOSAL IS COMPATIBLE WITH THE OTHER POLICIES IN THIS PLAN.

4.23 Retailing methods are changing in response to consumer taste, economic factors and growth in car ownership. Out-of-centre retailing from large stores with large surface car parks is popular with the public, particularly for bulk purchasing of food and for bulky purchases such as

DIY goods. Banbury has seen a very rapid growth in the provision of this type of retailing (see para 4.14 - 4.16); in the last 5 years.

4.24 The Council, although not wishing to inhibit competition between types of retailing and retailers, wishes to safeguard the vitality of Banbury town centre as a whole which is important as a business, service, tourist and shopping centre. All proposals for major out-of-town centre retail schemes will therefore be required to submit a comprehensive retail impact assessment study which will assess the impact not only of the specific proposal but also its cumulative impact having regard to other recent and proposed developments in the locality. In addition, a traffic impact assessment will be required in accordance with Policy TR3. All schemes will be expected to be easily accessible by public transport.

New local shopping centre

S5 PROVISION WILL BE MADE FOR A NEW LOCAL SHOPPING CENTRE ON THE LAND ALLOCATED NORTH OF HARDWICK ESTATE AT HANWELL FIELDS TO SERVE THE NEW HOUSING DEVELOPMENT AREA.

4.25 This is a proposal to provide for local shopping and other facilities in a suitable location for the major residential development area. The Council will prepare a development brief for this area which will set out the planning requirements. However, it is considered highly desirable that these shops and associated facilities should be built before 600 houses have been erected on the estate and the Council will seek to secure this through a planning agreement.

Commercial development in the town centre

Redevelopment sites

S6 THE LAND TO THE NORTH OF GEORGE STREET SHOWN ON THE PROPOSALS MAP IS PROPOSED FOR BUSINESS DEVELOPMENT.

4.26 This land is the site of the former Hunt Edmunds Brewery, and was proposed for business development in the adopted local plan (para 45). The incorporation of some small-scale retail development as an extension/ upgrading of Malthouse Walk as part of a mixed business-retail scheme could be acceptable, but the provision of multi-storey car parking to serve the new development and the existing development immediately to the north in accordance with the Council's adopted car-parking standards will also be necessary.

S7 THE COUNCIL WILL PERMIT PROPOSALS FOR THE REDEVELOPMENT OF THE AREA SHOWN ON THE PROPOSALS MAP TO THE SOUTH OF WARWICK ROAD AND WEST OF NORTH BAR FOR MIXED DEVELOPMENT, SUBJECT TO THE RETENTION AND ENHANCEMENT OF THE HISTORIC BUILDINGS ON THE NORTH BAR FRONTAGE AND COMPLIANCE WITH THE OTHER POLICIES IN THE PLAN.

4.27 The area includes the Gilkes site (which houses a number of commercial uses), a large warehouse with access to Warwick Road and a variety of commercial premises served by North Bar Place, including a motor-vehicle-dismantler's yard. Redevelopment of this area will create an opportunity to rationalise and improve vehicular access, to provide on-site car parking and to take advantage of the potential to provide high-density residential development with views across People's Park to the west. Nos. 13, 14, 15 and 20 North Bar are listed buildings and will need to be retained, together with other historic buildings in that frontage (ie nos 17, 18 and 19 North Bar) which contribute to the character of the Banbury Town Centre Conservation Area. The Council has prepared a development brief for this site which describes in more detail the

way the Council wishes to see the site developed. Having regard to the fragmented tenure of the area, and the existence of extant planning permissions for retail, leisure, offices and commercial purposes; redevelopment may take place in sub-areas within the overall context of the brief. 'Mixed uses' may include commercial, retail, residential or any other appropriate use for the locality.

S8 THE REDEVELOPMENT OF THE LAND SHOWN ON THE PROPOSALS MAP TO THE NORTH OF BRIDGE STREET AND EAST OF THE INNER RELIEF ROAD FOR RECREATIONAL OR CULTURAL USES WILL BE ACCEPTABLE IN PRINCIPLE.

4.28 Schemes for the redevelopment of this land will need to be served by the new access beneath the canal overbridge provided as part of the Inner Relief Road scheme. It has limited headroom, and a development that has minimal servicing requirements will need to be secured. It has been suggested that the County Council will require a larger library and, in the longer term, more museum space. This site could fulfil one of those needs, subject to further investigation. The servicing requirements for these uses are likely to be less than those of a commercial development. Proposals for the site will be expected to contribute significantly to the improvement of the canal side environment and its potential for recreational use by users of the canal and the canal tow path in accordance with the environmental and recreational policies in the plan.

Changes of use

S9 IN THOSE AREAS OF THE TOWN CENTRE OUTSIDE THOSE AREAS MARKED 'SC' AND 'C' AND THOSE IDENTIFIED FOR REDEVELOPMENT ON THE PROPOSALS MAP, PROPOSALS FOR THE CHANGE OF USE OF AN EXISTING RESIDENTIAL BUILDING TO A NON-RESIDENTIAL USE WILL NOT BE PERMITTED UNLESS IT CAN BE DEMONSTRATED THAT IT WOULD NOT BE DETRIMENTAL TO THE AMENITIES OF A RESIDENTIAL AREA OR CREATE A PRECEDENT FOR THE CHANGE OF USE OF FURTHER BUILDINGS, THE CUMULATIVE EFFECT OF WHICH WOULD CHANGE THE CHARACTER OF A RESIDENTIAL AREA.

4.29 It is not the intention of the Council to inhibit commercial enterprise. However, the pressures for the change of use of houses in the town centre to non-residential uses must be balanced against its effect, both individually and cumulatively, on the amenities of existing residents and the residential character of the area generally. The retention of existing residential uses in the town centre is considered important, particularly where these provide areas of relatively inexpensive housing. The Council will encourage residential development, including changes of use, in the Town centre (for example on the floors above shop premises) in order to retain its vitality and activity when shops/offices are closed.

Development proposals in the commercial areas

S10 IN THE TOWN-CENTRE COMMERCIAL AREAS SHOWN 'C' ON THE PROPOSALS MAP, PROPOSALS FOR NON-RETAIL DEVELOPMENTS WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

4.30 The areas covered by this policy at present contain a wide variety of mainly commercial uses, many of which are suited to a town-centre location. This mixture of commercial uses is expected to continue. This recognition does not imply any commitments to accepting intensification or changes of use, proposals for which will be considered under this policy. Some of the areas covered by this policy also contain residential properties and the policy is not

intended to preclude the retention of or development for residential use provided the requirements of relevant policies in this plan can be met.

4.31 Proposals for the development or redevelopment of land within that part of the town centre commercial area which is situated immediately adjacent to the Oxford Canal will be required to positively enhance the appearance of the canal in accordance with policy R7.

BICESTER

RECENT DEVELOPMENTS

4.32 In recent years there have been considerable improvements to the provision of retail facilities in Bicester, both in the town centre with the Crown Walk (2,415sq m/26,000 sq ft gross) and Dean's Court (427sq m/4,600 sq ft gross) schemes, and outside the town centre with the development of the retail warehouse part at Launton Road (5,574sq m/60,000 sq ft gross) and the Tesco superstore (3,995sq m/43,000 sq ft gross) at Oxford Road.

4.33 As a consequence of these developments, the net retail floorspace in the town as a whole, which was 17,219sq m (185,350 sq ft) (net) in June 1986 had increased by 12,411sq m (133,600 sq ft) (gross) by 1991.

4.34 In July 1993, the Council resolved to grant planning permission, subject to the completion of legal agreements relating to off-side highway works, footpaths and landscaping, for the development of a factory outlet shopping scheme on land to the east of the Tesco superstore. The scheme will be the first purpose-built centre of its type in the UK selling premium brand surplus stock at discounted prices. The gross retail floorspace of the scheme is 9,847sq m (106,000 sq ft) divided into 48 individual factory outlet shopping units. Parking space is to be provided for 680 cars plus coaches.

Future provision for major new food superstores or retail warehouses

S11 PROPOSALS FOR MAJOR OUT-OF-TOWN CENTRE RETAIL SCHEMES WILL NOT NORMALLY BE PERMITTED UNLESS THE FOLLOWING CRITERIA CAN BE MET:

(i) THE PROPOSAL, TOGETHER WITH OTHER RECENT AND PROPOSED DEVELOPMENTS IN THE LOCALITY, WOULD NOT UNDERMINE THE VITALITY AND VIABILITY OF BICESTER TOWN CENTRE AS A WHOLE;

(ii) THE PROPOSAL IS COMPATIBLE WITH THE OTHER POLICIES IN THIS PLAN.

4.35 In order to accommodate changes in retail demand over the Plan period all proposals for major out-of-town centre retail schemes will be considered against policy S11. Each application will be required to be accompanied by a comprehensive retail impact assessment study which will assess the impact not only of the specific proposal but also its cumulative impact having regard to other recent and proposed developments in the locality together with a traffic impact assessment. All such schemes will be expected to be easily accessible by public transport.

The town centre

4.36 The shops, businesses and services in Bicester town centre are in the main of local importance, serving the town and nearby villages.

4.37 The Council has encouraged the provision of new shops in the town centre and in recent years two schemes have been completed successfully, at Crown Walk and Dean's Court. The Council's aim is for the improvement seen over recent years to continue so that Bicester town centre can continue to be a safe, convenient and attractive centre for retailing and other business, thereby indirectly helping to preserve or enhance historic buildings. As part of this improvement there is scope for new development in the town centre, provided it complements the historic core and provision is made for parking, servicing, public transport, cyclists, and the needs of pedestrians, including the disabled. The Council will not however permit retail proposals with frontages onto service areas or access roads that would encourage shoppers to use such areas.

S12 PROPOSALS FOR NEW DEVELOPMENTS IN THE TOWN CENTRE AS DEFINED ON THE PROPOSALS MAP WILL NORMALLY BE APPROVED PROVIDED THEY DO NOT CONFLICT WITH THE OTHER POLICIES IN THE PLAN.

S13 WITHIN THE PRIMARY SHOPPING FRONTAGES OF THE TOWN CENTRE, AS DEFINED ON THE PROPOSALS MAP, CHANGES OF USE AT GROUND-FLOOR LEVEL TO NON-RETAIL USES WILL NOT NORMALLY BE PERMITTED.

4.38 The above policies are intended to assist in the development and maintenance of a compact and convenient shopping centre and seeks to avoid the proliferation of Banks, Building Societies and other non-retail uses at ground-floor level in the primary shopping frontages. These policies do not seek to prevent the use of the first floor and above in those areas for non-retail uses.

4.39 The Council's concern is that in primary shopping frontages there should not be a reduction in the overall length of shop frontage. Policy S13 is not intended to prevent the relocation of existing non-retail uses within the primary frontages where no net loss of shopping frontage would result.

4.40 The "primary shopping frontages" means Sheep Street (from Bell Lane to Market Square), Market Square, and Crown Walk. 'Non-retail uses' means uses not included in Class A1 or, A3 of the Town & Country Planning (Use Classes) Order 1987. The policy is intended to apply to the whole of the ground floor of any premises, any part of which is in or abuts the area defined in the policy.

Sites in the town centre with redevelopment potential

S14 THE LAND TO THE SOUTH OF MARKET SQUARE SHOWN ON THE PROPOSALS MAP IS PROPOSED FOR BUSINESS OR SHOPPING DEVELOPMENT, OR OTHER SUITABLE TOWN CENTRE DEVELOPMENT, SUBJECT TO THE SECURING OF THE CONSTRUCTION OF THE CHAPEL STREET TO LONDON ROAD LINK ROAD.

4.41 This site is predominantly undeveloped land between Chapel Street and London Road. Much of the site is in the Bicester town centre conservation area and the London Road frontage to the site contains a number of buildings listed as being architectural or historic interest. The site includes land reserved for the Town Centre Link Road, part of which is required to give access to the site.

4.42 Whilst it was expected that this development will proceed in the manner described above, it is considered that other land uses appropriate to this location, including for instance retail or

residential, could provide an acceptable alternative form of development provided that the road link and the enhancement of the buildings listed as being of architectural or historic interest on the site were secured.

S15 THE COUNCIL WILL PERMIT THE COMPREHENSIVE DEVELOPMENT OF THE AREA AT FRANKLIN'S YARD SHOWN ON THE PROPOSALS MAP FOR RETAIL AND FINANCIAL AND PROFESSIONAL SERVICES DEVELOPMENT, OR OTHER DEVELOPMENT APPROPRIATE TO A TOWN CENTRE, PROVIDED THAT SATISFACTORY PROPOSALS ARE MADE FOR CAR PARKING, BOTH FOR THE DEVELOPMENT AND TO REPLACE EXISTING PARKING SPACES, AND SERVICING, SUBJECT TO THE OTHER POLICIES IN THE PLAN.

4.43 The Council recognises that the Franklin's Yard area has potential for retail and financial and professional services development or other development appropriate to a town centre and has prepared a development brief to facilitate this on a comprehensive basis. A major part of the site is owned by the Council and is used as a public car park. Any redevelopment of the site will need to make provision for car parking in the area both for the scheme itself and for the replacement of the public parking spaces. If it became apparent that there was little prospect of comprehensive development the Council would be prepared to consider piecemeal development provided that it did not prejudice a satisfactory overall development of the site.

4.44 The area covered by the scheme could be extended south-eastwards into the Bure Place area to include property in Wesley Lane, possibly in a phased development.

S16 THE LAND BETWEEN SHEEP STREET AND VICTORIA ROAD SHOWN ON THE PROPOSALS MAP IS PROPOSED FOR RESIDENTIAL, BUSINESS OR RETAIL DEVELOPMENT.

4.45 At the time the plan was being prepared, a residential development scheme for this site was being prepared. The Council supports residential development in the town centre in suitable locations as it improves housing choice and helps to add interest and activity to the town centre after shops and businesses have closed. If the residential scheme is not pursued, it is considered that the site is suitable for a small scale business or retail development provided full provision is made for parking and servicing and pedestrian links are provided to Sheep Street and the adjacent public car park.

S17 RETAIL, BUSINESS OR RESIDENTIAL DEVELOPMENT IS PROPOSED ON THE LAND TO THE REAR OF CHAPEL STREET AND CAUSEWAY SHOWN ON THE PROPOSALS MAP.

4.46 Vehicular access to this site will be from Chapel Street and the Council will seek an appropriate contribution to the improvement of this street from the developer. Pedestrian links to Causeway and the town centre will be required, including the provision of a developer-funded pedestrian crossing. The Council will expect the scheme to improve rear servicing to properties in Causeway. The Council would also be prepared to consider residential development on the site to which the same principles as set out above would apply. In 1988, planning permission was granted for a sheltered housing scheme on the site.

Pedestrianisation and Traffic Management in Bicester Town Centre

4.47 The first phase of a scheme to pedestrianise parts of Bicester Town Centre were completed in 1994. The Council intends to complete a second phase for Market Square, Market Hill and Causeway, as shown on the Proposals Map after the final phase of the town centre link

road has been completed. Most of Bicester's central shopping area will have then been pedestrianised. Funding for a substantial part of this road will be generated by the development of adjacent land. No provision is made in the capital programme or list of reserve schemes.

Areas adjoining the town centre

S18 THE COUNCIL WILL NOT PERMIT THE SPREAD OF COMMERCIAL DEVELOPMENT INTO THE PREDOMINANTLY RESIDENTIAL AREAS ADJOINING THE TOWN CENTRE.

4.48 The Council's aim is for the town centre to be compact for the convenience of those using it, including people with mobility impairments and those who rely on public transport. There are pressures from commerce to spread out into areas adjoining the town centre and this can lead to problems relating to such matters as noise, traffic congestion and parking. Over a period of years this can result in a gradual deterioration in the character of an area. For these reasons, such development pressures will be resisted by the Council, particularly where the amenity of predominantly residential areas is threatened. This does not mean that the Council will always wish to refuse such proposals; in exceptional circumstances they may bring benefits, for instance, where it would be the only means of ensuring that a historic building could be given an economic use.

S19 THE COUNCIL WILL PERMIT PROPOSALS TO REDEVELOP THE CATTLE MARKET SITE AT VICTORIA ROAD SHOWN ON THE PROPOSALS MAP PROVIDED THAT THE NEW USE IS COMPATIBLE WITH ADJOINING HOUSES AND OTHER POLICIES IN THE PLAN.

4.49 The cattle market occupies an important site on the edge of the town centre but its small size and poor location relative to the primary road network do not help to make it competitive and it detracts from the residential amenities of the area. The operators wish to find a more suitable location for the market and the Council will encourage this. The present site is considered to be suitable, in principle, for residential, business or surface car parking purposes using the current access from Victoria Road although the highway authority have indicated that it may be necessary to install control measures, such as traffic signals, to provide a safe access to this site. The Council will seek to ensure that any redevelopment improves the amenities of the area and is compatible with the adjoining two-storey houses.

Local Centres

S20 PROVISION WILL BE MADE FOR A NEW LOCAL SHOPPING CENTRE ON THE SLADE FARM HOUSING SITE.

4.50 The provision of local shops will be required to provide for the day-to-day shopping needs of the residents of the Slade Farm housing site. The location of the new local centre has been defined in a development brief. It is considered highly desirable that these shops and associated facilities should be built before 600 houses have been built, and the Council will seek to secure this through a planning agreement.

KIDLINGTON, YARNTON AND BEGBROKE (EAST)

4.51 Kidlington's shopping provision consists of the High Street shopping centre, a number of smaller groups of local shops and a Sainsbury food superstore. The latter was opened in November 1991 at the southern end of Kidlington on the former Hartwell's garage site, Oxford Road, and serves a wider catchment area. Retail development in the Oxford Green Belt will be

severely restricted and reference should be made to Chapter One for a description of the Council's policies for that area.

Kidlington Shopping Centre

Shops

4.52 The shopping centre is small and compact. It contains a wide range of land uses, including shops selling food, drink and tobacco (convenience goods), non-food shops (durable goods), banks, building societies, estate agents, restaurants and offices. The largest shops are the Co-op and Tesco supermarkets.

4.53 It is primarily a local shopping centre serving the everyday needs of Kidlington and the surrounding settlements. Most people shop elsewhere, primarily at Oxford, for durable goods such as clothes and furniture.

S21 DEVELOPMENT PROPOSALS IN THE KIDLINGTON SHOPPING CENTRE AS DEFINED ON THE PROPOSALS MAP THAT MAINTAIN AND ENHANCE THE VITALITY AND VIABILITY OF THE CENTRAL SHOPPING AREA WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

4.54 Against a background of a number of planning applications for food superstores north of Oxford and the need to assess the impact of these proposals, if approved, on the trading patterns of Kidlington shopping centre, the Council commissioned consultants in 1987 to undertake a shopping study of Kidlington and Gosford.

4.55 The consultants estimated (February 1988) that the catchment population of Kidlington centre was approximately 60,000. The trading levels of the central-area shops were much in line with what might be expected given the centre's role and the age, mix and condition of the shops.

4.56 The Council granted planning permission for a superstore at the Hartwell's Garage site on the southern edge of Kidlington. This opened in November 1991 and is likely to have a considerable economic impact on Kidlington shopping centre. For this reason, the policies in this chapter aim to support and encourage the improvement of the existing shopping centre, so far as it is possible for the Council to do so through its development-control powers and environmental-improvement schemes, so that it will continue to function as a convenient, attractive and safe shopping environment for local people.

4.57 The central shopping area has been so defined on the Proposals Map to focus development into a relatively compact and convenient area to the east of Oxford Road, and so protect the amenity of the adjoining predominantly residential areas.

Offices and other commercial uses

4.58 In recent years property in the central area has been more valuable for office and business use than for retailing and, as a consequence, a number of office buildings have been built which have started to change the character of the centre. The opening of the food superstore on the Hartwell's Garage site is likely to increase the pressure for office development.

4.59 The Council believes that if this were allowed to continue the centre would become less attractive to shoppers and that it is essential for shopping frontages to be generally continuous and not fragmented by offices and other non-retail uses.

4.60 This policy does not mean that there is no place for new office, business or residential development in the central shopping area. However, such proposals will be carefully considered against the general aim of policy S21. This will mean that office proposals are unlikely to be approved in the main shopping frontages, and that business uses that serve the shopping public are more likely to be approved on the fringes of such areas than in the middle of them. There may be opportunities for non-retail uses above ground floors but care will be taken to ensure that proposals for such uses would not be detrimental to existing residential accommodation. Changes of use at ground floor level to non retail uses (ie those not in Classes A1 or A3 of the Town and Country Planning (Use Classes) Order 1987) will not be permitted where they would undermine the vitality and viability of the central shopping area.

S22 REDEVELOPMENT SCHEMES WILL BE REQUIRED TO INCLUDE ADEQUATE PROVISION FOR REAR SERVICING AND WHEREVER PHYSICALLY POSSIBLE SERVICING SHOULD BE LINKED, TO RESTRICT THE NUMBER OF INDIVIDUAL ACCESSES TO HIGH STREET.

4.61 Servicing shops from the rear has environmental and safety benefits for the shopping public and is more convenient and efficient for the shopkeeper. In particular, it can reduce the presence of large delivery vehicles in shopping streets. Rear servicing has been provided to the south side of that part of High Street lying to the west of Sterling Road. On the northern side, rear servicing has been provided to a number of properties but needs to be extended to serve the properties at the western end of High Street. Offices and businesses do not normally require such deliveries, and since the provision of rear servicing is often difficult to achieve in existing shopping centres the Council will not normally permit non-retail uses where rear servicing is already available.

4.62 There are now very few opportunities to provide additional surface car parking adjacent to the shopping centre. Land owned by the District Council adjacent to Curtis Place car park provided (when the plan was prepared) the opportunity for an intending developer to make a financial contribution to the provision of an appropriate number of additional spaces by the Council and so enable the development to proceed.

Pedestrianisation and environmental improvements

S23 THE COUNCIL INTENDS TO CARRY-OUT AN ENVIRONMENTAL-IMPROVEMENT SCHEME FOR THE SHOPPING CENTRE, INCLUDING A PEDESTRIAN-PRIORITY AREA FOR THE WESTERN PART OF HIGH STREET.

4.63 An environmental-improvement scheme for the shopping centre, especially along High Street, could involve measures to control access by vehicles, the resurfacing of pedestrian areas, the introduction of appropriate street furniture and a landscaping scheme. The aim will be to make the High Street area a more attractive, convenient and safe place in which to shop. The scheme is in the reserve list in the Council's capital programme and will be constructed when funds become available.

Open-air market

4.64 The open-air market uses the land on the corner of High Street and Sterling Road. The owner, the Post Office, has planning permission to redevelop this site. If an open-air market is to have a long term future in Kidlington a replacement site needs to be found for it. When the western part of the High Street is made a pedestrian-priority area, with further rear servicing provided to properties on the northern side of High Street at its western end, this would provide a

suitable location for the market. The Council will incorporate the provision of an open air market 'square' in design proposals prepared in accordance with policy S23 above.

Superstores and retail warehouses

S24 PROPOSALS FOR FOOD SUPERSTORES WILL NOT BE PERMITTED IN KIDLINGTON, YARNTON OR BEGBROKE (EAST). PROPOSALS FOR NON-FOOD RETAIL WAREHOUSES WILL BE CONSIDERED AGAINST THE OTHER POLICIES IN THE PLAN.

4.65 The Council has granted planning permission for a food superstore which will serve the Kidlington and North Oxford areas. Any further provision would have a severe adverse effect on the vitality and viability of Kidlington shopping centre as a whole and will not be allowed.

4.66 Non-food retail warehouses are popular with the shopping public and have the support of central-government policy. It is recognised that suitable sites are not normally available in central shopping areas but they can sometimes be found in other locations within the built-up area. If proposals are made for non-food retail warehouses, they will be considered against the other policies in the Plan and the Structure Plan (including Structure Plan policy S4). In particular, the sites must have good road access; buildings must not be visually intrusive; and the proposal must be compatible with other land uses in the area.

THE COUNTRYSIDE AND RURAL SETTLEMENTS

S25 WITH THE EXCEPTION OF THOSE DEVELOPMENTS WHICH ACCORD WITH POLICIES S26, S27 AND S28, ALL NEW PROPOSALS FOR RETAIL DEVELOPMENT WILL GENERALLY BE RESISTED.

S26 PROPOSALS FOR SMALL-SCALE RETAIL OUTLETS WHICH ARE ANCILLARY TO EXISTING ACCEPTABLE LAND USES WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

S27 PROPOSALS FOR GARDEN CENTRES WILL GENERALLY ONLY BE PERMITTED WHEN THE LOCATION IS ON THE EDGE OF A SETTLEMENT AND WILL BE SUBJECT TO THE OTHER POLICIES IN THE PLAN.

4.67 Retail development in the open countryside will be resisted in order to protect its character and appearance. However, with the increasing diversification of the rural economy, there is increasing pressure for outlets such as farm shops (planning permission is not required if the produce is grown on the same farm) and garden centres. It is considered that those outlets which are ancillary to existing farming enterprises or other existing acceptable land uses are generally acceptable. They are characteristically small-scale and accommodated within existing buildings.

4.68 The garden centres policy is designed to enable new garden centres to be established in suitable locations on the edge of villages where the impact on the landscape can be minimised. Sites in the open countryside are likely to be unacceptable because of the adverse impact on the character of the countryside.

4.69 Not all edge-of-village sites will necessarily be acceptable for garden centres; many will not be suitable because of the effect on residential amenity or the character of a village or its setting. The scale of the centre should therefore be appropriate to the size of the village and, for highway safety and amenity reasons, it should not draw large volumes of traffic into the village

or onto minor roads. Larger scale enterprises, that would occupy prominent industrial-type buildings and would attract large numbers of cars and lorries onto minor roads and into villages, will normally be resisted.

GENERAL SHOPPING POLICIES

Local shops

S28 FAVOURABLE CONSIDERATION WILL BE GIVEN TO PROPOSALS FOR SMALL SHOPS OR EXTENSIONS TO EXISTING SHOPS REQUIRED TO SERVE LOCAL NEEDS, SUBJECT TO THE OTHER POLICIES IN THE PLAN.

4.70 This policy is to allow existing local shops outside the shopping centres of Banbury, Bicester and Kidlington to adapt to changing circumstances, and to allow new shops serving a small local catchment to be established in suitable locations.

4.71 The District Council will seek to assist existing shops and the establishment of new outlets by the flexible interpretation of the other policies in this Plan.

S29 PROPOSALS THAT WILL INVOLVE THE LOSS OF EXISTING VILLAGE SERVICES WHICH SERVE THE BASIC NEEDS OF THE LOCAL COMMUNITY WILL NOT NORMALLY BE PERMITTED.

4.72 The District Council recognises the importance of village services, particularly the local shop and pub, to the local community and will seek to resist the loss of such facilities whenever possible. However, it is also recognised that it will be difficult to resist the loss of such facilities when they are proven to be no longer financially viable in the long term.

CHAPTER FIVE

TRANSPORTATION

Introduction

5.1 The District Council is not responsible for the roads or other transport facilities within the District. The M40 and trunk roads are the responsibility of the Department of Transport. All the remaining public roads fall under the authority of Oxfordshire County Council, although the planning, design and implementation of certain traffic-management measures may, at the County Council's discretion, be delegated to the District Council. Bus services are operated by independent companies and rail transport is provided by British Rail.

5.2 The District Council has the responsibility for planning the provision of transport facilities for major new developments and for ensuring that proper regard is had to transportation policies in the administration of the development control function, including the provision of car parking spaces to its approved standards. The Council consults the appropriate authorities on transportation matters as part of the development control process.

5.3 Rising affluence and car ownership strongly suggest that the kind of road congestion commonly experienced in cities and large towns will in future become a feature of smaller towns as well unless suitable measures are taken to prevent this happening. Recent trends in transportation show that it is increasingly expensive and environmentally damaging to try to meet the needs of motorists fully and that in urban areas the construction of new roads alone is unlikely to provide a long term solution.

5.4 In response to these trends, and as a result of Alterations that were approved by the Secretary of State for the Environment in January 1992, the Oxfordshire Structure Plan now places greater emphasis on the role of public transport in transportation planning than was previously the case.

5.5 The main objectives of the policies in the Structure Plan are now:

- to encourage the provision and use of convenient, reliable and high standard public transport services and reduce the need to travel by private transport (T11)
- to locate development where it can conveniently be served by public transport (G4, T17)
- to give priority to public transport in new highway schemes (T6) and town centres (T9)
- to make provision for pedestrians, cyclists and the disabled in new highway schemes (T6), in traffic calming schemes (T8), by the provision of new pedestrian and cycling routes (T8) and to give priority to pedestrians in town centres (T9)
- to seek appropriate contributions to the cost of providing facilities, including public transport facilities, where required by development (G2, T15)

5.6 The aim in preparing the policies in this plan has been to conform generally to these Structure Plan objectives and to follow the guidance emerging in the revised Planning Policy

Guidance 13 "Transport" which has the following key aims:

- to reduce the growth in the length and number of motorised journeys
- to encourage alternative means of travel which have less environmental impact and hence
 - reduce reliance on the private car.

5.7 The Council recognises the growing importance of this issue, particularly in the case of Banbury, and supports in principle the general aims of the County Council. The policies in the plan have been prepared accordingly although, in the case of Banbury, it is considered that a comprehensive study needs to be undertaken before an integrated transportation strategy can be prepared (see the section on Banbury below).

Transportation Funding

TR1 BEFORE PROPOSALS FOR DEVELOPMENT ARE PERMITTED THE COUNCIL WILL REQUIRE TO BE SATISFIED THAT NEW HIGHWAYS, HIGHWAY-IMPROVEMENT WORKS, TRAFFIC-MANAGEMENT MEASURES, ADDITIONAL PUBLIC TRANSPORT FACILITIES OR OTHER TRANSPORT MEASURES THAT WOULD BE REQUIRED AS A CONSEQUENCE OF ALLOWING THE DEVELOPMENT TO PROCEED WILL BE PROVIDED.

5.8 The restrictions placed on public expenditure by Central Government mean that the infrastructure requirements arising from the development of land rely increasingly on private-sector funding. Government support for appropriate development funding is contained in PPG13 and Circular 16/91 and the Oxfordshire Structure Plan contains two policies (G2 and T15) which seek the provision of such funding in accordance with that advice. The Council will liaise closely with the County Council as Highway Authority to identify those highway improvements that are required as a consequence of development and to secure an appropriate level of development funding in accordance with the advice in Circular 16/91. Reference is made later in this chapter to specific transportation schemes and associated works to which this policy will apply.

5.9 The Government's Planning Policy Guidance on transport (PPG13) which was revised in March 1994 encourages local planning authorities to promote strategies to reduce the need for travel. Where highway improvements required to serve new development would themselves be likely to increase travel demand, then planning permission may be refused.

5.10 For the purposes of policy TR1 the terms 'new highways', 'highway-improvement works', and 'traffic-management measures' and 'additional public transport facilities' include the provision of new roads, the improvement of existing roads, the provision of cycle ways, footpaths, traffic controls, crossings, signing, road closures, traffic-calming measures, pedestrian-priority schemes, park and ride facilities and bus priority measures, both on-site and off-site as circumstances require.

Traffic Management and Highway Safety

TR2 IN CONSIDERING PROPOSALS FOR DEVELOPMENT THE COUNCIL WILL SEEK TO MINIMISE CONFLICT BETWEEN VEHICLES AND PEDESTRIANS, CYCLISTS AND PEOPLE WITH SENSORY AND MOBILITY IMPAIRMENTS BY SECURING SEGREGATED PROVISION, CONTROLLED CROSSINGS OR OTHER MEASURES AS APPROPRIATE. PROPOSALS THAT WOULD NOT COMPLY WITH

ACCEPTABLE STANDARDS OF ROAD SAFETY WILL NOT BE PERMITTED. IN BANBURY, BICESTER AND KIDLINGTON THE COUNCIL WILL SEEK THE PROVISION OF CYCLEWAY/PEDESTRIAN NETWORKS.

5.11 Traffic-management plays a vital part in improving highway safety. It also helps to reduce congestion and can improve the quality of the environment and reduce pollution. The Council will encourage traffic-management and road improvement measures by Oxfordshire County Council where they are necessary in the interests of road safety or environmental improvement. The responsibility for traffic-management normally rests with Oxfordshire County Council but the District Council will wish to play an active part in monitoring potential improvements and taking the initiative in bringing them to the attention of the County Council. It will also comment on proposals put forward by the County Council or the Department of Transport. The Council will encourage Oxfordshire County Council to design traffic management schemes so that they cause as little inconvenience as possible to road users, such as buses and cyclists, who are not intended to be deterred from using the roads affected by the schemes. The County Council will be encouraged to prepare proposals for traffic management measures that encourage the use of principal roads, in preference to other roads, by local traffic and through traffic in the interests of safety and the environment. The County Council will also be encouraged to keep under review existing schemes and bring forward proposals for their improvement or extension where this is appropriate.

5.12 Road safety is an issue of fundamental importance not only in Banbury and Bicester but also in the villages and the rural areas generally and it should take priority over other highway considerations. Oxfordshire County Council's aim is to reduce road accident casualties over the next ten years by one-third and to assist with this it has published a Road Safety Plan. Road safety standards can be improved by the Highway Authority through the management of traffic, including the employment of traffic-calming techniques to reduce speeds and to afford priority to pedestrians and cyclists. Road safety is also of fundamental importance in the design and location of new development, and the Council will liaise with the Highway Authority to ensure that all proposals meet acceptable standards.

5.13 In Banbury, Bicester and Kidlington the Council will seek the provision of a cycleway/pedestrian network and intends to consult on, and produce within the plan period, a network of routes along which measures will be encouraged to make cycling safer and more attractive. Experience shows that such routes can improve safety and are popular. They can be provided at low cost in most instances. The responsible authority for implementing these proposals will be Oxfordshire County Council, the local highway authority. The Council will seek to assist in securing the improvement of the network as part of the development control process. Occasionally, it may be appropriate for contributions to the provision of such routes to be sought by the Council from developers of land in the vicinity of the routes in accordance with Policy TR1 in the Plan.

5.14 Reference should be made to Chapter 4 (Town Centres and Local Shopping) for proposals relating to pedestrian-priority areas.

TR3 THE COUNCIL WILL ASK FOR TRAFFIC IMPACT ASSESSMENTS TO BE PROVIDED AT THE DEVELOPER'S EXPENSE AND TO THE SATISFACTION OF THE HIGHWAY AUTHORITY, FOR ALL MAJOR DEVELOPMENT PROPOSALS.

5.15 In order for major development proposals to be properly assessed, developers will be asked to provide a traffic impact assessment for any proposal which appears likely to have a material effect on the flow of traffic or the safety of road users so that the highway authority can be satisfied that safe and adequate arrangements for traffic that would not be detrimental to the

performance of the transport network and the local environment would be provided as part of the scheme.

Public Transport

TR4 THE COUNCIL WILL SEEK TO FACILITATE THE PROVISION AND OPERATION OF AN EFFECTIVE PUBLIC TRANSPORT SYSTEM AS A GENUINE ALTERNATIVE TO THE USE OF PRIVATE VEHICLES, SO FAR AS IT IS POSSIBLE TO DO SO THROUGH ITS LAND USE PLANNING POWERS.

5.16 It is intended that the policy will be applied whenever consideration is given to development, highway, traffic management measures (which could include bus priority measures) and pedestrianisation proposals (the latter are also described in chapter 4). Development funded contributions will be sought in appropriate cases in accordance with policy TR1.

5.17 The policy is consistent with Structure Plan Policy T11 and the strategic transportation objective of encouraging the provision of an effective public transport service so as to provide an attractive alternative to the use of private vehicles.

5.18 Cars and lorries seem likely to remain the principle mode of vehicular transport within the current plan period. They are of great benefit to many people and the economy but that usefulness is greatly diminished if roads are frequently heavily congested. An effective public transport system will help to relieve that congestion and will also assist people who do not have access to private cars.

5.19 The Council wishes to encourage the improvement of railway facilities and services and to this end will promote and discuss with relevant bodies opportunities to participate in studies and schemes that will encourage further provision.

5.20 In July 1992 the Council introduced the Cherwell Villager service with the help of the Community Transport Association and the Rural Development Commission. It serves twenty villages in the northern part of the District.

Parking and Servicing provision

TR5 DEVELOPMENT LIKELY TO ATTRACT VEHICULAR TRAFFIC WILL NORMALLY BE REQUIRED TO:

(i) ACCOMMODATE WITHIN THE SITE THE NECESSARY HIGHWAY-SAFETY REQUIREMENTS RELATING TO ACCESS, TURNING, SERVICING AND PARKING PROVISION; AND

(ii) INCLUDE APPROPRIATE MEASURES TO MINIMISE THE VISUAL IMPACT OF VEHICLES AND ANY PARKING AREAS.

5.21 In the interests of highway safety, development will be required to provide appropriate vehicle-parking and servicing facilities off the public highway, together with an adequate means of access to the highway. The adequacy of such an access will depend largely upon the status of the particular highway within the road network, and upon the visibility requirements of the Highway Authority. The Council will normally require development proposals to comply with the vehicle parking standards that it has adopted and which are set out in Appendix B. In the shopping/commercial centres of Banbury, Bicester and Kidlington, the policy will not apply to changes of use, where the cost of providing parking spaces may run counter to the interests of

conservation and the maintenance of the vitality and viability of those central shopping areas, or extensions that do not increase the amount of trading or office floorspace.

5.22 Parked vehicles and service areas can often look visually intrusive and unsightly. The appearance of these areas can be greatly improved by such measures as carefully designed tree and shrub planting and screen walling or fencing. Special consideration needs to be given in such schemes to vehicle security, pedestrian safety and the ability of walls etc to withstand the manoeuvring of vehicles.

TR6 IN THE SHOPPING/COMMERCIAL CENTRES OF BANBURY AND BICESTER DEFINED ON THE PROPOSALS MAP, THE COUNCIL WILL GENERALLY BE PREPARED TO ACCEPT AN APPROPRIATE CAPITAL CONTRIBUTION BY DEVELOPERS TOWARDS THE PROVISION OF THE APPROPRIATE NUMBER OF CAR-PARKING SPACES IN LIEU OF ON-SITE PROVISION WHERE SUCH PROVISION IS NOT POSSIBLE ON SITE.

5.23 In the town centres of Banbury and Bicester, development proposals may arise that are acceptable in the light of other policies in this Plan but cannot satisfy the approved car-parking standards. Their approval in the absence of additional car-parking provision would mean that the car-parking capacity of the town centre would not keep pace with the demand generated by new development and it is reasonable to expect that the cost of new parking provision should be borne fairly and equitably by all new traffic-generating development. Whilst the policy refers to the provision of further car parking spaces, it is likely that there will be circumstances where the Council will wish to use the funds to assist public transport, walking or cycling as an alternative to the provision of parking spaces, as envisaged by paragraph 4.10 of the Government's planning policy guidance on transport (PPG13).

5.24 The Council will generally be prepared to relax the normal requirement for on-site provision in relation to otherwise acceptable proposals provided payment is made to enable the Council to construct the requisite number of additional spaces in suitable locations as soon as practicable. In the case of Banbury, where the Council intends to review its parking strategy as part of an integrated land use and transportation study, suitable locations might be other than in the town centre, for instance as part of the provision of edge of town park and ride facilities. Such agreements could include provision to be made for payments to be returned to the developer in the event of suitable spaces not being provided within a reasonable time. The amount of the payment per space required is reviewed annually, and contributions will be sought by an agreement between the Council and the developer.

Minor Roads

TR7 DEVELOPMENT THAT WOULD REGULARLY ATTRACT LARGE COMMERCIAL VEHICLES OR LARGE NUMBERS OF CARS ONTO UNSUITABLE MINOR ROADS WILL NOT NORMALLY BE PERMITTED.

5.25 In order to protect the amenities of the plan area, and in the interests of highway safety, development likely to create significant traffic flows will normally, subject to consideration of the other policies in this Plan, be expected to have good access to the major through routes or County inter-town routes identified in the Structure Plan or other principal roads.

Commercial facilities for the motorist

TR8 BEYOND THE BUILT-UP LIMITS OF SETTLEMENTS THE RELEASE OF NEW SITES FOR PETROL FILLING STATIONS AND OTHER COMMERCIAL FACILITIES FOR

THE MOTORIST WILL BE PERMITTED ONLY WHERE THE NEED FOR SUCH FACILITIES CAN BE CLEARLY DEMONSTRATED.

5.26 It is considered that the existing provision of petrol filling stations, roadside restaurants and rest areas will be sufficient to meet the needs of motorists in the plan area for the foreseeable future. This conclusion takes into account the Cherwell Valley motorway service area at Ardley which will fully meet the needs of motorway travellers within the District according to the criteria in Circular 23/92. The Council will resist proposals for new petrol filling stations/service areas in the vicinity of the motorway interchange at Banbury which would prejudice the free flow of traffic to and from the motorway.

5.27 It is recognised, however, that there may occasionally be circumstances in which a need can be clearly demonstrated for further provision. Evidence of such a need could arise from regular congestion occurring at an existing facility, for instance. In considering such proposals, the Council will take into account relevant government advice such as that contained in PPG13 "Transport", Roads Circular 1/94 "Motorway Service Areas" and Circular 4/88 "The Control of Development on Trunk Roads". It will also have regard to the other policies in the plan and in particular those that seek to protect the countryside and any policy statements produced by Oxfordshire County Council on planning the provision of strategic services for the motorist in accordance with policy T19 in the Oxfordshire Structure Plan. Proposals in, or conspicuous from, the Oxford Green Belt will be considered against the policies in the Green Belt chapter of the plan.

5.28 The policy is not intended to prevent the redevelopment and improvement of existing permanent facilities within existing site boundaries, provided that such proposals comply with the environmental and transport policies in the plan. Such improvements can be of benefit to the motorist, reduce the visual impact on the countryside and may provide the opportunity to reduce the number of vehicle access points, possibly through the provision of service roads, and improve junction splays.

5.29 Reference should also be made to policy T5 in the tourism chapter in the plan which relates to the provision of hotels etc beyond the built-up limits of a settlement.

Road hierarchy in residential areas

TR9 VEHICULAR ACCESS TO NEW RESIDENTIAL AREAS SHALL BE PROVIDED AS PART OF A HIERARCHICAL SYSTEM OF ROADS COMPRISING DISTRICT DISTRIBUTOR, LOCAL DISTRIBUTOR AND RESIDENTIAL ACCESS ROADS. INDIVIDUAL VEHICULAR ACCESS SHALL, WHEREVER POSSIBLE, BE TAKEN FROM RESIDENTIAL ACCESS ROADS WHICH WILL BE DESIGNED TO ENSURE LOW VEHICLE SPEEDS, SAFETY, ADEQUATE ACCESS FOR SERVICE AND EMERGENCY VEHICLES, ECONOMY IN THE USE OF LAND, AND VISUAL INTEREST. PROVISION SHALL BE MADE WHERE APPROPRIATE TO FACILITATE THE OPERATION OF PUBLIC TRANSPORT.

5.30 The philosophy underlying a hierarchy of roads is that on roads which give access to individual dwellings the aim should be pedestrian safety and a sense of place rather than catering primarily for vehicle movements. The current advice on the operation of this policy is set out in Bulletin 32 published by the Departments of the Environment and Transport. A Design Guide for Residential Roads (currently being revised by Oxfordshire County Council), will also provide advice in future. In major new residential areas, the Council will expect provision to be made of a suitable route for public transport to pass within 400m of all dwellings and with good pedestrian routes to bus stops.

Heavy goods vehicles

TR10 DEVELOPMENT THAT WOULD GENERATE FREQUENT HEAVY-GOODS-VEHICLE MOVEMENTS THROUGH RESIDENTIAL AREAS OR ON UNSUITABLE URBAN OR RURAL ROADS WILL NOT BE PERMITTED. THE COUNCIL WILL RESIST PROPOSALS FOR THE ESTABLISHMENT OF HEAVY-GOODS-VEHICLE OPERATING CENTRES WHERE THEY WOULD CREATE TRAFFIC PROBLEMS OR ADVERSELY AFFECT THE AMENITY OF RESIDENTIAL AREAS OR VILLAGES.

5.31 Heavy-goods-vehicles are not generally compatible with residential areas, including villages, for reasons of safety, congestion and pollution and, also, should be encouraged to use major roads as far as possible and discouraged from using unsuitable minor roads. In addition to its powers under the planning acts, the Council can make representations on environmental grounds to the relevant heavy-goods-vehicle licensing authority about the establishment of operators' centres, or extensions to existing centres. Wherever possible, heavy-goods-vehicle operating centres should not be located in residential areas, or villages, and should have good access direct to the strategic road network.

OXFORD CANAL

TR11 PROPOSALS THAT WOULD RESULT IN THE TRANSFER OF FREIGHT TO THE OXFORD CANAL WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THIS PLAN. PROPOSALS THAT WOULD PREJUDICE THE FUTURE USE OF THE OXFORD CANAL WILL NORMALLY BE RESISTED.

5.32 The Oxford Canal is now almost entirely used for recreation purposes (see Chapter 6) but it is a valuable transportation resource and this policy encourages the transfer of freight to the canal and seeks to preserve the canal as a resource by resisting development that would prejudice its future by, for instance, the redevelopment of wharfs and industrial buildings and restricting access. This follows the advice given in "Transport" (March 1994).

5.33 In applying this policy, the Council will be careful not to prejudice its policies to protect and enhance the recreation role of the canal (policy R7) and the rural character of the countryside which the canal passes through.

BANBURY

5.34 Notwithstanding the considerable improvements to the local road network that have been constructed in recent years, there are concerns that within 15 years traffic congestion will return to the pre-M40 and Inner Relief Road levels. The Council therefore intends, in collaboration with Oxfordshire County Council, to prepare an integrated land use and transportation strategy for the town and to seek to incorporate it in a formal review of the Plan at an early date. It is also possible that the Council might seek to implement such a strategy piecemeal if it were approved in advance of the Local Plan Review. The strategy will seek to locate development and manage traffic to achieve the efficient use of the available road space and reduce traffic congestion. Measures such as traffic calming, extending pedestrianisation, improving the cycle/footpath network, promoting public transport, parking and network management and park and ride will be examined as part of the strategy formulation.

5.35 The future transportation strategy for Banbury will be influenced not only by the redistribution and growth of traffic that is occurring as a result of the construction of the M40

and the Banbury interchange to the east of the town but also by the distribution of existing and proposed land uses.

Recent road construction

5.36 Major improvements to the road network in the Banbury area have been made in recent years. The final section of the M40 motorway extension from Oxford to Birmingham was opened in January 1991. This has greatly improved Banbury's road links with the rest of the country and has brought London's Heathrow airport within one hours drive. The motorway has reduced through traffic in the town, particularly heavy-goods-vehicles.

5.37 The town's connecting road to the motorway, the east-west link road (Hennef Way), has provided a second crossing of the railway. Together with the eastern distributor road and the Thorpe Way extension, it provides a ready access from the motorway to the main industrial areas to the north and east of the town.

5.38 The Inner Relief Road from Oxford Road to Hennef Way was opened in June 1991. This road provides an important link between the south of the town and the motorway link road to the north, and enables traffic to avoid the town centre and Grimsbury.

5.39 There is evidence of increasing traffic congestion at the Grimsbury motorway interchange and its approaches at peak times which is likely to worsen as traffic levels increase and the town grows in future years. It is also apparent that there are similar problems of overloading at the Wendlebury interchange at peak periods. When the motorway was being designed by the Department of Transport, the Council favoured the provision of a second motorway junction for Banbury, to the south of the town.

TR12 THE COUNCIL WILL SEEK ON BEHALF OF OXFORDSHIRE COUNTY COUNCIL CONTRIBUTIONS FOR THE DUALLING OF HENNEF WAY IN ACCORDANCE WITH THE CRITERIA SET OUT IN CIRCULAR 16/91 "PLANNING OBLIGATIONS", FROM DEVELOPMENT THAT WILL SIGNIFICANTLY INCREASE TRAFFIC ON THAT ROAD AND WILL PRESS THE COUNTY COUNCIL TO IMPLEMENT SUCH WORKS AS SOON AS POSSIBLE.

5.40 The east-west link road (Hennef Way) was opened in 1985. The County Council is acquiring sufficient land to enable a second carriageway to be constructed when required by traffic growth in future. The County Council is seeking 100% funding shortfall from the Department of Transport for the dualling of Hennef Way, having regard to its place in the highway network linking the Southam Road trunk road and M40 interchange. In the interim, should it be demonstrated that any new development will substantially increase the levels of traffic on Hennef Way, then a contribution towards the cost of dualling will be sought from that developer in accordance with the criteria in Annex B to Circular 16/91 Planning Obligations.

TR13 THE COUNCIL WILL SEEK THE PROVISION OF A NEW ROAD TO LINK CASTLE STREET WITH THE INNER RELIEF ROAD. THE LAND TO BE SAFEGUARDED IS SHOWN ON THE PROPOSALS MAP. THE COUNCIL WILL SEEK TO ENSURE THAT THE DETAILED DESIGNS FOR THE NEW LINK ROAD, AND IN PARTICULAR THE BRIDGES OVER THE OXFORD CANAL AND THE RIVER CHERWELL, ARE TO A HIGH STANDARD THAT PROTECTS THE AMENITIES AND ENJOYMENT OF THE CANAL AND RIVER AND THE ADJOINING LAND.

5.41 The provision of this road, 'the Castle Street extension' will facilitate the redevelopment of the area south of the canal and north of Bridge Street on which is proposed a major extension

of the Castle Shopping Centre (see Policy S1 in Chapter 4). Part of this site is currently occupied by the bus station.

5.42 The construction of the Castle Street extension will have to be funded by the private sector in accordance with policy TR1, i.e. in conjunction with the redevelopment of the land south of the canal and north of Bridge Street, which would not be acceptable in the absence of the relief of traffic in Bridge Street/Castle Street because of the increased traffic congestion that would otherwise occur and the prejudice to road safety that would arise.

TR14 THE FORMATION OF NEW ACCESSES TO THE BANBURY INNER RELIEF ROAD AND TO HENNEF WAY, WITH THE EXCEPTION OF THAT REFERRED TO IN POLICY TR13, WILL NOT NORMALLY BE PERMITTED.

5.43 The primary purpose of these roads is to relieve, as much as is possible, the town centre and its Conservation Area of locally generated traffic and traffic generated by the M40. Both their function and road safety would be prejudiced by the creation of unnecessary accesses to them.

TR15 LAND WILL BE RESERVED FOR THE CONSTRUCTION OF A NEW ROAD ON THE OUTER PERIMETER OF THE LAND PROPOSED FOR RESIDENTIAL DEVELOPMENT NORTH OF HARDWICK ESTATE, BANBURY.

5.44 The proposed road along the outer perimeter of the land proposed for development north of Hardwick Estate will distribute traffic onto the primary road network and away from existing residential roads. Development funding of this road will be sought in accordance with Policy TR1 in this Plan and Circular 16/91. Reference to the need for the road to serve the development proposals adjoining the Alcan works and its funding is made in the employment chapter.

5.45 The County Council will be encouraged to introduce:

(i) A weight limit in Middleton Road to exclude heavy goods vehicles other than those requiring access there

(ii) Traffic-management measures in Hightown Road and Bankside to discourage through traffic and to improve highway safety and the environment. The County Council will also be encouraged to keep under review existing schemes and bring forward proposals for their improvement or extension where this is appropriate.

5.46 The opening of Hennef Way, the M40 and the Inner Relief Road has enabled a number of traffic-management measures, such as speed humps and restrictions on heavy goods vehicles, to be introduced that encourage the use of these and other principal roads and improve highway safety and the environment in residential areas. The roads that have benefited from such measures are Longelandes Way/Highlands, Causeway/Edward Street, Springfield Avenue, Queensway/Woodgreen Avenue/Orchard Way and Bretch Hill/Prescott Avenue/The Fairway. Additional measures are being introduced to restrict the use of Hightown Road and Bankside by heavy goods vehicles that do not require local access and to prevent heavy goods vehicles using Howard Road, Avenue Road and School View as a short-cut between Middleton Road and Causeway.

5.47 Two additional schemes have been identified in the policy. The first, relating to Middleton Road in Grimsbury, is expected to be the final part of a package of measures that has been introduced to Grimsbury to discourage through traffic, particularly traffic crossing the town to and from the motorway which should now use Hennef Way and the Inner Relief Road, from

using Middleton Road and Causeway as a short-cut. Middleton Road serves a residential area which contains a number of local shops, other services and a primary school. A number of devices have already been used to slow-down traffic, to discourage the use of Middleton Road by through traffic and to generally improve safety and the quality of the environment and it is considered that the use of Middleton Road by heavy goods vehicles should be limited to those requiring access.

5.48 The second scheme relates to Hightown Road and Bankside which continue to be used by through traffic because it is often quicker to use these routes than Oxford Road and the new Inner Relief Road. Both roads serve residential areas and traffic measures are needed to substantially reduce through traffic, to slow-down local traffic and improve both safety and the environment. Oxfordshire County Council is introducing an order which will seek to restrict the use of these roads by heavy goods vehicles to those requiring local access but it is considered that further measures are required relating to other vehicles.

5.49 The success of all of these schemes will need to be monitored closely by Oxfordshire County Council and it is expected that further measures will need to be introduced in future from time to time, either in new locations or in order to improve existing schemes.

Access improvements in the vicinity of the railway station

TR16 NEW DEVELOPMENT OR REDEVELOPMENT ON LAND SERVED BY STATION APPROACH AND MERTON STREET THAT WOULD GENERATE A SIGNIFICANT INCREASE IN TRAFFIC FLOWS WILL BE RESISTED UNLESS (i) THE COUNCIL IS SATISFIED THAT A SATISFACTORY ALTERNATIVE MEANS OF ACCESS IS OR WILL BE PROVIDED OR (ii) THE DEVELOPMENT IS REQUIRED TO MEET THE OPERATIONAL NEEDS OF BANBURY RAILWAY STATION. THE COUNCIL WILL SEEK THE IMPROVEMENT OF ACCESS TO THE STATION FOR PUBLIC TRANSPORT, CYCLISTS AND PEDESTRIANS IN SUCH PROPOSALS.

5.50 Policy TR16 will relate to the areas of commercial development adjacent to the railway south of Bridge Street/Middleton Road which are served by inadequate private roads. A significant increase in the use of the Station Approach/Bridge Street junction would worsen congestion caused by right-turning movements and threaten the free flow of traffic on the Banbury Inner Relief Road at the Bridge Street junction. The private roads leading from Station Approach are inadequate in terms of width and alignment to accommodate a significant increase in use. An alternative access could be achieved via Tramway Road but would be unlikely to be permitted in the absence of, inter alia, improvements to the Tramway Road/Hightown Road/Swan Close Road junction and measures to prevent through traffic movements between Hightown Road/Swan Close Road and Bridge Street/ Middleton Road. Such a scheme would provide an important opportunity to improve access to the station for buses, cyclists and pedestrians, both generally and in particular between the station and the town centre where conditions for pedestrians and cyclists need to be substantially improved. The Council would seek development funding for the alternative access scheme and associated improvements in accordance with Policy TR1 in the Plan. A second possibility would be to construct a new road linking the railway station with Cherwell Street. Such a scheme would require bridging of the River Cherwell and the Oxford Canal but could only be achieved as part of a comprehensive development by the private sector. This would need to have regard to the impact on and make any necessary improvements to the local road network in accordance with Policy TR1 in the Plan (see also Policy S10).

5.51 Development involving a significant increase in the use of the private road leading south from Merton Street would result in additional traffic using Middleton Road, contrary to the

efforts of the local authorities to reduce traffic in the area since the local plan for Banbury was adopted in 1980. The private road is inadequate in terms of width and alignment for much of its length. The Council will encourage an alternative access to the area via the Thorpe Way Extension, but such a scheme would be expected to be funded in its entirety by the private sector and to incorporate measures to prevent through traffic movements between Thorpe Way and Merton Street/ Middleton Road.

Improved links between Grimsbury and the town centre for pedestrians and cyclists

TR17 THE COUNCIL WILL SEEK THE PROVISION OF A CROSSING OF THE RAILWAY, AND ASSOCIATED CONNECTIONS ON EACH SIDE, BETWEEN GRIMSBURY AND THE TOWN CENTRE THAT SEGREGATES PEDESTRIANS AND CYCLISTS FROM MOTOR VEHICLES, AND WILL SEEK APPROPRIATE CONTRIBUTIONS FOR ITS PROVISION FROM THE DEVELOPERS AND/OR OWNERS OF THE LAND PROPOSED FOR HOUSING DEVELOPMENT THAT LIES ADJACENT TO THE RAILWAY AND TO THE NORTH OF THE MIDDLETON ROAD.

5.52 The scale of development proposed in this Plan in Grimsbury and to the east of the present built-up area will generate substantial additional movements to and from the town centre. In the absence of a new facility to cross the railway, this would increase the volume of pedestrian and cycle movements across the Inner Relief Road at the Bridge Street junction, to the detriment of road safety. The new provision could involve the widening of the existing railway bridge on its northern side to form a segregated footway/cycleway, subject to a convenient and safe route being provided to the town centre through the open space to the south of Spiceball Park. Development contributions to this crossing and associated connecting works will be sought in accordance with policy TR1, in this case from the nearby housing development that is proposed in this plan.

Off-street servicing in the town centre

TR18 OFF-STREET SERVICING WILL BE REQUIRED FOR NEW DEVELOPMENT IN THE TOWN CENTRE EXCEPT WHERE THE SCALE OF DEVELOPMENT IS SO RESTRICTED AS TO MAKE A SERVICE AREA UNNECESSARY OR IMPRACTICABLE OR WHERE THE PROVISION OF A SERVICE AREA WOULD BE DETRIMENTAL TO THE PRESERVATION OR ENHANCEMENT OF THE CONSERVATION AREA OR TO ROAD SAFETY.

5.53 Although the concept of off-street service area provision in the town centre is supported, it is also recognised that the constraints imposed by the need to preserve historic buildings and to enhance the Conservation Area will mean that it will always be necessary to service some buildings from the highway. In the pedestrianised part of the town centre servicing is not permitted between the hours of 10:30 a.m. and 4:00 p.m.

Car parking in the town centre

5.54 The level of usage of public car parks in the town centre will be monitored and new public provision will be made, if necessary, and subject to the availability of funding.

5.55 A recent survey by the Construction Services Manager suggests that at peak times (Thursday morning and Saturday morning and afternoon) there is a surplus of between 100-150 spaces in Banbury town centre. At non-peak times Castle Gardens car park reaches about 70% occupation and the multi-storey car park 40% occupation.

5.56 It is concluded that the need to provide additional parking spaces in Banbury Town Centre at the present time is not pressing. This will provide the Council with the opportunity to pursue its investigation of an integrated land use and transportation strategy (see the earlier reference to this in this chapter) with parking policy as a central part of that study. Experience elsewhere suggests that town centre parking policy (ie the provision and pricing of spaces) is an important means of managing access to town centres by car and the Council may also wish to change its parking standards (see Policy TR5 and Appendix B) accordingly as part of an emerging integrated land use and transportation strategy.

5.57 Until such a strategy is prepared and adopted, it would be unwise to decide whether further parking spaces should be provided in the town centre and whether there should be a fundamental review of pricing and time-control policies. Provision has been made in the reserve list of capital schemes for a substantial extension of the multi-storey car park should that be an option that the Council would wish to pursue but such schemes are expensive and might not be required if the Council were to pursue a more balanced strategy in future.

5.58 Restrictions placed by Central Government on local authority capital projects mean that the Council itself is unlikely to remain the primary source of finance for public car-parking provision. The Council is likely to rely heavily on assistance from the commuted parking payments (Policy TR6). At present this is operated on the basis that parking spaces will be provided in the town centre but it is possible that, in future, such payments might need to contribute to the provision of parking spaces elsewhere, possibly as part of park and ride facilities on the edge of the town or to assist public transport, walking or cycling as envisaged by paragraph 4.10 of the Government's planning policy guidance on transport (PPG13) and developers who ask the Council to accept commuted parking payments in future should be aware of this.

5.59 Co-ordinated locational, pricing and time-control policies will be operated to ensure an adequate distribution of car parks and an appropriate mixture of short-term and longer-term parking and will be kept under review and modified as necessary. The main objectives will be to minimise operational and enforcement costs, promote pedestrian safety and convenience, provide an acceptable balance of parking provision and distribution, and maximise usage of valuable land in the town centre. Consideration will be given to the need to discourage and, where necessary, to control, town centre related parking in adjoining residential areas. In any monitoring and provision of new car parking in the town centre, provision will be made for orange badge holders in a number of conveniently located places accessible to the different areas of the town centre.

Bus Station

5.60 As part of the scheme to extend the Castle Shopping Centre (see Chapter 4) provision will be made to relocate the existing bus station to a conveniently located site on the northern side of the proposed Castle Street extension. The new bus station will be well co-ordinated with road, cycleway and footpath networks so as to facilitate changes from one mode of transport to another and in particular convenient links to the shopping centre will be provided for pedestrians. The design of the new bus station will make provision for the needs of people with mobility impairments including seating, good signposting and tactile surfaces for people with sensory impairments and convenient links to the new shopping centre. An overflow parking area is to be provided at the rear of the Castle Gardens car park for the day-time parking of buses that do not need to wait in the bus station. It is intended that Bridge Street will be used for picking-up and dropping-off passengers but will not be used for bus parking.

Lorry parking

TR19 THE COUNCIL WILL RETAIN AN OVERNIGHT LORRY PARKING FACILITY AT CASTLE GARDENS.

5.61 The Castle Gardens lorry park currently provides an overnight parking facility for lorries. The lorry-parking facilities that are to be provided at the Cherwell Valley motorway service area (MSA) near Ardley may reduce the need for a lorry park to be provided at Banbury. There is a risk, however that drivers living at Banbury would not use the new MSA and, if the facility at Banbury were removed, that they would park lorries in suburban streets in Banbury. The plans to extend the Castle Centre therefore make provision for the current lorry park to be retained and for it to be used during the day time as an overflow park for buses. It is intended that the need to retain the lorry park will be reviewed following the opening of the M40 Motorway Service Area near Ardley.

BICESTER

Roads

5.62 In recent years there have been considerable improvements to the road network in the Bicester area. The M40 motorway extension, which was opened in 1991, provides two junctions for Bicester, at Ardley and Wendlebury. To the south of the Wendlebury junction, the A34 has been improved to provide a dual carriageway to Oxford and Southampton. The Department of Transport has improved the two mile length of the A41 from the Wendlebury motorway junction to the southern edge of Bicester to dual carriageway standard where it links with the western end of the Bicester southern bypass which was opened in January 1991.

5.63 There have also been a number of development-funded schemes in the town. The South Farm Link Road (from Banbury Road to east of the Buckingham Road) was constructed when Wilcon developed the South Farm area (Southwold), and the roads associated with the South East Bicester development (with exception of the bridge under the Marylebone Railway line and its southern approach, the link with Skimmingdish Lane and the connection to Launton Road near the British Gas site) have been substantially completed. There have also been minor improvements to Lords Lane and Howes Lane on the western edge of the town and access has been provided to the new Tesco superstore at Oxford Road.

TR20 LAND WILL BE RESERVED FOR THE FOLLOWING ROAD SCHEMES SHOWN ON THE PROPOSALS MAP:

SCHEMES WHICH OXFORDSHIRE COUNTY COUNCIL (THE LOCAL HIGHWAY AUTHORITY) REQUIRE TO SERVE DEVELOPMENT:

- (i) COMPLETION OF THE SOUTH EAST BICESTER DEVELOPMENT ROADS
 - (ii) SKIMMINGDISH LANE IMPROVEMENT
 - (iii) LAUNTON ROAD (NORTHERN END) IMPROVEMENT
 - (iv) LORDS LANE IMPROVEMENT AND BUCKNELL ROAD RAILWAY BRIDGE IMPROVEMENT
 - (v) HOWES LANE IMPROVEMENT

(vi) TOWN CENTRE LINK ROAD (LAUNTON ROAD TO MARKET SQUARE)

(vii) PERIMETER ROAD, OXFORD ROAD HOTEL SITE

(viii) THE A421 DIVERSION/STRATTON AUDLEY TURN IMPROVEMENT

5.64 Development funding of these schemes will be sought in accordance with policy TR1 in this plan.

5.65 The South East Bicester development roads, the Skimmingdish Lane improvement and the Launton Road (northern end) improvement are brought forward from the Bicester Local Plan. They are required to serve the new development areas and distribute traffic around the edge of the town so that it need not pass through the existing town, in particular the town centre and residential areas, and the nearby villages of Launton and Caversfield. There is an urgent need for the underbridge and the eastern distributor road to be completed to enable the road network to function efficiently, reduce through traffic in Launton and enable development to proceed on the southern part of the commercial allocation that lies between the two railway lines.

5.66 The Lords Lane improvement is required to serve most of the Slade Farm development site and to encourage the distribution of traffic around the town rather than through the town centre and residential areas. Part of the scheme involves the improvement of the junctions on either side of the Bucknell Road railway bridge and the realignment of the road under the bridge. It may also be necessary for improvements to be made to the bridge itself, for instance the alignment of the bridge abutments, in order for the roads and junctions in the vicinity of the bridge to function satisfactorily.

5.67 The Howes Lane improvement is a scheme to strengthen and improve Howes Lane within the existing highway boundaries, in order to help distribute traffic around the edge of the town.

5.68 The Town Centre Link Road is a County Council scheme that has been brought forward from the Bicester Local Plan and the Bicester Informal Town Centre Map before that. The first phase of this road has been completed and this scheme will complete the road. The link road will facilitate the development of the adjoining development sites and improve the environment of Market Square (see the section on pedestrianisation in Chapter 4). The scheme lies within the Bicester Town Centre Conservation Area and the Council will pay particular regard to the design of the road, including boundary walls, lighting and landscaping, so as to minimise the environmental impact on the area and, where possible, improve it.

5.69 Reference is made to the Perimeter Road, Oxford Road Hotel Site in the section of the plan dealing with tourism. The road is required to relieve the existing road network in the Oxford Road area and hence allow access to be provided to the site from Oxford Road. Access will not be permitted to the site from the new perimeter road. The owner of the site has agreed to dedicate the land for the road and make a substantial contribution to its construction cost. The Department of Transport is in the process of dualling the section of A41 between the western end of the bypass and the Wendlebury motorway interchange.

5.70 The A421 Diversion/Stratton Audley turn improvement is required to serve the new airfield development areas in such a way that traffic that is generated by them is encouraged to use the perimeter road network around Bicester rather than make any unnecessary journeys

through the town centre and residential areas. The alignment of the perimeter airfield road and associated traffic management measures will have the effect of diverting existing A421 (Buckingham Road) through traffic around the town via the eastern peripheral road and the southern bypass. This will help to relieve traffic congestion and improve safety and the environment generally where the A421 passes through the town and particularly in Field Street, Queens Avenue, Kings End and Oxford Road. It is vital that the road through Launton village is not used as a "rat run" by through traffic and particular care will be exercised by the Council in considering designs for the junction of that road with the proposed A421 diversion and the Skimmingdish Lane improvement to ensure that this route is only attractive to local traffic that needs to go to Launton.

Car Parking

5.71 There are approximately 920 public car parking spaces in Bicester of which 790 are in off-street car parks. These figures include the 92 spaces that were added by the Crown Walk scheme.

5.72 The Council will monitor car parking demand in Bicester town centre in order to establish its future strategy for the provision of car parks.

5.73 The Council employed consultants in 1989 to prepare a car parking strategy for Bicester town centre for the period up to 1996. They estimated that, allowing for a trade diversion to the new Tesco superstore on the edge of the town, at least 500 new spaces would be required in the town centre. No estimate was made of additional provision for the period between 1996 and 2001. On the basis of the consultants study, the Council accepted that there was a need for additional car parking facilities in the town centre.

5.74 Since that time, the question of investment in public car parking facilities in Bicester has been considered further by the Council in response to the severe restraints on public spending and because the opportunity now exists to study the actual rather than theoretical impact of the opening of the Tesco superstore on parking in the town centre. As a consequence, a further parking study has been prepared which has led the Council to conclude that (i) current parking demands are being met (ii) the current pricing policy should be reassessed with a view to making more short-term spaces available in the central car parks and (iii) the overall demand for car parking in the town centre should be reviewed in 1994. In any monitoring and provision of new car parking in the town centre, provision will be made for orange badge holders in a number of conveniently located places accessible to the different areas of the town centre.

5.75 The Council intends that the small area of open land to the north of the Talisman Centre, as extended, and adjacent to Bicester South Railway Station should be reserved for future use as a car park. It is anticipated that the existing Oxford to Bicester railway service is likely to become more popular in future and this site could be required to provide additional car parking for rail users.

5.76 The Council is aware that facilities for lorry parking are to be provided when the Cherwell Valley motorway service area at Ardley opens and it believes that this provision will serve the needs of the Bicester area. The Council does not wish to encourage lorries to park in Bicester and therefore no provision is being made in the town.

KIDLINGTON, YARNTON AND BEGBROKE (EAST)

Roads

5.77 Following the opening of the M40 extension in January 1991, the major through route from Oxford north is now via the A34 (formerly the A43) to the north-east of Kidlington. The A44 (formerly the A34) which passes through Yarnton is identified as a county inter town route in the Structure Plan. The M40 extension has relieved the A4260 (formerly the A423) which passes through Kidlington of some long distance traffic and this road is no longer recognised as being part of the primary road network.

5.78 The Council will encourage traffic management of the former A43 Bicester Road by the County Council to reduce existing traffic speeds.

5.79 The pedestrianisation scheme in Kidlington shopping centre is discussed in the chapter on town centres and local shopping.

5.80 A study of car parking in Kidlington has been prepared for the Council by consultants. This showed that there was no shortage of spaces when the study was prepared and that there would be sufficient spaces in the period studied (ie up to 1996) provided that the Council can secure for public use any privately-owned spaces associated with the Tesco and Coop supermarkets should either of those stores close as a result of the opening of the Sainsbury superstore.

Public Transport

TR21 LAND USE PROPOSALS TO IMPROVE PUBLIC TRANSPORT FACILITIES BETWEEN THE KIDLINGTON AREA AND NORTH OF OXFORD, INCLUDING PROPOSALS TO PROVIDE ADDITIONAL PARK AND RIDE FACILITIES, WILL BE SYMPATHETICALLY CONSIDERED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

5.81 The above policy recognises the importance that the Council attaches to improving public transport facilities in this area even though the difficulties of finding suitable sites either in the green belt or in the existing built-up areas are likely to be considerable.

5.82 The Oxford City park-and-ride bus service at Peartree Roundabout lies just outside the plan area. Oxford City Council considers that, at the current rate of demand, more parking space will be required during the plan period. It is unlikely that the Peartree Hill site can be extended by more than about 350 spaces for operational reasons, and it is likely that an additional site will be needed in the north Oxford area.

5.83 The Banbury - Oxford railway line passes through Kidlington. Although the village does not currently have a station investigations are being made by the County Council in conjunction with British Rail into the possibility of a new station being constructed. Matters such as a suitable location for the station and funding have yet to be resolved.

Cyclists

5.84 Cycling to work is particularly popular in Kidlington and Gosford. However, the attractiveness of cycling is diminished by the conflicts between motorists and cyclists, particularly on the major roads. The District Council is aware of the need to make safe provision for road users other than motorists, and supports the extension and improvement of the existing cycle tracks into Oxford by Oxfordshire County Council.

5.85 The County Council hopes to construct a 7.5 km cycleway between Kidlington and Oxford along the Oxford Canal. The scheme has not yet been included in its capital programme.

British Waterways is willing to consider such a scheme but is concerned about potential hazards particularly safety on the towpath, should large numbers of cyclists use the facility. The District Council will encourage the County Council and British Waterways to study the potential for such a cycle track to be provided as part of a local network which would include a connection to the route that is proposed to serve Cassington and Eynsham. If a satisfactory scheme emerges consideration could be given to including it as a formal proposal in a future review of the local plan.

THE COUNTRYSIDE

Roads

TR22 LAND WILL BE RESERVED FOR THE FOLLOWING ROAD SCHEMES SHOWN ON THE PROPOSALS MAP:

SCHEME PROPOSED BY THE DEPARTMENT OF TRANSPORT

(i) IMPROVEMENT OF THE A43 FROM THE ARDLEY M40 INTERCHANGE NORTHWARDS TO THE DISTRICT BOUNDARY NEAR THE JUNCTION WITH THE B4031 AT BARLEY MOW FARM.

SCHEMES PROTECTED BY OXFORDSHIRE COUNTY COUNCIL

(ii) WOODSTOCK BYPASS

(iii) B4031 IMPROVEMENTS.

5.86 The A43 improvement relates to a section of single carriageway road between the M40 junction at Ardley and existing improvements to the north in the Brackley area. It is part of the Department of Transport's continuing programme of trunk road improvements. The scheme includes a proposal to improve the junction of A43 and M40 the design of which is currently being considered by the DTp following consultation which took place during the spring of 1992. The proposal shown on the Proposals Map is therefore only diagrammatic.

5.87 Oxfordshire County Council has resolved to protect for development control purposes the line of the Woodstock bypass shown on the proposals map. The scheme is not included in the County Council's programme and the line is protected to reserve the option should circumstances change. Part of the scheme lies within the district.

5.88 Oxfordshire County Council intends to improve the B4031 in the vicinity of Finmere and Mixbury. The Finmere diversion will improve the route for through traffic and will improve safety and reduce pollution in Finmere. The scheme is intended to link with the Tingewick Bypass to the east which is to be provided by Buckinghamshire County Council. Planning permission for the scheme was granted in September 1994. The improvement at Monk's House/The Bowling Green near Mixbury is to improve a bend. The improvement will be continued further to the west by Northamptonshire County Council. The lines on the Proposals Map show the proposed routes at June 1995.

CHAPTER SIX RECREATION AND COMMUNITY FACILITIES

Introduction

6.1 Sport and recreation have for a long time been rightfully seen as important land uses, in recent years the more so as open land becomes increasingly under pressure for development. The Government recognised this when it published its Planning policy guidance on Sport and Recreation in 1991 (PPG17) which stresses the importance of protecting open spaces and the contribution that they can make to the natural and built heritage of an area. Open space is unlikely to revert to its previous state once it is developed and the provision of new facilities elsewhere particularly on the urban fringe is often expensive due to the 'hope value' attached to the land by owners. The acquisition of such land is therefore difficult given the constraints on local authority spending.

6.2 The Council has also recognised the importance of sport and recreation including the arts to the community. The publication, by consultants in 1990, of a recreation strategy for the Council has led to the adoption of a general recreation policy which states:

"Within the limits of its financial constraints the District Council aims to provide all its residents with as many recreational opportunities as is possible and to provide a diversity of facilities and services. In relation to sport the District Council will also seek to assist individuals and teams with promise to obtain excellence in their particular fields."

6.3 The provision of recreation facilities is a responsibility shared by County, District and Parish Councils, and private sports clubs and associations. Generally, within the rural areas the Council expects the Parish Councils to provide such facilities. However, within Banbury the District Council, through the Banbury Special Rate, funds most public facilities although there is some joint provision with Oxfordshire County Council. In Bicester, the Town Council provides the majority of facilities although there is some provision by the District Council and the County Council. The private sector makes a very important contribution to the provision of facilities throughout the District.

Assessment of Need

6.4 The recreation strategy referred to in 6.2 above identified a number of shortfalls in leisure provision throughout the District including a demand for additional wet and dry indoor facilities. In respect of the arts the Council has identified a need for a new multi-purpose venue in Banbury with a 500-600 seating capacity. From its own experience and in liaison with Parish Councils the Council is also aware of the lack of good quality sports pitches throughout the District and it has undertaken an assessment of current pitch provision measured against the standards recommended by the National Playing Fields Association. The findings are summarised under the relevant policy areas below. However, in Banbury, where the District Council is the main provider of facilities consultants were commissioned to undertake a detailed study of demand for sports pitches in the town.

6.5 In order to ensure an adequate supply of land for recreation use the following policy is proposed.

R1 THE SITES IDENTIFIED ON THE PROPOSALS MAP FOR RECREATION USE WILL BE RESERVED FOR THAT PURPOSE. PROPOSALS THAT CONFLICT WITH THIS USE WILL BE RESISTED.

6.6 A more detailed description and explanation of the sites identified is given under each of the policy area headings below. In selecting these sites, the Council intends that, as far as is possible, they should be accessible to the disabled, with sealed surface paths and gradients not exceeding 1 in 20.

BANBURY

Formal Open Space Provision

6.7 Banbury currently has approximately 33.15 ha (81.9 acres) of formal open space. These include outdoor football, rugby and cricket pitches, and all weather surfaces which are generally available for public use. These facilities are provided by both the public and private sectors.

6.8 This figure will, however, rise to approximately 37.8 ha (92.36 acres) as a consequence of plans by the Banbury Rugby Club to relocate and expand its facilities on a new site to the south of the town. The Council is nevertheless aware of a general shortage of sports pitch facilities and for this reason it instructed consultants to undertake a study of demand for outdoor playing pitches in Banbury in order to determine the nature of the shortfall. The methodology used to assess this demand was based on the Sports Council methodology in the "Playing Pitch Strategy". The consultants published their findings in May 1993.

6.9 The conclusion of the report was that there was clearly a shortage of football pitches in Banbury. There is a need for at least 8 further good quality pitches to cater for demand up to 1999 with all pitches being able to accommodate a minimum of two games per week. They should not be used for other informal recreation pursuits.

6.10 The report also found that there was also a requirement for an additional artificial turf pitch to cater for the demand from hockey. There was adequate provision for cricket in the area in May 1993, although 2 cricket pitches would be desirable to encourage further participation. These could be provided within the area for new football pitches.

6.11 The proposed housing development to the north of Hardwick Estate will provide additional formal recreation facilities to meet the needs of the new development. The land, which is to be provided by the developer, is located to the north of the proposed link road and its location is shown on the Proposals Map. It is anticipated that this site will be suitable for the provision of at least two or three sports pitches and a synthetic turf pitch.

6.12 This small allocation will not, however, reduce the existing demand for formal recreation facilities within the town. The Council proposes therefore to undertake a detailed investigation of various sites close to the town with the objective of identifying a small number of sites for the provision of additional recreation facilities.

The areas of search will be:

- (i) land to the south of Bankside;
- (ii) land to the north of Drayton School;
- (iii) land to the north west of the Hardwick Estate adjacent to the Warwick

Road.

- (iv) land to the south of Salt Way and to the east of Bloxham Road;

Informal Open Space Provision

6.13 In addition to formal open space there is a good distribution of approximately 49.52 ha (122.4 acres) of informal open space within the town. This equates to 1.25 ha (3.1 acres) for every 1,000 population. This open space ranges from Spiceball Country Park to small amenity spaces and children's play areas within housing estates. Due to their recreational and amenity value there is an intention to resist the loss of these open spaces (Policy R11).

6.14 New provision of informal open space will come about as a consequence of new housing developments (Policy R12) and via the actions of the Council. Within its limited budget it is continually looking for opportunities to add to the town's public open spaces. The areas with the greatest potential lie close to the River Cherwell/Oxford Canal, where land is unsuitable for development because it is liable to flood or is difficult to access.

6.15 The Council has recognised this potential and has recently been party to a study of the canal corridor conducted on behalf of the British Waterways Board and local authorities. It is expected that this study will lead to the establishment of a long distance footpath in the form of a linear park along the length of the canal corridor. (Policy R8).

6.16 In addition it has recently created a walk around the Banbury Reservoir which links in to the Banbury Fringe Circular Walk. A public car park has been provided at the northern end of Spiceball Park for use in association with this area.

Open-Air Swimming Pool

6.17 The Council has recently prepared a scheme in partnership with the private sector to develop the open-air swimming-pool site in Park Road providing an enhanced pool area, an indoor bowls centre together with improved facilities at Woodgreen Hall. Construction work on the project commenced in 1993.

The Sports Centre

6.18 The Spiceball Park Sports Centre includes two sports halls, swimming and training pools, 4 squash courts and facilities for health and fitness. The Council is in the process of improving the facilities at the Centre with phase 1, which provided an improved dry sports changing area and a health suite, completed. Phase 2 which consists of improvements to the pool and wet changing areas is scheduled to commence in 1992. Three further phases are planned but are dependent on the necessary funding being available. In these improvements, the needs of the disabled will be fully taken into account so that they can use all the facilities and can take part or spectate together with their families or friends.

Allotments

6.19 The town will have 0.22 ha (0.55 acres) of allotments per 1,000 population in 2001, which will exceed the Thorpe Committee's recommendation of a minimum of 0.20 ha (0.5 acres) per 1000 population. The demand for allotments has fluctuated in the past, and in recent years the supply has generally exceeded demand. The use of allotments will be periodically reviewed and the redevelopment of any allotments that are productive and well used will not normally be permitted.

BICESTER

Formal Open Space Provision

6.20 Bicester has 17 ha (42 acres) of open space that are used for formal sports, including 3.4 ha (8.5 acres) which are privately owned by Bicester Sports Association at Oxford Road. This is 0.79 ha (1.97 acres) per thousand population which can be compared to the standard of 1.6-1.8 ha (4 to 4.5 acres) per thousand that has been advocated for many years by the National Playing Fields Association as a minimum standard and is referred to in PPG 17.

6.21 By 2001 with the projected population growth of the town the situation will have worsened. Therefore, it is proposed to allocate land on the eastern side of Bicester Airfield, as indicated on the proposals map, and so create the opportunity for the establishment of sports facilities and a country park. The provision of these facilities will be dependent upon the provision of the land in accordance with policy EMP2 but will be implemented independently of the employment generating development. It is intended that funding of the facilities will be determined by the Council, Bicester Town Council and local sporting organisations working in partnership. In the future there is the potential to extend the country park to incorporate Stratton Audley quarry once mineral extraction has ceased. Any development of the quarry will have to have regard to its partial designation as a SSSI. In accordance with Policy R1 proposals that would conflict with this will be resisted. The provision of sports pitches is also to be required of the developers of the Slade Farm housing development to meet the needs of its residents.

Informal Open Space Provision

6.22 There are 12 ha (29.5 acres) of informal open space in the town all of which is available to the public. In addition there are four other playgrounds totalling 0.9 ha (2.2 acres). Added to the grounds at The Garth, Launton Road, there is a total of 31.52 ha (33.5 acres) of informal open space in Bicester which is 0.62 ha (1.55 acres) per thousand people.

6.23 There is generally a good distribution of open space in the town; most residential areas have some open space within a convenient walking distance. School playing fields also add to the amenities of some areas although casual access by the public is not usually permitted.

6.24 A number of proposals for public open space were made in the Bicester Local Plan and are being brought forward in this plan. These include an area of 26 ha (65 acres) of floodplain in the South East Bicester development area which will form a linear park. In the northern part, where the linear park is planned to cross the Oxford-Bletchley railway line the Council will seek to ensure the continuity of the Linear Park notwithstanding consent for the provision of a railway siding to serve the employment land to the south-east. The Bicester Local Plan makes provision for this to be extended north westwards by the addition of other new areas in the vicinity of the eastern end of Skimmingdish Lane. The park would then extend around the northern edge of the town and link with other open space being provided further to the west. It is the Council's intention that the physical and visual continuity of the linear park be maintained in this general location. The open space in the South East development will be supplemented by a further 2 ha (5 acres) that is to be provided within the housing areas. An area of 3.6 ha (9 acres) is being provided on the South Farm site as part of that housing development.

6.25 The linear park that is planned will provide the opportunity for longer walks for those living near the eastern and northern fringes of the town. Many areas also have convenient access to the adjoining countryside via the public rights of way network which the Council will seek to extend where appropriate.

6.26 Generally, it is considered that the existing provision of open space locally for informal recreation and amenity is adequate. This will be supplemented by the open space to be provided in the new housing areas which were allocated for development in the Bicester Local Plan. The open space that is proposed elsewhere in this plan at Slade Farm will bring the total provision up to 69 ha (170 acres), or 2.29 ha (5.68 acres) per thousand population in 2001.

The Sports Centre

6.27 The Consultant's study referred to in paragraph 6.2 above recommended that Bicester should be the priority location for new sports centre investment because of its projected population growth. The Bicester and Ploughley Sports Centre in Queen's Avenue includes two sports/activity halls, swimming pool and facilities for squash, and health and fitness. There are also two small outdoor pitches with synthetic surfaces. The Council has provided a new activity hall, creche and snooker/meeting room and intends to consider providing a new teaching pool and associated improvements and a first-floor extension when funds become available possibly for indoor bowls. In these improvements, the needs of the disabled will be fully taken into account so that they can use all the facilities and can take part or spectate together with their families or friends.

6.28 Any development proposals at the Sports Centre will need to be compatible with adjoining land uses and in particular residential property. The Council will have particular regard to the need to limit the impact of noise, traffic and floodlighting.

Allotments

6.29 In recent years, with demand for allotments low, the provision in Bicester has fallen considerably as the Council has granted planning permission for residential development for private and public sector housing on allotment sites in the town. The current provision stands at 5.9 ha 14.6 acres which is 0.27 ha (0.68 acres) per thousand population (1991). If there were no changes to this provision, the figure would be 0.19ha (0.49 acres) per thousand in 2001. This compares with the recommendation of the Thorpe Committee that a minimum of 0.20 ha (0.5 acres) of permanent allotments should be provided per thousand population and that further provision should be at the discretion of local authorities.

6.30 Previous plans for Bicester have made provision for allotments on 2.43 ha (6 acres) of land adjacent to Skimmingdish Lane. This is now proposed for open space use but could be considered for allotment use in future if the demand increases again.

KIDLINGTON AND GOSFORD

6.31 Kidlington and Gosford Sports Centre is funded jointly by the District Council and Oxfordshire County Council. The centre has a sports hall and swimming pool, fitness room and squash courts, together with an outdoor artificial turf pitch. This is the major indoor recreational facility in the Kidlington area. The Council intends to extend the Sports Centre subject to the availability of the necessary funding during the plan period.

6.32 It has long been recognised that there is a shortfall of playing fields and other recreational land in Kidlington. There are approximately 14.2 ha (35 acres) of public playing fields in the area; a provision of 0.92 ha (2.29 acres) per thousand population, compared to the standard of 1.7-1.8 ha (4 to 4.5 acres) per thousand referred to in PPG 17. Furthermore, many of the facilities suffer as a result of over-use.

6.33 Kidlington and Gosford and Water Eaton Parish Councils are seeking to improve the situation by providing additional outdoor facilities commensurate with the demand identified following studies undertaken by the Parish Councils with assistance from the District Council. The Parish Councils have obtained outline planning consent for recreational use of land adjacent to the old Bicester Road south of Beagles Close, in the vicinity of Gosford Farm. The District Council supports the Parish Councils' initiative and will assist them in the implementation of these proposals.

6.34 The Parish Councils' proposals include some provision for additional allotments. The demand for allotments fluctuates over time, and where demand increases the District Council will support the provision of more allotments; this is likely to be in the Green Belt. Any new development proposed on allotment land will be considered having regard to the present demand, the proposed use and other policies in the plan.

THE COUNTRYSIDE

6.35 Over 80% of the population visit the countryside for recreational or sporting purposes at least once a year. Informal recreation, including walking is the most popular activity. The characteristics of the countryside which attract visitors include natural beauty, landscape diversity and conservation value, and natural features and land/water/air resources which can be used for sport.

6.36 The following policies recognise the fact that the quality of the countryside is its greatest asset in attracting visitors therefore it is important that it is protected whilst at the same time providing for the needs of the local community, local economy and visitors to the area.

R2 PROPOSALS FOR NEW SPORTING AND RECREATION FACILITIES IN THE COUNTRYSIDE WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

6.37 Many sports and pastimes require considerable amounts of land or require to be sited some distance away from dwellings in order to operate. Such activities cannot always be expected to be located in towns, and there are many rural and urban fringe sites which may be suitable. However, it is essential that the establishment of such activities is not detrimental to the rural environment, and therefore the environmental policies in this Plan will be applied when considering proposals for new recreational uses.

Golf Courses, Golf Driving Ranges and Associated Buildings

R3 PROPOSALS FOR NEW GOLF COURSES WILL GENERALLY BE PERMITTED PROVIDED THE FOLLOWING CRITERIA ARE MET:

(i) THERE ARE NO SIGNIFICANT LANDSCAPE OR NATURE CONSERVATION OBJECTIONS;

(ii) A SATISFACTORY MEANS OF ACCESS CAN BE ACHIEVED;

(iii) THE NATURAL BEAUTY OF AN AREA OF OUTSTANDING NATURAL BEAUTY IS NOT DAMAGED;

(iv) THE SETTING OR APPEARANCE OF A LISTED BUILDING, ARCHAEOLOGICAL SITE OR HISTORIC PARKLAND OR GARDEN IS NOT

ADVERSELY AFFECTED;

(v) THE PROPOSAL DOES NOT INVOLVE A SIGNIFICANT LOSS OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND. THIS IS DEFINED AS BEING GRADES 1, 2 AND 3A IN THE MINISTRY OF AGRICULTURE, FISHERIES AND FOOD'S AGRICULTURAL LAND CLASSIFICATION SYSTEM.

ALL PROPOSALS WILL BE SUBJECT TO THE OTHER POLICIES IN THE PLAN.

6.38 The perceived demand for golf courses has increased greatly in recent years with an attendant increase in planning applications for new courses. Since 1988 approximately 10 new courses have been granted planning permission in the District although to date only one is under construction. Most applications for courses particularly if only a modest clubhouse to serve the immediate needs of golfers is proposed will generally be acceptable provided the quality of nature conservation and the landscape would not be materially prejudiced and there are no highway or agricultural objections. There will be a presumption in favour of retaining existing vegetation and landscape features in order to preserve as far as possible the visual character of the countryside and the indigenous wildlife of the site. The enhancement of landscape and wildlife habitats will be encouraged.

6.39 Where a golf course is proposed in a particularly sensitive location e.g. within an AONB, adjacent to a site of archaeological or ecological interest or within an historic parkland or garden the Council may request the submission of an archaeological and/or environmental assessment. Where a public right of way passes over a proposed golf course site developers are advised to refer to Oxfordshire County Council's guidelines for the accommodation of rights of way.

6.40 Proposals for hotels and other facilities associated with golf courses will be considered against policy T5(i) in this plan.

6.41 Applications for golf driving ranges will have to be carefully considered having regard to policy R3 and the harmful impact that they can potentially have on the character and appearance of the landscape. Of particular concern is the impact of floodlights required to light the range. Therefore, sites that are conspicuous in the landscape and/or are visible over long distances will not normally be considered appropriate for such a use. Even where the Council is minded to accept a proposal it will require substantial screen planting to mitigate the visual impact of the driving range on the landscape.

6.42 Except on hilly or undulating terrain, it will be possible for golf course designers to plan the layout of golf courses so that they can be used by people with mobility impairments. This will particularly be the case for par 3 courses and driving ranges. In such cases, the Council will encourage the design of the courses so that they can be used by the disabled.

Rights of Way and Access to the Countryside

R4 THE COUNCIL WILL SAFEGUARD THE EXISTING PUBLIC-RIGHTS-OF-WAY NETWORK. DEVELOPMENT OVER PUBLIC FOOTPATHS WILL NOT NORMALLY BE PERMITTED.

6.43 The Council will safeguard the existing rights of way network throughout the District. However, in exceptional circumstances where a satisfactory alternative is proposed the Council may be prepared to accept a diversion. As well as safeguarding existing rights of way the District Council will promote improved access to the countryside for recreation in accordance with a "Strategy for Action" which is to be prepared in association with Oxfordshire County

Council and the Countryside Commission. The strategy will seek to strike the necessary balance between improving access, protecting the countryside and wildlife, and avoiding conflict with the interests of agriculture and of those who live and work in the rural areas. The Council offers grant assistance to Parish Councils and landowners seeking to improve access to the countryside by the provision of pocket parks, circular walks, access for the disabled etc. Information on these grants can be obtained from the Council's Leisure Services Department.

R5 THE COUNCIL WILL SUPPORT PROPOSALS FOR USE OF REDUNDANT RAILWAY LINES WHICH IT IS NO LONGER FEASIBLE TO REOPEN FOR PASSENGER OR FREIGHT USE AND DISUSED QUARRIES FOR RECREATION PURPOSES. ALTERNATIVE PROPOSALS WHICH WOULD PRECLUDE SUCH USE WILL BE RESISTED.

6.44 The County Council is investigating the possibility of using redundant railway lines as long-distance footpaths. The location of the sites referred to in policy R5 and general guidelines for their future use will be included within the "Strategy for Action". In assessing any proposal regard will be had to protecting sites of scientific or nature conservation importance.

Shipton on Cherwell quarry

R6 THE COUNCIL WILL PERMIT PROPOSALS FOR THE RESTORATION AND USE OF SHIPTON-ON-CHERWELL QUARRY FOR OUTDOOR RECREATION PROVIDED:

(i) THE DEVELOPMENT WOULD NOT RESULT IN DAMAGE TO, OR LOSS OF A SITE OF SPECIAL SCIENTIFIC INTEREST.

(ii) THE DEVELOPMENT MEETS THE REQUIREMENTS OF THE OTHER RELEVANT POLICIES IN THE PLAN.

6.45 Whereas it is expected that most outdoor sports will be accommodated on land currently in agricultural use, the worked area of Shipton on Cherwell quarry, now disused, offers potential for outdoor recreation pursuits. Alternative uses for the worked area that might be appropriate to the Green Belt location could include water-related pursuits and camping and caravanning, subject to the consideration of formal proposals against the other policies in this Plan. A large part of the site has been notified under Section 28 of the Wildlife and Countryside Act 1981 as a Site of Special Scientific Interest (SSSI). The quarry is also identified as a County Wildlife Site on the County Alert Maps. Development proposals will therefore be considered against Policy C1, although it is recognised that if the current practise of keeping the water levels in the quarry artificially low through pumping were to cease, some sites of nature conservation interest may be lost. The Council expects any proposal for recreation use to incorporate proposals for the removal of the existing buildings and plant and an improved access to the site.

The Oxford Canal & River Cherwell

6.46 The Oxford Canal and River Cherwell are now almost entirely used for recreation purposes, and are attractive to walkers, anglers, and naturalists. The canal is a major attraction for boat users, being the second most popular stretch of canal in the country.

R7 THROUGH THE CONTROL OF DEVELOPMENT THE COUNCIL WILL SEEK TO PROTECT AND ENHANCE THE RECREATION ROLES OF THE OXFORD CANAL AND RIVER CHERWELL.

R8 THE COUNCIL WILL SEEK THE CREATION OF A LONG DISTANCE WATERWAYS TRAIL BASED ON THE CANAL TOWPATH.

6.47 In 1990 a partnership of local authorities and the British Waterways Board was formed to commission a survey and analysis of the Oxford Canal with the object of creating a long distance "Waterways Trail" based on the canal towpath, which would link ultimately between Oxford City and Coventry.

6.48 The proposed "Waterways Trail" will link with other existing rights-of-way to provide opportunities for long, medium and short distance walks of regional and local interest. The project is also expected to offer other opportunities for recreational provision and tourism promotion. For example, the commissioned report identified an opportunity for creating a linear park for informal recreation within the Cherwell Valley based on the Oxford Canal and River Cherwell corridor. The Council will seek to ensure that sections of the waterways trail will be constructed with the needs of the disabled in mind. These sections should, preferably, be located within and immediately adjacent to the urban areas of Banbury and Kidlington.

R9 WITH THE EXCEPTION OF APPROPRIATELY SITED SMALL CAR PARKS AND PICNIC AREAS, NEW FACILITIES FOR CANAL USERS WILL NORMALLY ONLY BE PERMITTED WHEN THEY ARE LOCATED WITHIN OR IMMEDIATELY ADJACENT TO SETTLEMENTS.

6.49 Policy R9 seeks to prevent the proliferation of facilities outside settlements in order to protect the open countryside. Proposals for small car parks, picnic areas or other similar facilities outside settlements will be considered against the environmental and transport policies in the Plan.

GENERAL RECREATION POLICIES

R10 PROPOSALS FOR NEW OR EXTENDED SPORTING AND RECREATION FACILITIES WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

R11 DEVELOPMENT PROPOSALS THAT WILL RESULT IN THE LOSS OF SITES USED FOR SPORT AND RECREATION WITHIN THE BUILT-UP LIMITS OF SETTLEMENTS WILL NOT NORMALLY BE PERMITTED. EXCEPTIONS WILL ONLY BE PERMITTED IF:

(i) THE PROPOSAL WILL NOT RESULT IN THE LOSS OF AN IMPORTANT SPACE WITHIN THE SETTLEMENT STRUCTURE OR THE AMENITIES OF THE SURROUNDING AREA;

(ii) THE COUNCIL IS SATISFIED THAT A SUITABLE ALTERNATIVE SITE IS TO BE PROVIDED WITHIN AN AGREED TIME PERIOD;

(iii) THE TRANSPORTATION AND ENVIRONMENTAL POLICIES IN THIS PLAN CAN BE MET.

(iv) THE PROPOSAL MEETS THE REQUIREMENTS OF THE OTHER POLICIES IN THE PLAN.

6.50 Policies R10 and R11 seek to maintain an adequate provision of outdoor recreation

facilities within the plan area for both formal and informal pastimes. In order to meet the identified shortfall in formal open space provision, particularly at Bicester and Kidlington/Gosford, the Council will encourage and support proposals both for formal and informal open space provision on sites that meet the requirements of the other policies in the Plan. Alternative uses for recreational sites will only be permitted in exceptional circumstances. The accessibility of sites to users will be one of the considerations in determining whether a proposed alternative site is suitable. Recreational land is under increasing pressure for redevelopment and there will often be a strong objection to redevelopment because of the contribution the site makes to the amenity of the surrounding area. When assessing such proposals the Council will also wish to be satisfied that a suitable alternative site for recreation will be provided to maintain an adequate provision of recreation facilities for the settlement concerned. When assessing water-related recreation activities regard will be had to the requirements of Policy ENV7.

6.51 The Council recognises that the use of private land for recreation purposes can be terminated without its consent. Reversion to agricultural use is permitted development, but such sites are more likely to be located on the periphery of a settlement than within its built-up limits.

R12 THE DISTRICT COUNCIL WILL NORMALLY REQUIRE IN CONNECTION WITH ALL NEW HOUSING DEVELOPMENTS THE MINIMUM PROVISION OF 2.43 HECTARES (6 ACRES) OF PUBLIC OPEN SPACE PER 1,000 POPULATION.

6.52 The on-site open space requirement can be broken down into the following component parts:

- (i) Amenity open space: 0.4-0.5 ha (1-1.25 acres).
- (ii) Children's playspace: 0.2-0.3 ha (0.5-0.75 acres).
- (iii) Sports grounds: 1.6-1.8 ha (4-4.5 acres).

Generally, the Council will require the open space to be provided within the development area and will not allow the provision to be made up of fragmented areas that are of little recreational use and which are expensive to maintain.

6.53 The Council does however recognise that it may not always be reasonable or appropriate to require on-site provision for all new housing developments particularly where a very small number of new dwellings is proposed. The Council will therefore apply this policy flexibly assessing each proposal on its merits. Particular regard will be had to the type of housing proposed i.e. family housing is likely to give rise to a greater demand for recreation facilities than that for the elderly, and the level and quality of the existing recreation facilities in the locality. Where the Council considers that a development does generate a demand for recreation facilities it may consider it more appropriate to seek a financial contribution from developers towards the improvement of facilities in the locality in accordance with the guidelines set out in Circular 16/91.

6.54 It is important that provision is made for children to gather and play in safety. Provision in the larger open spaces, where surveillance is practicable, and away from major roads, will generally be sought. Provision of appropriately equipped children's play areas, where surveillance is practicable, and away from major roads, will generally be sought. The Council will seek appropriate contributions from developers towards the maintenance of these play areas in accordance with the guidelines set out in Circular 16/91.

School Playing Fields/Grounds

R13 IN LOCATIONS WHERE THERE IS A SHORTAGE OF OPEN SPACE GENERALLY THE COUNCIL WILL RESIST PROPOSALS FOR THE REDEVELOPMENT OF SCHOOL PLAYING FIELDS EXCEPT WHERE:

(i) SPORTS AND RECREATION FACILITIES CAN BEST BE RETAINED AND ENHANCED THROUGH THE REDEVELOPMENT OF A SMALL PART OF THE SITE; OR

(ii) ALTERNATIVE PROVISION OF EQUIVALENT COMMUNITY BENEFIT IS MADE AVAILABLE IN THE LOCALITY.

ALL PROPOSALS WILL BE SUBJECT TO THE OTHER POLICIES IN THE PLAN.

6.55 In recent years, school playing fields and grounds have come increasingly under pressure for development as education authorities due to financial restraints, critically examine their assets in order to realise monies to reinvest in education. The Government is concerned that such disposals are only made when proper regard has been given to long term requirements and the potential for their use by the wider community. Such considerations are also the concern of the Council; particularly as there is a recognised shortfall in open space provision in the three main urban centres of the District; school playing fields often make a valuable contribution to visual amenity and may be used formally and informally by the public for recreation. Their development can erode the quality of the environment in a locality and once developed they are unlikely to be returned to open space use. The Council also recognises that the dual use of educational establishments can assist in the provision of sports and recreation facilities and will support and encourage shared use whenever practicable.

Community Facilities

BANBURY AND BICESTER

R14 WITHIN THE AREAS ALLOCATED FOR HOUSING DEVELOPMENT NORTH OF HARDWICK ESTATE, BANBURY AND SLADE FARM, BICESTER, LAND WILL BE RESERVED FOR COMMUNITY BUILDINGS WHICH WILL INCLUDE A PLACE OF WORSHIP.

6.56 The new housing areas in Banbury and Bicester will require the provision of local centres to serve the needs of the local population. The local centres will consist of shops, a community hall, doctors surgery, primary school, a place of worship and possibly a public house.

6.57 The provision of shops (Chapter 4), doctors surgeries (Chapter 11) and schools (Chapter 11) are considered elsewhere in the Plan. Community halls have been secured at the developer's expense by planning agreements at South East Bicester and South Farm and it is the Council's intention to secure a community hall for Slade Farm and land north of Hardwick Estate in the same way. The timing of construction will be determined by the rate of development of the land for housing.

6.58 To provide the opportunity for the provision of a place of worship the developers of Slade Farm and the land north of Hardwick Estate will be required to set aside approximately 0.2 ha (0.5 acres) of land in the vicinity of the local centre.

Rural Settlements

R15 PROPOSALS FOR VILLAGE HALLS, SPORTS FIELDS, ALLOTMENTS AND OTHER LOCAL FACILITIES WILL NORMALLY BE PERMITTED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

6.59 Land and buildings available for use by the whole community are an essential part of the social life of the village and it is important that such facilities are maintained and that, when required, new facilities are provided. The District Council will consider proposals to provide new facilities required by the local community and proposals to extend existing such facilities in the light of policy R15.

6.60 Opportunities may also exist for the reuse of redundant buildings for community uses and in considering such proposals the Council will apply the criteria set out in policies elsewhere in this plan which relate to the change of use and conversion of redundant buildings. The other policies in this Plan may be relaxed to facilitate the provision of such community facilities.

6.61 The District Council operates a scheme to provide financial assistance towards the provision of village halls. Further details of the scheme may be obtained from the District Treasurer at Bodicote House.

CHAPTER SEVEN TOURISM

Introduction

7.1 Tourism is one of Britain's fastest-growing industries. It makes an important contribution to the national and local economy and creates a considerable amount of employment. Many tourists visit the District on leisure trips with the primary attractions being Banbury and the picturesque villages. However, most leisure time visitors are just passing through the area between more traditional visitor attractions e.g. Oxford, Blenheim Palace, Stratford Upon Avon and Warwick Castle.

7.2 The District also attracts a large number of business visitors and it is expected that the new M40 extension will increase the number of such visitors to the area, particularly Banbury and Bicester. The motorway also provides an opportunity to increase the number of leisure visits. The Council wishes to encourage this growth while protecting and enhancing the area's environmental resources. This is reflected within its current Tourism Strategy which contains general policy "to promote the District for tourism to maximise economic and social benefits, whilst minimising environmental disbenefits". The Strategy advocates the achievement of this goal by improving tourism information provision and marketing. The Council is now proposing to review this strategy with the Cherwell Valley Waterways Corridor and the District's rural character as the major promotional features.

7.3 The Structure Plan also recognises the importance of tourism to the local and national economy but is concerned about the pressures that can be created on the transport system, housing stock and the environment. It advocates that new tourist-related developments should concentrate on promoting the inherent qualities and heritage of the County rather than the construction of purpose built leisure complexes. The following general policy is an interpretation of Structure Plan policy E4.

T1 PROPOSALS WHICH SEEK TO PROVIDE NEW OR IMPROVED FACILITIES FOR TOURISTS AND TO IMPROVE THE ATTRACTIVENESS OF THE AREA FOR TOURISM GENERALLY WILL BE ENCOURAGED SUBJECT TO THEIR COMPATIBILITY WITH THE OTHER POLICIES IN THIS PLAN.

Hotels, Motels, Guest Houses and Restaurants

7.4 The Regional Tourist Board has identified a need for more accommodation for visitors to Oxford in the future and a particular need for good-quality hotels. At the same time it has recognised the difficulties and conflicts that arise as a consequence of the additional traffic generated by a growth in tourism.

7.5 Whether further new hotels are provided within Oxford is a matter for Oxford City Council. Proposals for hotels or motels in the Green Belt will conflict with green belt policy. The extension of the M40 motorway northwards to Birmingham and other road improvements in the area are likely to stimulate a demand for hotel and conference facilities, and the Council expects proposals for new hotels to come forward at Banbury and Bicester, (Policies T3 and T4) within easy reach of the M40, that will help to meet demand generated by Oxford and by the improvement of communications in the area.

T2 WITHIN THE BUILT UP LIMITS OF A SETTLEMENT THE PROVISION OF NEW HOTELS, MOTELS, GUEST HOUSES AND RESTAURANTS WILL GENERALLY BE APPROVED SUBJECT TO THE OTHER POLICIES IN THE PLAN.

7.6 The Council considers that the provision of new hotel, motel, guest houses and restaurants within settlements is acceptable provided that the nature of the proposed development is compatible with the size and character of the settlement and there are no adverse environmental or transportation affects resulting from the proposal. Therefore large establishments will generally be unacceptable in the smaller villages. Part M of the Building Regulations requires that 1 in 20 guest rooms in new hotels must be fully accessible to people with disabilities.

7.7 The Council considers that planning permission is not required for the use of one or two bedrooms of a private dwelling for bed and breakfast purposes, provided the number of bedrooms used does not exceed 50% of the dwelling's total.

BANBURY

T3 THE LAND SHOWN ON THE PROPOSALS MAP IN THE VICINITY OF JUNCTION 11 OF THE M40 WILL BE RESERVED FOR HOTEL AND ASSOCIATED TOURIST OR LEISURE-BASED DEVELOPMENT.

7.8 This site has been allocated for hotel and associated tourist or leisure-based development since 1989 when the draft Banbury Local Plan Review was published. The Council still considers that there is a need for new hotel provision at Banbury. This should be located where hotel buildings can be easily found by those visiting the town, and this means a site should be available close to the M40 junction. If left to compete with other commercial development it is less likely that an hotel would be provided in the locality, indeed there have already been pressures for commercial development on this site. The foregoing policy therefore serves to avoid uncertainty as to where hotel development will be permitted and is subject to the other policies in the Plan. It is envisaged that not all of the site will be required for an hotel, thereby providing an opportunity for leisure-based development, such as a multi-screen cinema or a ten-pin bowling hall. There is an increasing demand for such facilities in these locations, convenient to a large catchment population, and the market is likely to be attracted to the potential of adjacent hotel and leisure-based sites. Banbury XX Cricket Club's pitch will remain undeveloped.

7.9 It is not the Council's intention however that policy T3 should preclude the consideration and promotion of other possibilities within the urban area for hotel and leisure based development. The Council will encourage Thames Water Utilities Plc to carry out further investigations into the feasibility of hotel and leisure development on the site of the existing Banbury Waterworks building and depot and adjacent land. Similarly, the Council itself will examine the potential for indoor leisure development by or in partnership with the private sector at the northern end of Spiceball Country Park. These studies will include a full technical appraisal of the means that might be available to ensure that the development of these sites, which lie in the recorded flood plain, do not flood or increase the risk of flooding elsewhere.

7.10 The Council will delete policy T3 by way of formal modification to this plan if, during the course of the Plan period, the construction of new hotels has commenced in Banbury which when completed could be regarded as having precluded the likelihood of market demand for a hotel on the site identified by Policy T3.

7.11 The development of petrol filling stations and other associated motorist service facilities in conjunction with hotel proposals in the vicinity of junction 11 and Hennef Way will be resisted in accordance with policy TR8 and paragraph 5.26 of this plan.

BICESTER

T4 THE SITE SHOWN ON THE PROPOSALS MAP ON THE CORNER OF THE OXFORD ROAD AND MIDDLETON STONEY ROAD IS CONSIDERED SUITABLE FOR HOTEL AND ASSOCIATED TOURISM, RECREATION OR LEISURE-BASED DEVELOPMENT SUBJECT TO THE CONSTRUCTION OF THE NECESSARY PERIMETER ROAD SHOWN ON THE PROPOSALS MAP.

7.12 The Council has recognised for some time that the growth of Bicester and the opening of the M40 extension has generated a need for further hotel development and is aware of the support for this provision in the Regional Tourist Board's tourism strategy published in 1989.

7.13 A local plan type consultation was undertaken in 1990 about a number of alternative sites on the southern edge of Bicester. After carefully considering the responses, the Council favoured the area at the corner of Oxford Road and Middleton Stoney Road. The selection of this site will minimise the visual impact of the development on the countryside and the owner has agreed in writing to dedicate the land for, and make a substantial financial contribution towards the construction cost of, the necessary perimeter road.

7.14 In considering proposals on the site, the Council will pay particular attention to securing substantial landscaping, to reduce the visual impact on the countryside, and the conservation, as far as is possible, of the important natural habitat in the northern most part of the site.

7.15 At the time this Plan was prepared, it was considered possible that the Bicester Village Factory Outlet scheme might generate significantly greater volumes of traffic in future than had been forecast at the time of the planning application. If this proves to be the case, Oxfordshire County Council as the local highway authority might seek improvements to the access arrangements to the Bicester Village scheme and to the local road network. This would conceivably mean that the County Council would favour an alignment of the hotel site perimeter road that would connect with the bypass, rather than the Tesco, roundabout. It is for that reason that the perimeter road is marked on the Proposals Map with a line of dots. If the Council needed to consider such an alternative alignment of the perimeter road, it would have regard to amongst other matters, the need to protect the character of the countryside and contain the physical expansion of Bicester and the need to minimise any adverse impact on the site and the operation of the roadside services on the western side of Oxford Road.

THE COUNTRYSIDE

T5 BEYOND THE BUILT UP LIMITS OF A SETTLEMENT THE PROVISION OF NEW HOTELS, MOTELS, GUEST HOUSES AND RESTAURANTS WILL GENERALLY ONLY BE APPROVED WHEN SUCH PROPOSALS WOULD:-

(i) BE LARGELY ACCOMMODATED WITHIN EXISTING BUILDINGS WHICH ARE SUITABLE FOR CONVERSION OR FOR SUCH USE; OR

(ii) TOTALLY REPLACE AN EXISTING COMMERCIAL USE ON AN EXISTING ACCEPTABLY LOCATED COMMERCIAL SITE. PROPOSALS TO EXTEND EXISTING HOTELS, MOTELS, GUEST HOUSES AND RESTAURANTS WILL BE ACCEPTABLE PROVIDED THEY CONFORM TO THE OTHER RELEVANT POLICIES IN THIS PLAN.

PROPOSALS FOR DEVELOPMENT IN THE GREEN BELT WILL BE CONSIDERED AGAINST THE APPROPRIATE GREEN BELT POLICIES IN THE PLAN.

7.16 The environmental policies in this Plan generally preclude the construction of new hotels, motels, guest houses and restaurants in the open countryside and policy TR8 restricts development in petrol filling stations and other commercial facilities for motorists beyond the built-up limits of settlements. However, a motel is to be provided as part of the proposed Motorway Service Area at Ardley. Policy T5 seeks to direct the demand for premises towards existing buildings which are suitable for conversion or towards existing commercial sites which may be acceptably redeveloped to provide tourist accommodation in order to protect the character of the countryside.

7.17 It is possible that proposals will emerge during the plan period for the development of integrated hotel, golf course and ancillary leisure based development beyond the limits of existing settlements. Notwithstanding policy T5 and the generality of the environmental policies concerning development in open countryside, such proposals will need to be evaluated on the basis of their individual merits and the degree to which they conflict with other policies in this plan. The Council recognises that there may be exceptional circumstances that would justify setting aside policy T5 to allow the development of facilities of this kind. Such proposals would not however be in the green belt, would be served by high standard roads and access and would be so situated as to be readily assimilated in the rural landscape without undue harm to its appearance and character.

7.18 At the time the plan was drafted, the commercial viability of projects such as that described in the paragraph above was open to question. It is in any event probable that during the plan period the market would support no more than two such projects in the District. The Council will therefore wish to avoid undue speculation which could lead to more planning permissions than necessary and pressures for alternative development should market demand not materialise. In the event that they are minded to grant planning permission for such a project the Council would seek a legal agreement from the landowner/developer to not pursue alternative major commercial projects on the land.

Self-Catering Accommodation

T6 PROPOSALS FOR SELF-CATERING HOLIDAY ACCOMMODATION WITHIN THE LIMITS OF EXISTING SETTLEMENTS WILL BE CONSIDERED IN THE LIGHT OF THE OTHER POLICIES IN THIS PLAN.

T7 PROPOSALS FOR THE CONVERSION OF A SUITABLE BUILDING BEYOND THE LIMITS OF A SETTLEMENT TO SELF-CATERING HOLIDAY ACCOMMODATION WILL BE FAVOURABLY CONSIDERED PROVIDED:-

(i) THE BUILDING IS WORTHY OF RETENTION FOR ITS INHERENT DESIGN QUALITY AND CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF THE COUNTRYSIDE AND THE PROPOSAL WOULD NOT SIGNIFICANTLY HARM THE CHARACTER AND INTEGRITY OF SUCH A BUILDING; AND

(ii) THE BUILDING IS CAPABLE OF CONVERSION TO SUCH USE WITHOUT MAJOR REBUILDING OR EXTENSION; AND

(iii) THE PROPOSAL WOULD NOT CAUSE SIGNIFICANT HARM TO THE CHARACTER OF THE COUNTRYSIDE OR THE IMMEDIATE SETTING OF THE

BUILDING; AND

(iv) THE OCCUPANCY OF THE ACCOMMODATION CREATED IS RESTRICTED TO HOLIDAYMAKERS;

(v) THE PROPOSAL COMPLIES WITH THE OTHER POLICIES IN THE PLAN.

7.19 Self-catering holiday accommodation has become increasingly popular in recent years and the Tourism Strategy for the Thames & Chilterns published by the Regional Tourist Board in 1989 identifies a need for well-designed, small self-catering accommodation, particularly in areas close to the Cotswolds. The Council will encourage the provision of further accommodation, particularly when this would result in the re-use of a building which is worthy of retention. The Council will seek to restrict the occupancy of such accommodation to holidaymakers, by means of either planning conditions or Section 106 agreements.

Camping and Caravan Sites

T8 CAMPING AND TOURING-CARAVAN SITES WILL NORMALLY BE PERMITTED ON SUITABLE SITES FREE FROM TRANSPORT OR ENVIRONMENTAL OBJECTIONS.

7.20 The District Council accepts that there is considerable demand for camping and caravan sites but is determined that they should be located unobtrusively. They should be located in positions where they will not impinge upon the rural landscape, nor affect the setting of ancient monuments or listed buildings nor prejudice the appearance of a conservation area. This will be best achieved by the provision of well screened small sites.

CHAPTER EIGHT AGRICULTURE AND RELATED DEVELOPMENT

Introduction

8.1 Despite changes in agricultural policies and practises in recent years, agriculture is still recognised as being important nationally, with Government advice contained in P.P.G.7 stressing the need for the maintenance of an efficient and flexible agricultural industry. However due to surpluses the Government has introduced the Set-Aside scheme, whereby agricultural land is being taken out of production for the first time this century. This is a temporary measure only and the protection of the best and most versatile land is to be continued.

8.2 Falling agricultural incomes and declining employment opportunities in the industry has led to the promotion of new initiatives in rural areas which are no longer agricultural based. Diversification of the rural economy in order to provide wider and more varied employment opportunities, whilst protecting and improving the countryside, is to be encouraged, and many farmers are investigating alternative uses for their land.

AG1 WITHIN THE DISTRICT, DEVELOPMENT PROPOSALS ON AGRICULTURAL LAND WILL BE ASSESSED BY THE FOLLOWING CRITERIA:

- (i) THE NEED TO PROTECT THE COUNTRYSIDE;
- (ii) THE NEED TO PROTECT THE BEST AND MOST VERSATILE LAND;
- (iii) THE NEED TO CONTROL THE RATE AT WHICH LAND IS TAKEN UP FOR DEVELOPMENT;
- (iv) THE NEED TO PROMOTE AND DIVERSIFY EMPLOYMENT OPPORTUNITIES AND RECREATIONAL FACILITIES WHILST ENSURING NO VISUAL DETRIMENT TO THE LANDSCAPE;
- (v) THE NEED TO AVOID A CONFLICT BETWEEN ESTABLISHED AGRICULTURAL INTERESTS AND OTHER LAND USES.

8.3 Development proposals on agricultural land will be assessed against policy AG1, which encompasses the objectives set out in Government guidance. Other policies contained in the Plan may also be of relevance in considering agriculture and related development proposals; in particular policies in Chapter Three dealing with employment in the rural areas, policy S26 in Chapter Four (farm shops) and various recreation policies contained in Chapter Six. Proposals for agricultural development in the Green Belt will be considered against the policies in Chapter One.

8.4 The best and most versatile land will be taken as Grades 1, 2 and 3a according to the Ministry of Agriculture, Fisheries and Food's land classification for England and Wales. This land has special importance and considerable weight will be given to the need to protect such land from development.

New Dwellings for Agricultural Workers

8.5 The criteria that need to be met before planning permission is granted for a new agricultural worker's dwelling in the open countryside are set out in the housing chapter (Policy H18 and paragraphs 2.76 - 2.80).

The Construction of Farm Buildings

AG2 FARM BUILDINGS AND ASSOCIATED STRUCTURES REQUIRING PLANNING PERMISSION SHOULD NORMALLY BE SO SITED THAT THEY DO NOT INTRUDE INTO THE LANDSCAPE OR INTO RESIDENTIAL AREAS. WHERE APPROPRIATE A LANDSCAPING SCHEME SHOULD BE INCLUDED AS PART OF THE PLANNING APPLICATION AND MATERIALS OF CONSTRUCTION SHOULD BE CHOSEN SO THAT THE DEVELOPMENT FITS SYMPATHETICALLY INTO ITS RURAL SETTING.

8.6 Recent changes in legislation have introduced significant amendments to agricultural permitted development rights. Whilst some agricultural development does not require planning permission, most new buildings and engineering works, including alterations to existing buildings, are controlled by the planning system. On holdings of 5 hectares (12.3 acres) or more, legislation now requires a developer who proposes to erect a building or to significantly extend or alter a building, or form or alter a private way, to first apply to the Local Planning Authority for a determination as to whether the prior approval of the Authority will be required, notwithstanding permitted development rights. Those proposing such a development are advised to contact the Council's planning section in order to ascertain whether such an application is required.

8.7 Where planning permission is required for a development the form, siting and construction materials should be selected in order to minimise its impact upon the landscape. Where appropriate conditions will be attached to planning permissions to require the submission and implementation of a landscaping scheme and to control construction materials. Further guidance on when the Authority will expect to receive an application under the prior approval system and advice on the siting and design of farm buildings is contained in the Council's supplementary planning guidance entitled "Planning advice for farmers - siting and design of farm buildings".

AG3 IN THE INTERESTS OF THE AVOIDANCE OF POLLUTION, NEW INTENSIVE LIVESTOCK AND POULTRY UNITS OR EXTENSIONS TO EXISTING UNITS THAT REQUIRE PLANNING PERMISSION WILL BE RESISTED WHERE THEY WOULD HAVE A MATERIALLY DETRIMENTAL EFFECT ON NEARBY SETTLEMENTS OR DWELLINGS DUE TO SMELL.

8.8 Intensive livestock and poultry units have considerable potential for environmental pollution. The major problem is caused by smell, which results from the exhaust ventilation of the buildings and the production of large amounts of waste. In order to lessen this problem proposals will normally be expected to follow the MAFF Code of Good Agricultural Practice for the protection of air. Wherever possible intensive livestock units should be located away from existing settlements. Local topographical conditions and prevailing wind directions will be considered to be particularly relevant when individual proposals are assessed. Similarly, proposals for new dwellings and other buildings normally occupied by people in close proximity to existing intensive livestock or poultry units will not be granted if it is considered that an unacceptable standard of amenity would result.

8.9 When an existing livestock or poultry unit has given rise to environmental problems, extension to it will be resisted unless the proposal forms part of a comprehensive package which will reduce the overall level of pollution.

AG4 SUCH PROPOSALS FOR NEW INTENSIVE LIVESTOCK OR POULTRY UNITS OR EXTENSIONS TO EXISTING UNITS AS MAY BE PERMITTED IN THE PLAN AREA WILL BE REQUIRED TO INCLUDE SUITABLE PROVISION FOR WASTE DISPOSAL.

8.10 When inadequate provision is made for waste disposal, there is a serious risk of smell problems or pollution to watercourses and ponds. The Council will seek to control the location and method of waste disposal as part of any permission granted for a new unit or an extension to an existing unit. In submitting a proposal for a new livestock or poultry unit, the applicant should be able to demonstrate that the facilities for waste disposal comply with the M.A.F.F Code of Good Agricultural Practice for the Protection of Water.

8.11 Policies AG3 and AG4 will apply to all proposals requiring planning permission which involve the rearing of birds or animals where there is little or no interdependence between the birds or animals and the land upon which the buildings are situated or proposed to be situated.

Development Involving Horses

8.12 Horse related development for recreational or commercial purposes is becoming increasingly popular. The Department of the Environment PPG7 contains advice on such development, which can provide new opportunities for employment in rural areas and an alternative use for agricultural land.

AG5 PROPOSALS FOR HORSE RELATED DEVELOPMENT WILL NORMALLY BE PERMITTED PROVIDED:

(i) THE PROPOSAL WOULD NOT HAVE AN ADVERSE EFFECT ON THE CHARACTER AND APPEARANCE OF THE COUNTRYSIDE;

(ii) THE PROPOSAL WOULD NOT BE DETRIMENTAL TO THE AMENITY OF NEIGHBOURING PROPERTIES;

(iii) THE PROPOSAL COMPLIES WITH THE OTHER POLICIES IN THE PLAN.

8.13 The use of land for grazing horses generally does not require planning permission, and buildings used for keeping horses for agricultural purposes benefit from agricultural permitted development rights.

CHAPTER NINE RURAL CONSERVATION, URBAN CONSERVATION AND DESIGN

Introduction

9.1 This Chapter together with Chapter Ten: Environmental Protection, contain a range of environmental policies. The policies in this chapter seek to protect, and where appropriate enhance the character, amenities and heritage of the District, and cover the issues of rural and urban conservation, and design considerations in new development.

Nature Conservation

C1 THE COUNCIL WILL SEEK TO PROMOTE THE INTERESTS OF NATURE CONSERVATION. DEVELOPMENT WHICH WOULD RESULT IN DAMAGE TO OR LOSS OF SITES OF SPECIAL SCIENTIFIC INTEREST OR OTHER AREAS OF DESIGNATED WILDLIFE OR SCIENTIFIC IMPORTANCE WILL NOT NORMALLY BE PERMITTED. FURTHERMORE, THE COUNCIL WILL SEEK TO ENSURE THE PROTECTION OF SITES OF LOCAL NATURE CONSERVATION VALUE. THE POTENTIAL ADVERSE AFFECT OF DEVELOPMENT ON SUCH SITES WILL BE A MATERIAL CONSIDERATION IN DETERMINING PLANNING APPLICATIONS.

9.2 Government advice contained in PPG9 'Nature Conservation' published October 1994 stresses the importance of taking nature conservation into account in considering land use proposals. Adequate protection and enhancement should be given to sites of national and local nature conservation interest, and due regard should be paid to the conservation of other land and the provision of new habitats. There are many sites within the plan area designated as Sites of Special Scientific Interest (S.S.S.I's) or of importance to nature conservation. Policy C1 is intended to protect them from development.

9.3 Sites recognised as important to nature conservation will include nature reserves, semi-natural ancient broadleaved woodlands and ancient hedgerows, wild-flora grasslands, marshes and areas of open water. A Nature Conservation Strategy for Oxfordshire was published in May 1993 and as part of the strategy 'alert' maps have been prepared to indicate all of the known sites of nature conservation value.

9.4 The Council provides grant aid for pond reinstatement and improvements, and for tree planting and willow pollarding. Details of these schemes and of the current list and boundaries of the S.S.S.I's may be obtained from the Leisure Services Department at Bodicote House. A list of the SSSI's and their grid reference is contained in Appendix I and the boundaries of the S.S.S.I's are shown on the Proposals Map.

C2 DEVELOPMENT WHICH WOULD ADVERSELY AFFECT ANY SPECIES PROTECTED BY SCHEDULE 1, SCHEDULE 5 AND SCHEDULE 8 OF THE 1981 WILDLIFE AND COUNTRYSIDE ACT, AND BY THE E.C. HABITATS DIRECTIVE 1992 WILL NOT NORMALLY BE PERMITTED.

9.5 In addition to habitats of importance to nature conservation there are a number of plant and animal species protected by the Wildlife and Countryside Act and the E.C. Habitats Directive 1992. Policy C2 seeks to protect them from development which would result in their loss or damage.

9.6 The Council will seek to protect sites of nature conservation value by entering into management agreements with landowners. The Council also has the power to designate local

nature reserves on land which they own or manage. Local nature reserves have the benefit of providing recreational and educational potential as well as playing a protective role.

C3 WHERE APPROPRIATE, PROPOSALS FOR INTERPRETATIVE FACILITIES AND SCHEMES THAT PROVIDE OR INCREASE ACCESS TO WILDLIFE AND GEOLOGICAL SITES WILL NORMALLY BE PERMITTED.

9.7 It is important that opportunities are provided for people to enjoy and learn about wildlife. Nature conservation sites in private or Council ownership may be appropriate for furthering such opportunities through controlled access and the provision of interpretative facilities.

C4 THE COUNCIL WILL SEEK TO PROMOTE THE CREATION OF NEW HABITATS. IN URBAN AREAS THE COUNCIL WILL PROMOTE THE INTERESTS OF NATURE CONSERVATION WITHIN THE CONTEXT OF NEW DEVELOPMENT AND WILL ESTABLISH OR ASSIST WITH THE ESTABLISHMENT OF ECOLOGICAL AND NATURE CONSERVATION AREAS, WHERE SUCH AREAS WOULD FURTHER THE OPPORTUNITY FOR ENVIRONMENTAL EDUCATION AND PASSIVE RECREATION AND WOULD NOT CONFLICT WITH OTHER POLICIES IN THE PLAN.

C5 THE COUNCIL WILL SEEK TO PROTECT THE ECOLOGICAL VALUE AND RURAL CHARACTER OF THE FOLLOWING THROUGH THE CONTROL OF DEVELOPMENT:

(i) THE OXFORD CANAL AND RIVER CHERWELL;

(ii) THE FLOOD PLAIN OF THE RIVER CHERWELL;

(iii) SALT WAY, BANBURY;

(iv) THE MINERAL-RAILWAY FOOTPATH ROUTE AND GEOLOGICAL SITE OF SPECIAL SCIENTIFIC INTEREST, BANBURY;

(v) THE URBAN WOODLANDS TO THE SOUTH OF ST. LOUIS MEADOW, AT GRIMSBURY GREEN AND TO THE NORTH OF GRIMSBURY RESERVOIR, BANBURY;

(vi) OTMOOR AND THE FLOOD PLAIN OF THE RIVER RAY;

9.8 Apart from the need to protect green areas, trees and rural landscapes for their own sake, the ecology of these areas is an important resource which should be protected, and where appropriate managed, to create and maintain further opportunities for environmental education and passive recreation in accordance with the advice in D.O.E. Circular 27/87 "Nature Conservation". The use of native species in landscaping schemes for new development will be encouraged, as this can assist in the creation of new habitats.

9.9 M.A.F.F. designated the Upper Thames Tributaries as an Environmentally Sensitive Area (ESA) in March 1994. This scheme will be supported through the implementation of Policy C5 and other policies in the plan.

C6 DEVELOPMENT ADJACENT TO THE RIVER THAMES WILL NORMALLY BE RESISTED.

9.10 A short stretch of the River Thames is within the District, much of it bounded by an S.S.S.I. This area is also within the Oxford Green Belt. Development within that part of the Thames Valley within the District will not normally be permitted. The Thames Path National Trail follows the southern bank of the river along this stretch, just outside the District.

Landscape Conservation

C7 DEVELOPMENT WILL NOT NORMALLY BE PERMITTED IF IT WOULD CAUSE DEMONSTRABLE HARM TO THE TOPOGRAPHY AND CHARACTER OF THE LANDSCAPE.

9.11 The present character and appearance of the countryside has evolved over many hundreds of years. Despite changes caused by modern farming techniques, this appearance is still greatly valued. If this character is to be retained and enhanced it will be necessary to ensure that tight control is exercised over all development proposals in the countryside. This is reaffirmed by recent Central Government advice (PPG 7) which advises that the countryside should be protected for its own sake. The Council will therefore require development to take account of changes in level or slope, not protrude above prominent ridges or skylines, not detract from important views and not expand out of any valley or depression which confines present development.

C8 SPORADIC DEVELOPMENT IN THE OPEN COUNTRYSIDE INCLUDING DEVELOPMENTS IN THE VICINITY OF MOTORWAY OR MAJOR ROAD JUNCTIONS WILL GENERALLY BE RESISTED.

9.12 Sporadic development in the countryside must be resisted if its attractive, open, rural character is to be maintained.

9.13 Policy C8 will apply to all new development proposals beyond the built-up limits of settlements including areas in the vicinity of motorway or major road developments but will be reasonably applied to accommodate the needs of agriculture. There is increasing pressure for development in the open countryside particularly in the vicinity of motorway junctions. The Council will resist such pressures and will where practicable direct development to suitable sites at Banbury or Bicester.

C9 BEYOND THE EXISTING AND PLANNED LIMITS OF THE TOWNS OF BANBURY AND BICESTER DEVELOPMENT OF A TYPE, SIZE OR SCALE THAT IS INCOMPATIBLE WITH A RURAL LOCATION WILL NORMALLY BE RESISTED.

9.14 Policy C9 interprets the general intentions of Structure Plan Policy G1 which seeks to direct development to the country towns and limit the level of development elsewhere in order to protect the environment, character and agricultural resources of the rural areas.

Historic Landscapes, Parks AND Gardens AND HISTORIC BATTLEFIELDS

C10 DEVELOPMENT WHICH WOULD HAVE A DETRIMENTAL EFFECT UPON THE CHARACTER AND APPEARANCE OF HISTORIC LANDSCAPES, PARKS AND GARDENS AND BATTLEFIELDS AND THEIR SETTINGS WILL NORMALLY BE RESISTED.

9.15 The Council will seek to protect and encourage the sensitive restoration of historic parks and of gardens of special historic interest. They contribute significantly towards the special

character and identity of the District. They often form the setting of listed buildings or other buildings of architectural or historic interest and may illustrate aspects of the history of landscape architecture or garden design. Such sites may have historical associations with people or events, be important in landscape terms and be of wildlife and recreational value.

9.16 English Heritage has compiled a non Statutory Register of parks and gardens of special historic interest in England, to assist local authorities and developers in safeguarding them when planning for new development. Within the District there are currently 17 historic landscapes, parks and gardens which have been identified as of special historic interest. Five of these are included in the English Heritage Register: the grounds of Broughton Castle, Kirtlington Park, Swerford Park, Wroxton Abbey and Yarnton Manor. The remaining 12 sites have been identified as being of local interest. Further sites may be added following further study and research.

9.17 The identification of historic landscapes, parks and gardens and battlefields is in its infancy. The English Heritage Register of historic landscapes, parks and gardens came into being in 1983 and coverage is not yet complete. Whilst the five registered sites are of particular importance, there may be other local sites worthy of inclusion on the Register, and following further study and research additional sites may therefore be added. Exclusion of sites from this Plan or the English Heritage Register should not imply that a historic landscape, park or garden is not of interest. A similar register of Historic Battlefields was published by English Heritage in 1995, and currently contains one site from this District; Cropredy.

9.18 The major sites of interest are indicated in the Plan by Symbol on Map A. The boundaries of the sites currently included in the English Heritage Register are defined on the Proposals Map. The Council's available resources preclude the definition of boundaries for sites of local interest at this stage. It is intended that they are researched and identified during the Plan period and made available as supplementary information as required.

9.19 PPG15 advises that although there are no additional statutory controls the effect of a proposed development on a Registered site or its setting is a material consideration in the determination of a planning application. The Register of Historic Battlefield Sites will similarly need to be taken into account.

9.20 Information regarding the identification and boundaries of a landscape, park or garden may be obtained from the County Sites and Monuments Record and the English Heritage Register of Parks and Gardens. Where such sites are contained on the County Sites and Monuments Record, archaeological policies C24, C25 and C26 will apply, in accordance with PPG16, when considering planning applications which affect historic landscapes, parks, gardens and their settings.

9.21 The County Archaeological Officer, the Inspector of Historic Parks and Gardens at English Heritage and the Conservation Officer of the Garden History Society are available to give expert advice on proposals affecting known or potential historic landscapes, parks and gardens and historic battlefields.

C11 THE VISTA AND SETTING OF ROUSHAM PARK WILL BE PROTECTED BY THE STRICT CONTROL OF NEW BUILDINGS AND STRUCTURES WITHIN THE CONSERVATION AREA SHOWN ON THE PROPOSALS MAP TO ENSURE THAT THEY ARE NOT VISUALLY PROMINENT FROM THE PARK. PROPOSALS FOR THE CHANGE OF USE OF AGRICULTURAL LAND WILL NEED TO DEMONSTRATE THAT CAREFUL CONSIDERATION HAS BEEN GIVEN TO ENSURE THE VISUAL INTEGRITY OF THE PARK.

9.22 Rousham was remodelled in the mid-eighteenth century by the English landscape gardener William Kent who not only redesigned the gardens immediately adjacent to the Jacobean Manorhouse, which is in West Oxfordshire, but also created a complete landscape in the Cherwell Valley to the north and east of the house. It is classified Grade I (of exceptional interest) in the English Heritage Register of Parks and Gardens of Special Historic Interest in England.

9.23 In July, 1991 the Council designated a Rousham Conservation Area (reviewed May 1996) which contains buildings and planting of particular importance to the Park. Part of the setting of Rousham Park is within the perimeter of R.A.F. Upper Heyford (see Map B). The District Council will seek to persuade the Ministry of Defence to respect the character of the landscape when preparing development proposals.

Area of Outstanding Natural Beauty

C12 WITHIN THAT PART OF THE COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY THAT IS WITHIN THE DISTRICT THE COUNCIL WILL GIVE HIGH PRIORITY TO THE PROTECTION AND ENHANCEMENT OF THE BEAUTY OF THE AREA. PARTICULAR CARE WILL NEED TO BE TAKEN IN THE SITING, SCALE AND DESIGN OF ANY NEW DEVELOPMENT AND PROPOSALS WHICH WOULD DAMAGE THE BEAUTY OF THE AREA WILL BE RESISTED.

9.24 In December 1990 the Secretary of State confirmed an extension to the Cotswolds Area of Outstanding Natural Beauty (A.O.N.B.) to include a small part of the District around the village of Epwell. The primary objective of an A.O.N.B. is the conservation of its natural beauty, and within that part of the A.O.N.B. lying in Cherwell District the Council will employ restrictive planning policies in order to protect and enhance it. The range of Permitted Development rights is restricted on land within an A.O.N.B., affecting development within the curtilage of a dwellinghouse, development by Statutory Undertakers and others as specified in the Town and Country Planning (General Permitted Development) Order 1995. The Council is represented on the Cotswold A.O.N.B. Joint Advisory Committee, which s to achieve a consistent approach to planning and countryside management throughout the A.O.N.B. and publishes occasional planning guidance.

Areas of High Landscape Value

9.25 In addition to the A.O.N.B. (a designation of national recognition), there are other areas of land within the District which are recognised as being of particular environmental quality, and in accordance with Structure Plan advice have been designated as Areas of High Landscape Value. They are:-

1. The Ironstone Downs
2. The Cherwell Valley
3. The Thames Valley
4. North Ploughley
5. Muswell Hill
6. Otmoor

C13 THE IRONSTONE DOWNS, THE CHERWELL VALLEY, THE THAMES VALLEY, NORTH PLOUGHLEY, MUSWELL HILL AND OTMOOR ARE DESIGNATED AREAS OF

HIGH LANDSCAPE VALUE WITHIN WHICH THE COUNCIL WILL SEEK TO CONSERVE AND ENHANCE THE ENVIRONMENT.

9.26 As with development within the A.O.N.B., careful control of the scale and type of development will be required to protect the character of the Areas of High Landscape Value, and particular attention will need to be paid to siting and design. Permitted Development rights are not affected by Area of High Landscape Value designation.

9.27 In defining the boundaries of the Areas of High Landscape Value due regard has been paid to the Countryside Commission document CCD18, which establishes criteria for designating such areas. The basis of the designation of the Areas of High Landscape Value contained in the Plan is also broadly consistent with that taken by other Districts in Oxfordshire, but may differ from the approach taken by other neighbouring authorities in identifying areas of local landscape importance.

Trees and Landscaping

C14 IN EXERCISING ITS DEVELOPMENT CONTROL FUNCTIONS THE COUNCIL WILL NORMALLY ACCEPT OPPORTUNITIES FOR COUNTRYSIDE MANAGEMENT PROJECTS WHERE

(i) ALL IMPORTANT TREES, WOODLAND AND HEDGEROWS ARE RETAINED,

(ii) THE ECOLOGICAL VALUE OF THE SITE WILL NOT BE REDUCED; AND

(iii) NEW TREE AND HEDGEROW PLANTING USING SPECIES NATIVE TO THE AREA IS PROVIDED.

9.28 The Council recognises the important contribution that trees make to the attractiveness of the rural landscape. It co-operates with the Countryside Commission in promoting landscape conservation and gives grants for schemes involving tree planting, woodland management, willow pollarding and pond restoration. The Council will continue to protect by means of a tree preservation order any tree or group of trees which is under threat and considered to be of high amenity value. Further details of these grant schemes can be obtained from the Leisure Services Department at Bodicote House.

9.29 The importance of hedgerows has recently been recognised by the Government, which has issued proposals on their protection. The proposals have yet to be confirmed, but are likely to involve a notification procedure for those wishing to remove or reduce hedgerows to enable local authorities to register those of value and secure their retention. Hedgerow management grants may also become available from the Government to encourage maintenance and positive management of hedgerows.

C15 THE COUNCIL WILL PREVENT THE COALESCENCE OF SETTLEMENTS BY RESISTING DEVELOPMENT IN AREAS OF OPEN LAND, WHICH ARE IMPORTANT IN DISTINGUISHING THEM.

9.30 Each town or village has its own separate identity, and it is important that development on areas of open land between them is restricted to prevent their coalescence. Some gaps are more vulnerable than others; rural communities may feel particularly threatened where they are in close proximity to urban areas eg Banbury and Bodicote, Banbury and Drayton, Banbury and

Hanwell, Bicester and Chesterton, Bicester and Launton, Bicester and Wendlebury. In addition there are villages which are separated by small stretches of open land which need to be preserved to maintain the villages' identity eg. Alkerton and Shenington, Sibford Ferris and Sibford Gower, Barford St Michael and Barford St John, Middle Aston and Steeple Aston. Similarly the gap between Upper Heyford village and the former RAF Airbase is narrow and vulnerable and should be maintained as open land.

The Urban Fringe

C16 SPORADIC DEVELOPMENT IN THE COUNTRYSIDE BEYOND THE EXISTING AND PLANNED LIMITS OF THE TOWNS OF BANBURY AND BICESTER WILL NOT NORMALLY BE PERMITTED.

9.31 One of the purposes of the plan is to provide sites for future development at Banbury and Bicester, and to protect the adjoining countryside, which is in mainly agricultural use. Sporadic development beyond the existing or planned edge of the towns will be resisted.

C17 THE COUNCIL WILL SEEK OPPORTUNITIES TO SECURE THE ENHANCEMENT OF THE URBAN FRINGE THROUGH TREE AND WOODLAND PLANTING ON LAND WITHIN ITS OWNERSHIP AND ON OTHER LAND BY NEGOTIATION OR IN CONNECTION WITH NEW DEVELOPMENT.

9.32 The relationship of the towns within the District with the adjoining countryside, and the avoidance of an abrupt transition from built development to open farmland, calls for special attention to landscaping of existing and proposed development. Where new development is proposed in this plan which will extend the built up limits of a town, the Council will seek, where appropriate, broad belts of woodland planting to be implemented as part of the development to ensure the satisfactory transition between town and country.

9.33 In Banbury the major areas proposed for employment generating development have a frontage to the M40 motorway. The Council is concerned that the appearance of the town from the M40 should be enhanced by new development rather than damaged by it and for this reason no development of any kind will normally be permitted within 20 metres of the boundary between the site concerned and the motorway boundary. Such intervening spaces will be required to be landscaped to a very high standard. The design of new buildings adjacent to the M40 will also be required to be of a high standard both in terms of visual appearance and material.

9.34 In Banbury, an area of land to the north of the Daventry Road Industrial Estate is identified on the proposals map as being suitable for urban woodland. The land is in the ownership of the Council and a scheme for woodland planting will be prepared and implemented.

9.35 The Council will encourage the planting of trees on the urban fringe through its grant-aid programme, and by giving support to larger areas of planting under the Farm Woodlands Scheme (administered by MAFF and the Forestry Commission) where such planting does not conflict with other land-use policies.

Historic Buildings

9.36 Historic buildings include buildings of special architectural or historic interest listed by the Department of National Heritage and other buildings of lesser importance nationally, but

which are of local interest or form part of a group of buildings of value. The policies below relate to listed buildings, and other policies in the Plan are relevant to historic buildings.

9.37 Any work of alteration, extension or demolition which affects the character of a statutorily listed building requires the District Council's permission in the form of listed building consent. A listed building includes (and therefore confers statutory protection and controls to) any object or structure fixed to the building, and any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948.

9.38 In applying policy C18 the Council will take into account Government advice on Listed Buildings contained in Planning Policy Guidance Note 'Planning and the Historic Environment'. (PPG15). This states that there should be a general presumption in favour of the preservation of a listed building, except where a convincing case can be made out, against the criteria set out in section 3 of the PPG, for alteration or demolition. This includes every possible effort having been made to continue the existing use or to find a suitable alternative use for the building.

C18 IN DETERMINING AN APPLICATION FOR LISTED BUILDING CONSENT THE COUNCIL WILL HAVE SPECIAL REGARD TO THE DESIRABILITY OF PRESERVING THE BUILDING OR ITS SETTING OR ANY FEATURES OF SPECIAL ARCHITECTURAL OR HISTORIC INTEREST. THE COUNCIL WILL NORMALLY ONLY APPROVE INTERNAL AND EXTERNAL ALTERATIONS OR EXTENSIONS TO A LISTED BUILDING WHICH ARE MINOR AND SYMPATHETIC TO THE ARCHITECTURAL AND HISTORIC CHARACTER OF THE BUILDING.

9.39 Listed buildings represent a finite resource and an irreplaceable asset, and it is important that this limited supply is protected and preserved.

9.40 The character of a listed building is determined by the detail of its structure as well as its appearance. Even minor internal or external alterations can lessen the value of such a building if they destroy important architectural features or are visually incongruous.

9.41 It is an important principle that disabled people have easy access to and within historic buildings. The Council will seek the provision of suitable access in accordance with other policies in the plan, where possible without compromising a building's special interest and will take into account advice from the Centre for Accessible Environments.

9.42 The Council will operate a flexible approach to structural matters as advised in PPG15 paras 3.16-3.29.

C19 BEFORE THE DETERMINATION OF AN APPLICATION FOR THE ALTERATION, DEMOLITION OR EXTENSION OF A LISTED BUILDING APPLICANTS WILL BE REQUIRED TO PROVIDE SUFFICIENT INFORMATION TO ENABLE AN ASSESSMENT TO BE MADE OF THE LIKELY IMPACT OF THEIR PROPOSALS ON THE SPECIAL INTEREST OF THE STRUCTURE, ITS SETTING, OR SPECIAL FEATURES

9.43 This policy is included in response to advice contained in PPG15 which encourages pre-application consultation on development proposals which would affect historic sites and structures. It is intended that the policy will apply primarily to listed buildings but it may be applicable in other instances eg buildings in conservation areas or buildings of local interest. Such early consultation should extend to English Heritage and the national amenities Societies as appropriate. Written information, photographs or drawings may be required to understand the significance of a site or structure. Where the Council is minded to grant consent, the applicant

may be required to arrange for suitable recording of features that would be destroyed in the course of works for which consent is being sought. The County Archaeologist can provide site specific guidance on standards and levels of recording as required.

9.44 PPG15 advises that where hidden features of interest are suspected or revealed during works of alteration, that applicants be made aware of the need for listed building consent for their removal. The local authority may attach an appropriate condition to any such consent to ensure the retention of features of interest, proper recording or in other cases require exploratory opening up.

C20 SPECIAL CARE WILL BE TAKEN TO ENSURE THAT DEVELOPMENT WHICH IS SITUATED WITHIN THE SETTING OF A LISTED BUILDING RESPECTS THE ARCHITECTURAL AND HISTORIC CHARACTER OF THE BUILDING AND ITS SETTING.

9.45 The setting of a listed building may often form an essential part of its character eg gardens or grounds laid out to complement its design or function. In the case of a group of listed buildings in a settlement, the wider setting may comprise a large part of the street scene. In considering development proposals under the above policy the Council will have regard to the desirability of preserving the setting of listed buildings and will resist development which would adversely affect it.

C21 SYMPATHETIC CONSIDERATION WILL BE GIVEN TO PROPOSALS FOR THE RE-USE OF AN UNUSED LISTED BUILDING PROVIDED THE USE IS COMPATIBLE WITH ITS CHARACTER, ARCHITECTURAL INTEGRITY AND SETTING AND DOES NOT CONFLICT WITH OTHER POLICIES IN THIS PLAN. IN EXCEPTIONAL CIRCUMSTANCES OTHER POLICIES MAY BE SET ASIDE IN ORDER TO SECURE THE RETENTION AND RE-USE OF SUCH A BUILDING.

9.46 In order to secure the retention, restoration and future maintenance of a listed building it is sometimes necessary to find a new use for it. In exceptional circumstances it may be possible to set aside other policies in this Plan in order to secure the retention and economic re-use of such a building. However, exceptions will only be considered where there are no other reasonable means of achieving this objective and where the change of use would not involve substantial alterations to the fabric or setting of the listed building. The structural limitations of an historic building should be respected. The gutting and reconstruction of interiors, with the preservation of facades alone will not normally be considered acceptable in proposals for the re-use of a listed building.

Conservation Areas

9.47 Under S.69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Local authorities have a duty to designate as conservation areas "any areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance." This Council has designated a number of conservation areas which are listed in Appendix C. Under S.69 of the Act local authorities also have a duty to review existing conservation areas. A number of the conservation areas in this District have been reviewed, as indicated in appendix C.

9.48 The Council will from time to time propose new, or review existing conservation areas. In assessing whether an area is of special architectural or historic interest worthy of designation, the Council will take into account the following:

- (i) its topography and historical development

- (ii) archaeological significance and potential
- (iii) prevalent building materials
- (iv) character and function of spaces
- (v) quality and relationship of buildings in the area, and trees and other green features
- (vi) unlisted buildings which make a positive contribution to the special interest of an area

The Council will seek to establish consistent local standards to ensure only those areas of sufficient quality are designated as conservation areas.

9.49 The designation of a conservation area confers controls over demolition, strengthened controls over minor development and the protection of trees. Within conservation areas the following policies will apply:

C22 IN A CONSERVATION AREA PLANNING CONTROL WILL BE EXERCISED, TO ENSURE INTER ALIA, THAT THE CHARACTER OR APPEARANCE OF THE AREA SO DESIGNATED IS PRESERVED OR ENHANCED.

C23 THERE WILL BE A PRESUMPTION IN FAVOUR OF RETAINING BUILDINGS, WALLS, TREES OR OTHER FEATURES WHICH MAKE A POSITIVE CONTRIBUTION TO THE CHARACTER OR APPEARANCE OF A CONSERVATION AREA.

9.50 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 requires special attention to be given to the preservation or enhancement of designated conservation areas. Proposals for new development will only be acceptable if they assist in the achievement of that objective. So that applications for permission for new development in a conservation area can be properly assessed the Council will normally expect the submission of detailed drawings sufficient to indicate the position, scale, size and massing of new building works and the extent of any demolition or tree felling and the Council may wish to provide design guidance in appropriate cases. It is a defence to prove that works are required to protect public safety and in such exceptional circumstances relevant sections of the Planning (Listed Buildings and Conservation Areas) Act 1990 will apply (sections 55, 56, 59 and 74 etc).

9.51 PPG15 states that the general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. The Secretary of State expects that proposals to demolish such buildings should be assessed against the same criteria as proposals to demolish listed buildings, referred to above. 'Other features' referred to in Policy C23 above will include such items as street furniture.

9.52 Existing conservation areas in the District are listed in appendix C, and the boundaries are indicated on the proposals map. The conservation areas have distinct visual characteristics and it is important that these are recognised when proposals for new development are formulated. Formality or informality of building line, the methods of boundary enclosure, homogeneity of building materials, local architectural styles and building practice, the importance of undeveloped space within the settlement structure, and the setting of existing buildings, are some of the matters that should be taken into account.

9.53 The Council has a duty to formulate and publish proposals for the preservation and enhancement of conservation areas. PPG15 advises of the importance of a clear assessment and definition of an area's special interest, the identification of negative factors and opportunity sites and the means by which objectives of preservation and enhancement can be met, and contains a number of cross references to other documents which provide further guidance. As resources permit the Council is carrying out character appraisals for each conservation area, and where possible proposals for the preservation or enhancement of conservation areas will be formulated, in consultation with the public.

Archaeological Areas

9.54 The District contains many monuments and sites of archaeological or historic interest which, particularly within the wider historic landscape, contribute towards the special character and identity of the District. The archaeological resource has great social, economic, cultural and educational value for the community.

C24 WHERE APPROPRIATE, THE COUNCIL WILL FAVOURABLY CONSIDER DEVELOPMENT PROPOSALS THAT PROMOTE THE EDUCATIONAL, RECREATIONAL AND TOURIST POTENTIAL OF ARCHAEOLOGICAL SITES AND MONUMENTS.

9.55 PPG 16 advises of the importance of the identification, preservation and enhancement of sites of archaeological interest and their settings. Policy C24 will apply where possible to maximise public understanding and appreciation of sites and to exercise the Council's responsibility, in caring for the sites and monuments within the District.

C25 IN CONSIDERING PROPOSALS FOR DEVELOPMENT WHICH WOULD AFFECT THE SITE OR SETTING OF A SCHEDULED ANCIENT MONUMENT, OTHER NATIONALLY IMPORTANT ARCHAEOLOGICAL SITES AND MONUMENTS OF SPECIAL LOCAL IMPORTANCE, THE COUNCIL WILL HAVE REGARD TO THE DESIRABILITY OF MAINTAINING ITS OVERALL HISTORIC CHARACTER, INCLUDING ITS PROTECTION, ENHANCEMENT AND PRESERVATION WHERE APPROPRIATE.

9.56 It must be acknowledged that the character and setting of an archaeological site or monument which may include historic landscapes, parks and gardens may be damaged or even destroyed by certain forms of development. In such cases policy C25 will apply.

9.57 Some ancient monuments are scheduled by the Secretary of State under the Ancient Monuments and Archaeological Areas Act 1979. The scheduled ancient monuments in this District are listed in Appendix D. In addition to planning permission granted by the District Council, the Secretary of State's consent is required in the form of scheduled monument consent for any development likely to affect the site of a scheduled ancient monument. PPG16 states that "where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by proposed development there should be a presumption in favour of their physical preservation".

C26 BEFORE DETERMINING AN APPLICATION FOR DEVELOPMENT THAT MAY AFFECT A KNOWN OR POTENTIAL SITE OF ARCHAEOLOGICAL INTEREST OR ITS SETTING, APPLICANTS WILL BE REQUIRED TO PROVIDE DETAILED INFORMATION, AND MAY BE ASKED TO PROVIDE AN ARCHAEOLOGICAL FIELD EVALUATION.

9.58 PPG 16 encourages early pre-application consultations between developers and planning authorities. It is seen as reasonable that before determining an application, known or potentially important areas of archaeology including historic landscapes, parks gardens and their settings are properly investigated and evaluated. This assessment will usually involve a desk based study using existing information. The County Archaeological Officer should be consulted at the earliest possible stage to facilitate this process.

9.59 PPG 16 accepts the need for selectivity in the identification of nationally or locally important ancient monuments and sites for preservation. Not all important remains meriting preservation will necessarily be scheduled. An archaeological field evaluation is fundamental in establishing the extent and importance of archaeological remains. Policy C26 will be employed to enable an informed and reasonable decision to be taken. The preservation of archaeological remains in situ is preferable to preservation by excavation and recording.

9.60 An archaeological field evaluation should seek to define

- (i) the character and condition of any archaeological monuments or remains within the application site;
- (ii) the likely impact of the proposed development on such features, and
- (iii) the means of mitigating the effect of the proposed development be redesign of the proposal to achieve physical preservation; or where this is not practicable or desirable provision for archaeological recording prior to the destruction of the monument or remains.

9.61 Before determining a planning application which affects a site of archaeological importance the Council may require an agreed appropriate programme for:

- (i) archaeological preservation, before development commences, to ensure the permanent physical preservation in situ of archaeological deposits, or
- (ii) archaeological excavation, recording and publication, before development commences, where physical preservation in situ is not practical or desirable.

9.62 The District Council needs to be satisfied that the developer has made appropriate and satisfactory arrangements for (i) or (ii) above and that appropriate procedures are followed including consultation with the County Archaeological Officer and the sites and Monuments Record. Such measures for preservation or recording will be secured by agreement or by conditions attached to any planning permission granted.

9.63 The County Archaeological Officer is available to provide expert advice on proposals affecting known or potential sites and monuments of archaeological interest including historic landscapes, parks, gardens and their settings and such advice may include:

- (i) the identification of and assessment of the relative importance and value of particular sites and monuments;
- (ii) provisions for permanent preservation, enhancement or mitigation;
- (iii) provisions for investigation and recording prior to destruction.

Design Considerations

C27 DEVELOPMENT PROPOSALS IN VILLAGES WILL BE EXPECTED TO RESPECT THEIR HISTORIC SETTLEMENT PATTERN.

9.64 The settlement pattern of a village can be as important to its character as the buildings. Proposals which would result in the obliteration of part of an historic plan form or fail to respect the traditional settlement pattern will be considered contrary to policy and will be resisted.

9.65 Particular attention will be paid to policy C27 within the existing and proposed conservation areas where the character of the settlement is particularly sensitive to change.

C28 CONTROL WILL BE EXERCISED OVER ALL NEW DEVELOPMENT, INCLUDING CONVERSIONS AND EXTENSIONS, TO ENSURE THAT THE STANDARDS OF LAYOUT, DESIGN AND EXTERNAL APPEARANCE, INCLUDING THE CHOICE OF EXTERNAL-FINISH MATERIALS, ARE SYMPATHETIC TO THE CHARACTER OF THE URBAN OR RURAL CONTEXT OF THAT DEVELOPMENT. IN SENSITIVE AREAS SUCH AS CONSERVATION AREAS, THE AREA OF OUTSTANDING NATURAL BEAUTY AND AREAS OF HIGH LANDSCAPE VALUE, DEVELOPMENT WILL BE REQUIRED TO BE OF A HIGH STANDARD AND THE USE OF TRADITIONAL LOCAL BUILDING MATERIALS WILL NORMALLY BE REQUIRED.

C29 THE COUNCIL WILL SEEK TO ENSURE THAT ALL NEW BUILDINGS, EXTENSIONS AND ALTERATIONS TO EXISTING BUILDINGS ADJACENT TO THE OXFORD CANAL, ARE DESIGNED TO A HIGH STANDARD WHICH COMPLEMENTS THE TRADITIONAL CHARACTERISTICS OF THE WATERSIDE SETTING IN TERMS OF THEIR DESIGN, MATERIALS AND LANDSCAPING.

9.66 The standard of design acceptable to the District Council will be influenced by the environmental context of the site and its surroundings, and the nature, size and prominence of the development proposed. Design considerations will, when appropriate, include the siting, layout, size, scale, architectural style, building materials, means of enclosure and landscaping of new buildings and associated land uses. The Council will seek to avoid discordant or badly designed development that would harm the appearance and character of the existing built environment, the Green Belt or the countryside.

9.67 In appropriate circumstances a landscaping scheme incorporating the retention of existing trees and hedgerows of amenity value will be required to be included as part of development proposals. Trees are a valuable feature of both the rural and the urban landscape. Their amenity value and screening effect can enhance the appearance of new development. Thus wherever new tree or hedge planting is considered desirable for aesthetic reasons, and can be justified by the nature or scale of the development proposed, the Council will attach appropriate conditions to a planning approval. Landscaping schemes should normally include tree and shrub planting but should also include landscape modelling and hard-surface detailing whenever necessary. General guidance for developers is given in BS. 5837:1991 - "A Guide to Trees in Relation to Construction" although developers are advised to contact the Council's Leisure Services Department for more detailed advice.

9.68 It is not the object of policy C28 to suppress innovation and creativity of design. In order to promote the creation of an interesting and attractive built environment the Council will encourage variety in design, provided that the appearance of a proposed new development is sensitive to the particular site and is in harmony with the general character of its surroundings.

C30 DESIGN CONTROL WILL BE EXERCISED TO ENSURE:

(i) THAT NEW HOUSING DEVELOPMENT IS COMPATIBLE WITH THE APPEARANCE, CHARACTER, LAYOUT, SCALE AND DENSITY OF EXISTING DWELLINGS IN THE VICINITY;

(ii) THAT ANY PROPOSAL TO EXTEND AN EXISTING DWELLING (IN CASES WHERE PLANNING PERMISSION IS REQUIRED) IS COMPATIBLE WITH THE SCALE OF THE EXISTING DWELLING, ITS CURTILAGE AND THE CHARACTER OF THE STREET SCENE;

(iii) THAT NEW HOUSING DEVELOPMENT OR ANY PROPOSAL FOR THE EXTENSION (IN CASES WHERE PLANNING PERMISSION IS REQUIRED) OR CONVERSION OF AN EXISTING DWELLING PROVIDES STANDARDS OF AMENITY AND PRIVACY ACCEPTABLE TO THE LOCAL PLANNING AUTHORITY.

9.69 The Council wishes to secure environmental enhancement through new development. Proposals that would detract from the character of an area owing to obviously poor design will be resisted. Similarly proposals that would change the established character of an area, by, for example, introducing high-density housing development where low densities predominate, will normally be unacceptable. The design and layout of new development can also assist with crime prevention and the Council will have regard to the advice in Circular 5/94 'Planning Out Crime' and 'Secured by Design' initiative. The assistance of the Thames Valley Policy Architectural Liaison Officer will be sought in this context.

C31 IN EXISTING AND PROPOSED RESIDENTIAL AREAS ANY DEVELOPMENT WHICH IS NOT COMPATIBLE WITH THE RESIDENTIAL CHARACTER OF THE AREA, OR WOULD CAUSE AN UNACCEPTABLE LEVEL OF NUISANCE OR VISUAL INTRUSION WILL NOT NORMALLY BE PERMITTED.

9.70 The Council wishes to ensure that new development, including changes of use, does not prejudice the environment of the areas concerned. The above policy seeks to prevent the introduction of incompatible non-residential uses in residential areas.

C32 IN CONSIDERING PROPOSALS FOR DEVELOPMENT THE COUNCIL WILL SUPPORT MEASURES THAT PROVIDE, IMPROVE OR EXTEND ACCESS FACILITIES FOR DISABLED PEOPLE.

9.71 A large number of people in the District have difficulty in terms of mobility and access. Disabilities often confine people to wheelchairs but there are many others who are not so confined but who still have a mobility impairment. Examples include those with heart conditions or breathing difficulties, those with hearing or sight impairments, parents with infants in pushchairs or prams, and the elderly generally. There are also those with temporary impairments including those with broken limbs and pregnant women.

9.72 The Council is committed to creating an environment with fewer potential hazards for the disabled and where equal opportunities for access exist for all sections of the population. The main statutory means of control is through Part M of the Building Regulations which applies to most new buildings and major extensions, both to the inside of those buildings and the approaches to them, and to staff as well as visitors. Housing is not yet included but the government is reviewing this (see Housing Chapter). The Council will also use its powers under other legislation, including the planning acts, to seek to provide for the needs of the disabled outside buildings, including pedestrianisation schemes (see the Chapter on Town Centres and Local Shopping). The plan contains many other references in particular chapters where the needs of the disabled are considered in more detail.

9.73 Design considerations outside buildings include the need for level access, ramps (and steps for those who find them easier), even surfaces, convenient parking, dropped kerbs, tactile crossings, the generous provision of seating, handrails etc. Good design practice will be encouraged in design briefs. The advice of the Council's Access Officer (and Oxfordshire County Council's), local access groups and local media will be sought in appropriate cases.

9.74 Trees are a valuable feature of both the rural and the urban landscape. Their amenity value and screening effect can enhance the appearance of new development. Thus wherever new tree or hedge planting is considered desirable for aesthetic reasons, and can be justified by the nature or scale of the development proposed, the Council will attach appropriate conditions to a planning approval. Landscaping schemes should normally include tree and shrub planting but should also include landscape modelling and hard-surface detailing whenever necessary. General Guidance for developers is given in BS 5837:1991- A Guide to Trees in Relation to Construction although developers are advised to contact the Council's Leisure Services Department for more detailed advice.

9.75 Landscaping is an essential component of housing development, and to be successful should be considered from the outset and should incorporate those existing trees and hedgerows which would be of amenity value to the new housing.

C33 THE COUNCIL WILL SEEK TO RETAIN ANY UNDEVELOPED GAP OF LAND WHICH IS IMPORTANT IN PRESERVING THE CHARACTER OF A LOOSE-KNIT SETTLEMENT STRUCTURE OR IN MAINTAINING THE PROPER SETTING FOR A LISTED BUILDING OR IN PRESERVING A VIEW OR FEATURE OF RECOGNISED AMENITY OR HISTORICAL VALUE.

9.76 Not all undeveloped land within the structure of settlements can be built on without damage to their appearance and rural character. Where the existing pattern of development is loose-knit there will often be a compelling case for it to remain so for aesthetic, environmental or historical reasons.

9.77 Proposals that would close or interrupt an important view of a historic building eg a church or other structure of historical significance, will be resisted under this policy. The Council will also have regard to the importance of maintaining the setting of a listed building and will resist infill development that would diminish its relative importance or reduce its immediate open environs to the extent that an appreciation of its architectural or historical importance is impaired.

9.78 Proposals that would close or interrupt an important vista across open countryside will also be discouraged, as will the loss of trees of amenity value or the loss of features such as boundary walls where they constitute an important element of an attractive or enclosed streetscape.

C34 BUILDINGS WHOSE HEIGHT OR APPEARANCE WOULD SPOIL VIEWS OF ST MARY'S CHURCH, BANBURY, WILL NOT NORMALLY BE PERMITTED.

9.79 In implementing policy C34 the Council will have regard to the physical context of the development proposed. Proposals for new buildings of obviously poor design or ostensibly out of scale with their surroundings or of incongruous materials will normally be resisted. Regard will be taken of the topography of the site, existing trees, and other features of importance. New development in accordance with the proposals in Chapter 3 on land adjacent to the M40 will be

expected to enhance the prospect of the town from the motorway and the Banbury interchange rather than detract from it.

Conversion of Buildings

9.80 Policies relating to the conversion of buildings are contained in Chapters 2, 3 and 7. The Council has also produced a Design Guide for the conversion of farm buildings, copies of which can be purchased from the Department of Development and Property Services.

Advertisements

C35 AN ADVERTISEMENT WILL NORMALLY BE PERMITTED PROVIDED IT IS NOT DETRIMENTAL TO AMENITY OR PUBLIC SAFETY.

9.81 The display of advertisements is controlled under the Town & Country Planning (Control of Advertisement) Regulations 1992 in order to protect amenity and public safety. Additional advice is given in PPG19 - Outdoor Advertisement Control.

9.82 In assessing an advertisement's impact on amenity the Council will have regard to its effect including cumulative effect on the appearance of the building or on the visual amenity of the locality. Other than appropriate tourism signs a sign should be displayed in the vicinity of the premises to which it relates. The scale and massing of existing buildings, the predominant land-use, the presence of "listed" buildings in a conservation area and any proposals for land use change in the area will be relevant considerations. Visually incongruous signs by virtue of their position, size, materials, colour or illumination will not normally be permitted.

9.83 In assessing an advertisement's impact on "public safety" the Council will have regard to its effect upon the safe use and operation on all forms of traffic or transport.

9.84 In most cases advertisement signs which are small, simple and employ traditional sign writing skills will be permitted.

C36 IN CONSIDERING APPLICATIONS IN CONSERVATION AREAS THE COUNCIL WILL PAY SPECIAL ATTENTION TO THE DESIRABILITY OF PRESERVING OR ENHANCING THE CHARACTER OR APPEARANCE OF THE AREA.

C37 THE COUNCIL WILL SEEK TO SECURE THE REMOVAL OF ADVERTISEMENTS DISPLAYED WITH DEEMED CONSENT WHICH CAUSE DETRIMENT TO AMENITY OR PUBLIC SAFETY.

9.85 The Council has powers to consider the effect of advertisements displayed on grounds of amenity and public safety only. The protection of the visual amenities of Conservation Areas and the protection of the appearance, character and setting of individual listed buildings requires firm control. Generally the Council will not permit the display of advertisements above ground-floor fascia level, internally illuminated box signs and box fascias, illuminated lettering other than 'back lit or halo' illumination, and reflective materials. The Council recognises that a sensible balance needs to be struck between the requirements of commercial competition and amenity considerations. To provide greater certainty to businesses and to ensure consistency in the exercise of control, the Council has produced an advisory document entitled "Design Guide for shopfronts and advertisements in Conservation Areas". Copies of the Design Guide can be purchased from the Department of Development and Property Services.

TELECOMMUNICATIONS

C38 WHERE PLANNING PERMISSION IS REQUIRED, PROPOSALS FOR SATELLITE DISHES IN CONSERVATION AREAS OR ON A LISTED BUILDING WILL NOT NORMALLY BE PERMITTED WHERE SUCH APPARATUS WOULD BE VISIBLE FROM A PUBLIC HIGHWAY.

C39 THE COUNCIL WILL NORMALLY GRANT PLANNING PERMISSION FOR MASTS AND OTHER TELECOMMUNICATIONS STRUCTURES WHERE IT HAS BEEN DEMONSTRATED THAT:

(i) IT IS NOT POSSIBLE TO SHARE EXISTING FACILITIES;

(ii) IN THE CASE OF RADIO MASTS IT IS NOT POSSIBLE TO ERECT THE ANTENNA ON AN EXISTING BUILDING OR OTHER STRUCTURE; AND

(iii) IN THE AREA OF OUTSTANDING NATURAL BEAUTY AND THE AREA OF HIGH LANDSCAPE VALUE THERE IS NO SUITABLE ALTERNATIVE SITE AVAILABLE IN A LESS SENSITIVE LOCATION.

9.86 The Government's overall aim as set out in PPG8 is to balance the need and demands for maintaining and developing telecommunications systems whilst at the same time protecting the character and appearance of buildings, towns and the countryside as far as possible from unsightly telecommunications equipment.

9.87 In assessing proposals for large communications equipment the local planning authority will require details of any other related mast proposals and how the proposal is linked to the network. In addition applicants should show that they have explored the possibility of site sharing with other operators or erecting antennas on an existing building or other structure.

9.88 In all cases the Council will expect the materials, colour and design of the apparatus to be sympathetic to the character of its urban or rural context. It is particularly concerned to minimise the impact of such developments on the landscape. In addition, the Council may require new structures to have additional strength to accommodate possible future facilities.

CHAPTER TEN ENVIRONMENTAL PROTECTION

Introduction

10.1 The policies in this chapter seek to protect the environment and prevent pollution through the control of development. The most recent Government advice addressing the subject of planning and pollution control is contained in PPG23 which, inter alia, gives advice on the relationship between a Council's planning responsibilities and the separate statutory responsibilities exercised by local authorities and other pollution control bodies, principally under the Environmental Protection Act 1990 and the Water Resources Act 1991. Additional environmental policies are contained in Chapter Nine: Rural Conservation, Urban Conservation and Design.

10.2 One of the fundamental principles of PPG23 is that local planning authorities should not seek to duplicate the powers of the pollution control authorities but that there should be close consultation amongst all parties. The Town & Country Planning (General Development Procedure) Order, 1995 requires the Council to consult when considering certain types of application. However, there are also other developments which are likely to involve significant pollution issues on which the Council will need to obtain specialist advice in order to reach an informed planning decision.

10.3 The Council will seek information on the likely environmental impact of proposals from developers. For certain projects, the Town & Country Planning (Assessment of Environmental Effects) Regulations 1988 require an environmental assessment to be carried out before planning permission may be granted. The Regulations set out lists of projects in two Schedules. For those in Schedule 1 an EA is required in every case; for those in Schedule 2 an EA is required if the particular development proposed is likely to have significant effects on the environment by virtue of factors such as its nature, size or location. In cases where there is uncertainty over the potential impact of a development the Council will take a precautionary stance. It is the Government's intention to stimulate the exploitation and development of renewable energy sources wherever they have prospects of being economically attractive and environmentally acceptable. Oxfordshire County Council are carrying out a renewable energy study from which they intend to draw up a policy framework and develop draft Structure Plan policies. When the information from the study is received the Council intends to produce its own renewable energy sources policies.

Pollution Control

ENV1 DEVELOPMENT WHICH IS LIKELY TO CAUSE MATERIALLY DETRIMENTAL LEVELS OF NOISE, VIBRATION, SMELL, SMOKE, FUMES OR OTHER TYPE OF ENVIRONMENTAL POLLUTION WILL NOT NORMALLY BE PERMITTED.

10.4 The Council will seek to ensure that the amenities of the environment, and in particular the amenities of residential properties, are not unduly affected by development proposals which may cause environmental pollution, including that caused by traffic generation. In addition to the above policy, policies AG3 and AG4 of chapter 8 relate specifically to intensive livestock and poultry units and associated problems of smell and waste disposal.

10.5 Where a source of pollution is already established and cannot be abated, the Council will seek to limit its effect by ensuring that development within the affected area maintains a suitable distance from the pollution source.

ENV2 WITHIN SETTLEMENTS FAVOURABLE CONSIDERATION WILL NORMALLY BE GIVEN TO THE SMALL-SCALE REDEVELOPMENT OF SITES WHOSE EXISTING USE CAUSES SERIOUS DETRIMENT TO LOCAL AMENITIES.

10.6 When the removal of an existing offensive use would result in significant environmental benefit, the Council may favourably consider proposals for the redevelopment of that site for a more suitable use.

Noise

ENV3 DEVELOPMENT SENSITIVE TO NOISE GENERATED BY ROAD TRAFFIC WILL BE:

(i) REFUSED WHERE EXTERNAL NOISE LEVELS EXCEED LAeq. 16hr = 72dB AND LAeq 8hr = 66dB BETWEEN 07:00-23:00 hrs AND 23:00-7:00 hrs RESPECTIVELY.

(ii) GENERALLY RESISTED WHERE EXTERNAL NOISE LEVELS BETWEEN 07:00-23:00 hrs AND 23:00-07:00 hrs FALL INTO THE RANGES LAeq 16hr = 63 to 72dB AND LAeq 8 hr = 57 to 66dB RESPECTIVELY.

(iii) EXPECTED TO ACHIEVE A SPECIFIED INTERNAL ACOUSTIC ENVIRONMENT WHEN THE EXTERNAL NOISE LEVELS BETWEEN 07:00-23:00 hrs AND 23:00-07:00 hrs FALL INTO THE RANGES LAeq 16 hr = 55 TO 63dB AND LAeq 8 hr = 45 to 57dB RESPECTIVELY.

ENV4 DEVELOPMENT SENSITIVE TO NOISE GENERATED BY RAIL TRAFFIC WILL BE:

(i) REFUSED WHERE EXTERNAL NOISE LEVELS EXCEED LAeq 16 hr = 74dB BETWEEN 07:00 - 23:00 HRS AND LAeq 8hr = 66dB BETWEEN 23:00 AND 07:00 hrs.

(ii) GENERALLY RESISTED WHERE EXTERNAL NOISE LEVELS BETWEEN 07:00 - 23:00 AND 23:00 - 07:00 FALL INTO THE RANGES LAeq 16 hr = 66 to 74dB AND LAeq 8 hr = 59 to 66dB RESPECTIVELY.

(iii) EXPECTED TO ACHIEVE A SPECIFIED INTERNAL ACOUSTIC ENVIRONMENT WHEN EXTERNAL NOISE LEVELS BETWEEN 07:00 - 23:00 AND 23:00 - 07:00 hrs FALL INTO THE RANGES LAeq 16 hr = 55 to 66 dB AND LAeq 8 hr = 45 to 59 dB RESPECTIVELY.

ENV5 NOTWITHSTANDING POLICIES ENV3 AND ENV4 DEVELOPMENT SENSITIVE TO VIBRATION WILL BE RESISTED IN LOCATIONS WHERE VIBRATION LEVELS ARE LIKELY TO AFFECT THE MATERIAL COMFORT OF END USERS.

10.7 Government advice contained in PPG24 'Planning and Noise' states that noise sensitive developments should be separated from major sources of noise wherever practicable. The above policies seek to ensure that noise-sensitive developments such as new dwellings are not located in positions where they will be subject to severe noise pollution. Other classes of noise-sensitive development would include nursing homes, hostels, hospitals, hotels, residential colleges and schools.

10.8 Where there is a clear need for noise sensitive development in a location satisfying the criteria described in clause (ii) of the above policies, development will be expected to achieve a constant specified internal acoustic environment, ie: the design is likely to have to incorporate acoustic mechanical ventilation.

10.9 Where individual noise events regularly exceed 82dB LAmax during the night-time period (23:00 - 07:00hrs) the criteria described in (ii) in the above policies shall apply.

10.10 The specific guidance contained in policies ENV3 and ENV4 must not be taken to mean that where noise levels are below those specified in clause (iii) of these policies, noise will not be a consideration. In these circumstances noise levels may be a material planning consideration depending on local circumstances and conditions and particularly where levels are approaching those specified in (iii) above.

ENV6 DEVELOPMENTS AT OXFORD AIRPORT WHICH, EITHER DIRECTLY OR INDIRECTLY, WOULD BE LIKELY TO INCREASE NOISE NUISANCE WILL BE RESISTED.

10.11 The Council has received complaints over a number of years concerning noise from aircraft activity, although the majority of complaints are made directly to the airfield. Within the powers available to it as local Planning Authority, ie through the control of development, the Council will seek to restrict development which would be likely to increase noise nuisance in the locality arising from aircraft activity. The Council recognises and supports the role of the Oxford Airport Consultative Committee of which it is a member, but the Committee does not have any formal powers available to it to control aircraft noise. It is therefore important that planning controls are used to restrict development that would result in an increase in noise nuisance from aircraft.

10.12 The powers available in the Environmental Protection Act 1990 to control statutory noise nuisance expressly exclude noise from aircraft; however the Council believes that the term 'nuisance' is both well understood as a term and, on the basis of a considerable body of case law, is capable of thorough yet flexible assessment. For these reasons the Council proposes to approach the question of noise in the same way as established and practised for statutory nuisance. In seeking to establish whether or not a nuisance exists the following factors are likely to be material:-

- (i) the number, location, duration and frequency of aircraft activities or movements.
- (ii) The noise levels and sound frequencies (Hz) associated with individual aircraft activities or movements.
- (iii) the noise levels and sound frequencies (Hz) associated with overall aircraft activities or movements.
- (iv) Seasonality of aircraft activities or movements.
- (v) The time of day at which aircraft activities or movements take place.

In order to determine whether or not any specific development is likely to increase 'noise nuisance' from aircraft, the Council will seek to assess the impact of that development in terms of the factors given above and any other material facts. Where the Council is minded to grant

planning permission for development, the use of conditions in accordance with Government advice contained in PPG24 'Planning and Noise' may be considered appropriate.

Water Quality

ENV7 DEVELOPMENT WHICH WILL ADVERSELY AFFECT TO A MATERIAL LEVEL, THE WATER QUALITY OF SURFACE OR UNDERGROUND WATER BODIES, INCLUDING RIVERS, CANALS, LAKES AND RESERVOIRS, AS A RESULT OF DIRECTLY ATTRIBUTABLE FACTORS, WILL NOT BE PERMITTED.

10.13 Maintaining or enhancing the water quality of rivers, canals, lakes, ponds and other surface and underground water bodies is important for a wide range of uses. Deteriorating water quality can affect the supply of water for domestic, industrial and agricultural uses, general amenity, the provision of water based recreation, fisheries and nature conservation.

10.14 Groundwater resources are an invaluable source of water for public supply, industry and agriculture, as well as sustaining the base flows of rivers. The Council will in consultation with the National Rivers Authority and the local water authorities seek to resist development, including the redevelopment of contaminated land, which poses an unacceptable risk to surface or groundwater resources.

Flood Defence

ENV8 IN THE AREAS AT RISK FROM FLOODING, NEW DEVELOPMENT, THE INTENSIFICATION OF EXISTING DEVELOPMENT OR LAND RAISING WILL NOT NORMALLY BE PERMITTED. WHERE DEVELOPMENT IN SUCH AREAS IS PERMITTED, APPROPRIATE FLOOD PROTECTION AND MITIGATION MEASURES WILL GENERALLY BE REQUIRED AS PART OF THE DEVELOPMENT.

10.15 In addition to the risk of flooding to the proposed development itself, development in such locations may increase the risk of flooding elsewhere by reducing the storage capacity of the floodplain, and/or by impeding the flow of flood water. Land raising in the floodplain (for example, as a result of landfill) may have a similar effect. Consequently, the Council will not normally permit development in such locations, while redevelopment of existing sites will only be considered where the Council, in consultation with the National Rivers Authority, is satisfied that the developer will provide appropriate mitigation measures, including flood protection. Maps indicating the areas at risk from flooding can be inspected at either the Council's or the NRA's offices.

ENV9 NEW DEVELOPMENT GENERATING SURFACE WATER RUN-OFF OR DEVELOPMENT IN, UNDER, OVER OR ADJACENT TO A WATERCOURSE LIKELY TO RESULT IN ADVERSE IMPACTS SUCH AS AN INCREASED RISK OF FLOODING, RIVER CHANNEL INSTABILITY OR DAMAGE TO HABITATS WILL NOT NORMALLY BE PERMITTED. WHERE SUCH PROPOSALS ARE GRANTED PLANNING CONSENT, THEY MUST INCLUDE APPROPRIATE ATTENUATION AND POLLUTION CONTROL MEASURES. DEVELOPERS WILL BE EXPECTED TO COVER THE COSTS OF ASSESSING THE IMPACT AND OF ANY APPROPRIATE MITIGATION WORKS, INCLUDING LONG TERM MANAGEMENT.

10.16 New development may result in a substantial increase in surface water run-off as permeable surfaces are replaced by impermeable surfaces such as roofs and paving. This may result in an increased risk of flooding downstream, increased pollution, silt deposition, damage to watercourse habitats and river channel instability. These effects can often be at some

considerable distance from the new development. New developments will only be permitted where the Council is satisfied that suitable measures, designed to mitigate the adverse impact of surface water run-off, are included as an integral part of the development. Where appropriate, the development should include provision for the long term management of these measures (for example, the maintenance of balancing ponds). Similarly, if development in, under, over or adjacent to watercourses is not properly controlled, an increased risk of flooding, erosion or other adverse affects can result. The discharge of surface and foul water drainage to and works in, under, over or adjacent to a watercourse or canal, require the consent of the NRA or British Waterways respectively.

Hazardous Installations

ENV10 DEVELOPMENT PROPOSALS WHICH ARE LIKELY TO DAMAGE OR BE AT RISK FROM HAZARDOUS INSTALLATIONS WILL BE RESISTED.

10.17 There are a number of high-pressure natural gas transmission pipelines within the District. Whilst they are subject to stringent controls under the Health & Safety Regulations, it is considered prudent to control the kinds of development permitted in the immediate vicinity of these and other hazardous installations.

ENV11 PROPOSALS FOR INSTALLATIONS HANDLING HAZARDOUS SUBSTANCES WILL NOT BE PERMITTED IN CLOSE PROXIMITY TO HOUSING AND OTHER LAND USES WHICH MAY BE INCOMPATIBLE FROM THE SAFETY VIEWPOINT.

10.18 Advice will be sought from the Health & Safety Executive concerning off-site risks to the public arising from any proposed development which would introduce hazardous substances, or of existing hazardous installations to proposed developments.

Contaminated Land

ENV12 DEVELOPMENT ON LAND WHICH IS KNOWN OR SUSPECTED TO BE CONTAMINATED WILL ONLY BE PERMITTED IF:

(i) **ADEQUATE MEASURES CAN BE TAKEN TO REMOVE ANY THREAT OF CONTAMINATION TO FUTURE OCCUPIERS OF THE SITE**

(ii) **THE DEVELOPMENT IS NOT LIKELY TO RESULT IN CONTAMINATION OF SURFACE OR UNDERGROUND WATER RESOURCES**

(iii) **THE PROPOSED USE DOES NOT CONFLICT WITH THE OTHER POLICIES IN THE PLAN.**

10.19 Proposals for the redevelopment of sites known or suspected to be contaminated will be considered against the above policy. Development on land known or suspected to be contaminated must accord with the regulations set out in Circular 21/87.

Minerals and Waste Disposal

10.20 Oxfordshire County Council is responsible for minerals and waste disposal planning, and the relevant structure plan policies controlling this type of development are contained in appendix A.

10.21 The minerals that are worked in Cherwell District are ironstone (Hornton and Alkerton), limestone (Ardley and Stratton Audley), soft sand (Duns Tew) and sharp sand and gravel (Yarnton). Mineral extraction has ceased at Shipton on Cherwell (Blue Circle Cement Works).

10.22 Whilst the County Council is the waste disposal authority, this Council has some responsibilities with reference to recycling. A Recycling Plan has been prepared which sets out the authority's targets, including the promotion and expansion of community based recycling centres.

CHAPTER ELEVEN DEVELOPMENT BY OTHER AUTHORITIES

Education

11.1 The provision of education facilities and services is not a district Council function. However, the proposals for growth at Banbury and Bicester included in this Plan will give rise to a need for additional land and buildings for educational purposes.

OA1 LAND WILL BE RESERVED FOR NEW PRIMARY SCHOOLS INCLUDING NURSERY PROVISION WHERE APPROPRIATE ON THE LAND IDENTIFIED ON THE PROPOSALS MAP AND WITHIN THE AREA OF LAND ALLOCATED FOR HOUSING DEVELOPMENT AT SLADE FARM, BICESTER.

BANBURY

11.2 Land is owned by Oxfordshire County Council and reserved for the construction of a new primary school at Overthorpe Road, Grimsbury. The school will replace the existing infant and junior schools in Grimsbury and will also accommodate children from the new development planned in that area. Construction of the school is due to commence in 1992.

11.3 The proposed new residential development north of Hardwick Estate will require a new primary school, occupying approximately 1.6 ha (4 acres). In accordance with government guidance contained in Circular 16/91 since this requirement arises directly and solely from the development, the Council will expect the cost of providing the school to be met by the developers of the land. The timing of its construction will be determined by the rate of development of the land for housing. The site shown on the proposals map does not necessarily indicate where Oxfordshire County Council would wish the school to be built.

11.4 No specific provision is made in the plan for new secondary schools as it is expected that existing sites can accommodate additional provision. However, the County Council has indicated that the North Oxford Technical College may be replaced by a tertiary college during the plan period. If this occurs a greenfield site on the edge of Banbury of approximately 4-4.5 hectares (9.9-11 acres) will be required.

BICESTER

11.5 Sites are reserved in the plan for new primary schools to serve the South East Bicester and South Farm development areas and were first identified in the Bicester Local Plan. An additional site for a primary school is proposed for the new housing development at Slade Farm occupying a site of approximately four acres. As with the site north of Hardwick Estate, since the requirement for the school arises directly and solely from the development the Council will expect the cost of providing the school to be met by the developers of the land. At the time the plan was produced, the location of the latter within the Slade Farm area had not be decided. The timing of its construction will be determined by the rate of development of the land for housing.

KIDLINGTON & YARNTON

OA2 PROPOSALS FOR PERMANENT DEVELOPMENT AT YARNTON ROAD RECREATION GROUND, KIDLINGTON WHICH WOULD PREJUDICE THE COUNTY COUNCIL'S INTEREST IN THE SITE FOR A PRIMARY SCHOOL WILL BE RESISTED.

ANY DEVELOPMENT PROPOSALS WILL BE CONSIDERED AGAINST THE REQUIREMENTS OF POLICY R11.

11.6 The County Council has identified part of the Yarnton Road recreation ground as being a suitable site for an additional primary school in North Kidlington. Work is expected to commence on site in 1993-4.

Health

11.7 Health services for the residents of Cherwell District are provided through doctors' (GPs) surgeries, health centres, pharmacies, dental practices and opticians' practices (under the auspices of the Oxfordshire Family Health Services Authority) and hospitals and community healthcare facilities of which services for people in Oxfordshire are funded and monitored by Oxfordshire District Health Authority. Horton General Hospital is administrated by the Horton General Hospital NHS Trust.

OA3 LAND WILL BE RESERVED FOR NEW HEALTH CENTRES WITHIN THE LAND ALLOCATED FOR HOUSING ON THE PROPOSALS MAP NORTH OF HARDWICK AT BANBURY AND AT SLADE FARM, BICESTER.

11.8 Oxfordshire Health Authority has obtained planning permission to redevelop the Cottage Hospital site and adjoining land at Kings End, Bicester the effect of which would be to convert the existing mental health units into a new cottage hospital and provide new housing and offices on the remainder of the site.

11.9 Provision needs to be made in each of the new major housing developments for doctors' surgeries and associated health facilities to serve the local populations. The health centres for South East Bicester, South Farm, Bicester and Grimsbury, Banbury have already been secured by planning agreements. It is intended that a similar facility will be developed at Slade Farm, Bicester and north of Hardwick Estate, Banbury each with a floor area in the region of 278.7 sqm (3,000 sq.ft). In each case the location and timing of the reservation of land for these facilities would be sought through planning agreements although it is unlikely that the facilities will be provided within the Plan period.

11.10 The Oxford Regional Health Authority are proposing to site a 32 bed community hospital in the Kidlington area. The new site, when chosen, should be easily accessible by public transport.

Libraries

11.11 The Oxfordshire County Council are investigating the possibility of relocating the Banbury library and museum to a new site within the town although such a site has not been identified. A new site for Bicester library may also be required.

Crown Land

11.12 Government development does not require planning consent but most proposals are submitted to the Local Planning Authority for their comments in accordance with the advice given in DoE Circular 18/ 84.

11.13 Much MoD development is required for reasons of national security. However, the District Council considers that it is necessary for non-essential Government development to be sited in a manner sympathetic to its rural surroundings. The Council will therefore comment on

all Government proposals in the same way as applications for planning permission, ie in the light of the policies in this plan.

11.14 The structure plan proposes that the majority of new houses in the plan period should be built in the country towns. It is anticipated, particularly in the proposed run-down of RAF Upper Heyford, that there is adequate provision to meet the future needs of both the civilian and military population and therefore it should not be necessary to make significant extra military-housing provision within the District. However, should it prove necessary to do so such dwellings will not be considered to be part of the Structure Plan housing allocation for the District.

APPENDIX A

OXFORDSHIRE STRUCTURE PLAN POLICIES

GENERAL

- G1 THE GENERAL STRATEGY IS TO PROTECT THE ENVIRONMENT, CHARACTER AND AGRICULTURAL RESOURCES OF THE COUNTY BY RESTRAINING THE OVERALL LEVEL OF DEVELOPMENT. THE COUNTRY TOWNS OF BANBURY, BICESTER, DIDCOT AND WITNEY WILL BE THE PREFERRED LOCATIONS FOR NEW DEVELOPMENT. ELSEWHERE IN THE COUNTY, DEVELOPMENT, AND CONSEQUENT EXPANSION OF POPULATION, WILL BE LIMITED.
- G2 BEFORE PROPOSALS FOR DEVELOPMENT ARE PERMITTED THE PLANNING AUTHORITY WILL REQUIRE TO BE SATISFIED THAT THE CAPITAL WORKS DIRECTLY REQUIRED TO SERVICE THE DEVELOPMENT ARE PROVIDED OR WILL BE PROVIDED.
- G3 PLANNING PERMISSION WILL NOT NECESSARILY BE RENEWED WHERE THE PROPOSED DEVELOPMENT DOES NOT ACCORD WITH THE POLICIES AND PROPOSALS IN THIS PLAN.
- G4 NEW DEVELOPMENT WILL NORMALLY BE CONCENTRATED WHERE IT CAN BE CONVENIENTLY SERVED BY RAIL OR OTHER PUBLIC TRANSPORT, IN ORDER TO ENCOURAGE THE USE OF PUBLIC TRANSPORT AND REDUCE THE NEED TO TRAVEL BY PRIVATE TRANSPORT.

THE ENVIRONMENT

- EN1 THE ENVIRONMENT WILL BE PROTECTED BY RESISTING POTENTIALLY HARMFUL DEVELOPMENTS WHICH BY THEIR NATURE, SIZE, LOCATION OR CUMULATIVE EFFECTS ARE DAMAGING OR INAPPROPRIATE TO THEIR SURROUNDINGS. TREE PLANTING, ENVIRONMENTAL IMPROVEMENTS AND COUNTRYSIDE MANAGEMENT MEASURES WILL BE SOUGHT IN RESPONSE TO DEVELOPMENT PROPOSALS AND WHERE OTHERWISE APPROPRIATE TO IMPROVE THE ENVIRONMENT, PARTICULARLY ON URBAN FRINGES OR WHERE THERE IS DAMAGED, DERELICT OR UNSIGHTLY LAND. THE CREATION, BOTH WITHIN THE COUNTY AND IN COOPERATION WITH NEIGHBOURING AUTHORITIES, OF COMMUNITY FORESTS, USING APPROPRIATE NATIVE SPECIES, WILL BE ENCOURAGED.
- EN2 IMPORTANCE WILL BE GIVEN TO THE PROTECTION OF THE BEST AND MOST VERSATILE AGRICULTURAL LAND FROM IRREVERSIBLE DEVELOPMENT TAKING INTO ACCOUNT THE QUALITY AS ASSESSED BY THE MINISTRY OF AGRICULTURE, FISHERIES AND FOOD, AND THE SIZE AND NATURE OF THE HOLDING. IN RELEASING LAND FOR DEVELOPMENT THE LOCATION AND BOUNDARIES OF THE LAND MUST BE SUCH AS TO MINIMISE SEVERANCE DISRUPTION, AND POTENTIAL VANDALISM AND TRESPASS TO ADJOINING FARMLAND.

EN3 AREAS OF IMPORTANCE FOR NATURE CONSERVATION, GEOLOGY, ARCHAEOLOGY AND HISTORICAL INTEREST AND SCENICALLY, ECOLOGICALLY OR LOCALLY IMPORTANT WOODLANDS AND FORESTRY WILL NORMALLY BE PROTECTED BY RESISTING POTENTIALLY HARMFUL DEVELOPMENTS.

EN4 IN AREAS OF OUTSTANDING NATURAL BEAUTY HIGH PRIORITY WILL BE GIVEN TO THE PROTECTION AND ENHANCEMENT OF THE BEAUTY OF THE AREA. DEVELOPMENT WHICH WOULD BE DAMAGING TO THE BEAUTY OF THE AREA WILL BE STRONGLY RESISTED. IN OTHER AREAS OF HIGH LANDSCAPE VALUE THE LOCATION, THE SCALE AND TYPE OF DEVELOPMENT WILL BE CAREFULLY CONTROLLED TO PROTECT THE QUALITIES OF EACH AREA.

EN5 THERE WILL BE A GREEN BELT AROUND THE BUILT UP AREA OF OXFORD, APPROXIMATELY 4-6 MILES WIDE, WHERE DEVELOPMENT WILL BE SEVERELY RESTRICTED. THE PURPOSES OF THE GREEN BELT ARE TO

1. PROTECT THE SPECIAL CHARACTER OF OXFORD AND ITS LANDSCAPE SETTING.
2. CHECK THE GROWTH OF OXFORD AND PREVENT RIBBON DEVELOPMENT AND URBAN SPRAWL, AND
3. PREVENT THE COALESCENCE OF SETTLEMENTS.

DEVELOPMENT IN THE GREEN BELT WILL GENERALLY ONLY BE PERMITTED FOR AGRICULTURE, FORESTRY, AND RECREATION. RESIDENTIAL INFILLING OR OTHER APPROPRIATE DEVELOPMENT IN SETTLEMENTS IN THE GREEN BELT MAY BE PERMITTED PROVIDED IT DOES NOT CONFLICT WITH THE PURPOSES OF THE GREEN BELT OR ITS OPEN AND RURAL CHARACTER. SOME SETTLEMENTS WITHIN THE GREEN BELT WILL NOT BE COVERED BY GREEN BELT POLICIES IN ORDER TO ALLOW LIMITED EXPANSION.

CARE WILL BE TAKEN TO ENSURE THAT THE VISUAL AMENITIES OF THE GREEN BELT ARE NOT INJURED BY DEVELOPMENT WITHIN, OR CONSPICUOUS FROM, THE GREEN BELT WHICH, ALTHOUGH NOT PREJUDICIAL TO ITS MAIN PURPOSE, MIGHT BE INAPPROPRIATE BY REASON OF SITING, MATERIALS OR DESIGN.

EN6 THE FABRIC AND SETTINGS OF BUILDINGS AND AREAS OF AESTHETIC, HISTORIC OR ARCHITECTURAL VALUE WILL BE PRESERVED AND WHERE APPROPRIATE ENHANCED. IN CONSIDERING PROPOSALS FOR ADAPTATION OR CHANGE OF USE OF BUILDINGS OR GROUNDS OF HISTORIC IMPORTANCE ACCOUNT WILL BE TAKEN OF THE DEGREE TO WHICH THE PROPOSAL COULD BE EXPECTED TO SECURE THE FUTURE OF THE PROPERTY.

EN7 IN THE OPEN COUNTRYSIDE, SPORADIC & RIBBON DEVELOPMENT & DEVELOPMENT IN THE VICINITY OF MOTORWAY OR MAJOR ROAD JUNCTIONS WILL NOT NORMALLY BE ALLOWED, ALTHOUGH SPECIAL

CONSIDERATION WILL BE GIVEN TO CASES OF PROVEN AGRICULTURAL FORESTRY OR OUTDOOR RECREATIONAL NEEDS OR FOR OTHER USES APPROPRIATE TO A RURAL AREA WHICH CANNOT REASONABLY BE ACCOMMODATED IN A NEARBY SETTLEMENT

- EN8 THERE WILL BE A GENERAL PRESUMPTION IN FAVOUR OF MAKING THE OPTIMUM USE OF BUILDINGS AND LAND WITHIN BUILT UP AREAS TO REDUCE THE NEED FOR "GREEN-FIELD" DEVELOPMENT SITES. DEVELOPMENT WILL NOT NORMALLY BE PERMITTED ON SITES WITHIN THE FRAMEWORK OF A SETTLEMENT WHICH ARE OF SPECIAL IMPORTANCE TO THE CHARACTER AND APPEARANCE OR AMENITIES OF THE LOCALITY.
- EN9 THE CONVERSION OF REDUNDANT BUILDINGS IN THE COUNTRYSIDE WILL NORMALLY BE PERMITTED WHERE IT WOULD NOT CAUSE UNACCEPTABLE HARM AND WHERE THE FORM, BULK AND GENERAL DESIGN OF THE BUILDINGS CONCERNED ARE IN KEEPING WITH THE SURROUNDING AREA.
- EN10 THERE WILL BE A GENERAL PRESUMPTION AGAINST ANY DEVELOPMENT WHICH WILL HAVE AN ADVERSE IMPACT ON THE WATER ENVIRONMENT, PARTICULARLY IN RELATION TO RIVERS, PONDS, WETLANDS, PUBLIC ACCESS IN RIVER CORRIDORS AND WATER RELATED RECREATION. FAVOURABLE CONSIDERATION WILL BE GIVEN TO PROPOSALS WHICH SEEK TO RESTORE AND ENHANCE THE NATURAL ELEMENTS OF THE RIVER ENVIRONMENT AND IMPROVE WATER QUALITY.
- EN11 IN AREAS AT RISK FROM FLOODING THERE WILL BE A GENERAL PRESUMPTION AGAINST NEW DEVELOPMENT OR THE INTENSIFICATION OF EXISTING DEVELOPMENT. APPROPRIATE FLOOD PROTECTION WILL GENERALLY BE REQUIRED WHERE THE REDEVELOPMENT OF EXISTING DEVELOPED AREAS IS PERMITTED IN AREAS AT RISK FROM FLOODING. PROPOSALS WHICH WOULD RESULT IN AN INCREASED FLOOD RISK IN AREAS DOWNSTREAM DUE TO ADDITIONAL SURFACE RUN OFF WILL BE RESISTED.

BUSINESS AND INDUSTRY

- E1 THE PRINCIPAL LOCATIONS FOR THE PROVISION OF LAND FOR EMPLOYMENT-GENERATING DEVELOPMENT WILL BE IN THE COUNTRY TOWNS OF BANBURY, BICESTER, DIDCOT AND WITNEY.
- E2 IN THE SMALLER TOWNS A LIMITED AMOUNT OF LAND FOR EMPLOYMENT-GENERATING DEVELOPMENT WILL BE MADE AVAILABLE IN APPROPRIATE LOCATIONS.
- E3 OUTSIDE THE AREAS SPECIFIED IN POLICIES E1 AND E2 THE PROVISION OF LAND FOR EMPLOYMENT-GENERATING DEVELOPMENT WILL NORMALLY BE RESTRAINED. PROPOSALS FOR FIRMS UP TO ABOUT 500 SQUARE METRES OR FOR FIRMS WHOSE SOURCES OF SUPPLY, COMMERCIAL LINKAGES, LABOUR SUPPLY AND MARKETS MAKE THE SPECIFIC LOCATION NECESSARY FOR THEM WILL NORMALLY BE PERMITTED IN APPROPRIATE LOCATIONS.

- E4** TOURISM PROJECTS WHICH ARE BASED ON THE CONSERVATION AND ENJOYMENT OF THE COUNTY'S INHERENT QUALITIES AND HERITAGE WILL NORMALLY BE PERMITTED, SUBJECT TO POLICY E5.
- E5** ALL PROPOSALS FOR INDUSTRY AND BUSINESS WILL BE CONSIDERED AGAINST THE FOLLOWING CRITERIA:
- a) THE DEVELOPMENT SHOULD BE OF A SCALE AND TYPE APPROPRIATE TO THE SITE AND ITS SURROUNDINGS;
 - b) THE DEVELOPMENT SHOULD NOT HARM THE ENVIRONMENT, ECOLOGY AND AMENITIES OF THE AREA;
 - c) THERE SHOULD BE NO OVERRIDING TRANSPORT OF HIGHWAY OBJECTIONS;
 - d) THE DEVELOPMENT SHOULD NORMALLY BE ACCESSIBLE BY PUBLIC TRANSPORT
 - e) THE AVAILABILITY OF SUFFICIENT EXISTING OR PLANNED LAND FOR HOUSING TO MEET ANY DEMAND GENERATED BY THE PROPOSALS.

HOUSING

H1 THE PRINCIPAL LOCATIONS FOR NEW HOUSING WILL BE IN THE COUNTRY TOWNS OF BANBURY, BICESTER, DIDCOT AND WITNEY WHERE THEY CAN BE CONVENIENTLY SERVED BY PUBLIC TRANSPORT. ELSEWHERE A POLICY OF GENERAL RESTRAINT WILL APPLY.

H2 PROVISION WILL BE MADE FOR ABOUT 41,700 NEW DWELLINGS FROM 1 APRIL 1986 TO 31 MARCH 2001. THE TOTAL DISTRICT PROVISION WHICH IS SET OUT BELOW WILL BE DISTRIBUTED AND PHASED IN ACCORDANCE WITH THE APPROPRIATE AREA POLICIES

CHERWELL	12,400	VOWH	7,100
OXFORD CITY	5,050	W.OXON	8,100
S.OXON	9,050	TOTAL	41,700

H3 PROVISION WILL BE MADE FOR A VARIETY OF DWELLINGS IN LOCATION, SIZE AND DENSITY ACCORDING TO LOCAL HOUSING REQUIREMENTS, TAKING INTO ACCOUNT THE CHARACTER OF THE SITE AND THE LOCALITY, THE ACHIEVEMENT OF SATISFACTORY LIVING CONDITIONS AND THE NATURE OF THE DEVELOPMENT INVOLVED. PROVISION WILL BE MADE FOR DWELLINGS TO MEET LOCAL NEEDS (SUCH AS STARTER HOMES AND LOW COST HOME OWNERSHIP OR RENTAL SCHEMES SUITABLE FOR PEOPLE NOT EASILY ABLE TO COMPETE IN THE EXISTING HOUSING MARKET).

H4 ENCOURAGEMENT WILL BE GIVEN TO PROPOSALS WHICH MAKE EFFECTIVE USE OF THE EXISTING STOCK, AND TO THE IMPROVEMENT AND REHABILITATION OF EXISTING HOUSING AREAS.

- H5 A HIGH STANDARD OF RESIDENTIAL ENVIRONMENTS WILL BE SOUGHT THROUGH THE LOCATION, DESIGN AND LAYOUT OF NEW HOUSING AREAS, AND THE CONTROL OF NON RESIDENTIAL LAND USES IN RESIDENTIAL AREAS.
- H6 IN ADDITION TO THE PROVISION IN POLICY H2, IN PARTICULAR CIRCUMSTANCES, SMALL SITES WITHIN OR ADJOINING SETTLEMENTS WHICH WOULD NOT OTHERWISE RECEIVE PLANNING PERMISSION MAY BE RELEASED FOR LOW COST HOUSING SCHEMES PROVIDED THAT THE DEVELOPMENT IS COMPATIBLE WITH THE ENVIRONMENTAL POLICIES IN THE PLAN AND IT CAN BE DEMONSTRATED THAT:
- a) THE SCHEME, INCLUDING SELF-BUILD AND COOPERATIVE SCHEMES, WOULD MEET A SPECIFICALLY IDENTIFIED HOUSING NEED ARISING IN THE LOCAL AREA WHICH CANNOT BE MET IN ANY OTHER WAY;
 - b) THE SCHEME IS ECONOMICALLY VIABLE IN TERMS OF ITS ABILITY TO MEET THE NEED IDENTIFIED;
 - c) THERE ARE PERMANENT ARRANGEMENTS TO ENSURE THAT THE BENEFITS OF THE SCHEME WILL BE PASSED TO SUBSEQUENT OCCUPANTS. THESE MAY INVOLVE HOUSING ASSOCIATIONS OR VILLAGE TRUSTS, COVENANTS OR S106 AGREEMENTS BETWEEN THE DEVELOPER AND THE LOCAL PLANNING AUTHORITY;
 - d) THE SCHEME IS OF A SCALE AND DESIGN APPROPRIATE TO THE LOCAL AREA AND IS CAPABLE OF DEVELOPMENT WITH MINIMAL ENVIRONMENTAL IMPACT, ESPECIALLY IN AREAS OF OUTSTANDING NATURAL BEAUTY, THE GREEN BELT AND OTHER ENVIRONMENTALLY SENSITIVE AREAS.
- H7 PROVISION WILL BE MADE FOR THE DEVELOPMENT OF A LIMITED NUMBER OF RESIDENTIAL AND TRANSIT GYPSY CARAVAN SITES. IN EXCEPTIONAL CIRCUMSTANCES, PLANNING PERMISSION MAY BE GRANTED FOR A SITE IN THE GREEN BELT OR IN AN AREA OF OUTSTANDING NATURAL BEAUTY.

TRANSPORT

- T1 TO SEEK APPROPRIATE IMPROVEMENTS TO A NETWORK OF HIGH QUALITY ROADS WHICH WILL SERVE AS THE MAJOR THROUGH ROUTES FOR THROUGH AND LORRY TRAFFIC. THE NETWORK WILL COMPRISE: M40, A34 (FROM WENDLEBURY TO BERKSHIRE), A40 (WHEATLEY TO GLOUCESTERSHIRE A41 (WENDLEBURY TO BUCKINGHAMSHIRE), A43 (ARDLEY TO NORTHAMPTONSHIRE), A420 (OXFORD TO WILTSHIRE), THE OXFORD RING ROAD AND AN APPROPRIATE CONNECTION BETWEEN THE A34 AND A40.
- T2 THE USE OF THE A44 (FROM PEARTREE HILL TO GLOUCESTERSHIRE A418 (WHEATLEY TO BUCKINGHAMSHIRE), A422 (M40 TO NORTHAMPTONSHIRE), A423 (M40 TO WARWICKSHIRE AND FROM THE OXFORD RING ROAD TO BERKSHIRE) AND A4074 AS COUNTY INTER TOWN ROUTES WILL BE ENCOURAGED. ON THIS ROUTES

CONSIDERATION WILL BE GIVEN TO THE BUILDING OF BYPASSES FOR SETTLEMENTS WORST AFFECTED BY TRAFFIC BUT WITHOUT TRANSFERRING TRAFFIC FROM THE MAJOR THROUGH ROUTE NETWORK OR STRATEGIC ROUTES OUTSIDE THE COUNTY.

- T3 IMPROVEMENTS OTHER THAN ON MAJOR THROUGH ROUTES WILL BE RESTRICTED TO THOSE WHICH RESOLVE SEVERE ACCIDENT OR ENVIRONMENTAL PROBLEMS OR CATER FOR MINERALS TRAFFIC OR WHICH SUPPORT LAND USE POLICIES. SUCH IMPROVEMENTS SHOULD NOT RESULT IN THE TRANSFER OF TRAFFIC FROM MORE SUITABLE ROADS OR PREJUDICE POLICIES OF RESTRAINT.
- T4 THE FOLLOWING NATIONAL TRUNK ROAD SCHEMES ARE PROPOSED:
- A40 NORTH OF OXFORD IMPROVEMENT
 - A40 HEADINGTON JUNCTION IMPROVEMENT
 - A40 WITNEY BYPASS TO STURT FARM IMPROVEMENT
 - A40 WITNEY BYPASS - CASSINGTON DUALLING
 - A420 CUMNOR TO KINGSTON BAGPUIZE AND SOUTHMOOR TO SHRIVENHAM IMPROVEMENTS
 - A421 WENDLEBURY-BICESTER BYPASS IMPROVEMENT
 - A43 DUALLING BETWEEN M40 AND NORTHAMPTONSHIRE
- T5 THE FOLLOWING LOCAL AUTHORITY HIGHWAY IMPROVEMENT SCHEMES WILL HAVE THEIR LINES PROTECTED FROM DEVELOPMENT:
- BANBURY: EAST/WEST LINK ROAD STAGE II
 - BICESTER: NORTH-EASTERN AND EASTERN (PART) PERIMETER ROAD
 - BICESTER: SKIMMINGDISH LANE
 - BICESTER: LORDS LANE
 - BICESTER: HOWES LANE
 - BICESTER: LAUNTON ROAD LINK
 - BURFORD BYPASS (A361)
 - CANE END/GREEN DEAN BYPASS (A4074)
 - CARTERTON-A40 ACCESS ROAD
 - DIDCOT: MILTON HEIGHTS STAGE II
 - DIDCOT: NORTHERN PERIMETER ROAD STAGE III
 - MARCHAM BYPASS
 - OXFORD: BOTLEY ROAD IMPROVEMENTS
 - SUTTON BYPASS
 - WALLINGFORD BYPASS
 - WITNEY: COGGES LINK
 - WOODSTOCK BYPASS
- T6 IN CONSIDERING PROPOSALS FOR NEW HIGHWAY SCHEMES CONSIDERATION WILL BE GIVEN TO THE IMPACT ON THE ENVIRONMENT, THE NEEDS OF PEDESTRIANS AND CYCLISTS, AND THE NEED TO GIVE PRIORITY TO PUBLIC TRANSPORT.
- T7 THE COUNTY COUNCIL WILL TAKE MEASURES TO DISCOURAGE OR REDUCE THE USE OF UNSUITABLE ROADS BY THROUGH TRAFFIC.

- T8 MEASURES INCLUDING TRAFFIC CALMING AND COMPREHENSIVE PEDESTRIAN AND CYCLE ROUTES WILL BE INTRODUCED TO IMPROVE THE SAFETY, CONVENIENCE AND COMFORT OF RESIDENTS, PEDESTRIANS, CYCLISTS AND DISABLED PEOPLE, AND TO ENHANCE THE ENVIRONMENT, PARTICULARLY WITHIN BUILT UP AREAS.
- T9 IN TOWN CENTRES APPROPRIATE COMPREHENSIVE LOCAL POLICIES WILL BE SOUGHT TO PROMOTE SAFETY. TO PROTECT AND IMPROVE THE ENVIRONMENT, TO GIVE PRIORITY TO PEDESTRIANS AND PUBLIC TRANSPORT AND TO MAKE SUITABLE PROVISION FOR CYCLISTS, CAR PARKING AND SERVICING.
- T10 WITHOUT PREJUDICE TO OTHER TRANSPORT POLICIES, PRIORITY WILL BE GIVEN TO SCHEMES THAT ARE EXPECTED TO LEAD TO A SIGNIFICANT REDUCTION IN ACCIDENTS.
- T11 THE PROVISION OF CONVENIENT, RELIABLE AND HIGH STANDARD PUBLIC TRANSPORT SERVICES WILL BE ENCOURAGED AS PART OF A STRATEGY TO GIVE PRIORITY TO PUBLIC TRANSPORT AND REDUCE THE USE OF PRIVATE VEHICLES. MEASURES INCLUDING BOTH MANAGEMENT OF EXISTING HIGHWAYS AND PROVISION OF NEW INFRASTRUCTURE FOR PUBLIC TRANSPORT WILL BE IMPLEMENTED WHERE THEY CAN BE SHOWN TO OFFER AN OVERALL BENEFIT.
- T12 ANY ACTION WHICH WOULD PREJUDICE THE RETENTION OF EXISTING RAIL FACILITIES WHICH COULD FEASIBLY BE REOPENED TO PASSENGER OR FREIGHT USE WILL BE RESISTED.
- T13 THE FOLLOWING PUBLIC TRANSPORT SCHEMES WILL BE INVESTIGATED AND THEIR IMPACT ON THE ENVIRONMENT EVALUATED:
- NEW STATIONS AT KIDLINGTON, KENNINGTON AND GROVE
SEGREGATED SERVICES BETWEEN OXFORD AND THE WITNEY AREA
IMPROVED LINKS BETWEEN THE RAILWAY IN OXFORD, CENTRAL OXFORD AND MAIN EMPLOYMENT AREAS
- T14 THE PROVISION OF HIGHWAYS AND OTHER TRANSPORT MEASURES WILL BE SOUGHT TO FACILITATE DEVELOPMENT IN BANBURY, BICESTER, DIDCOT AND WITNEY, AND TO SUPPORT OTHER LAND USE POLICIES.
- T15 GENERALLY, WHERE DEVELOPMENT REQUIRES NEW ROAD BUILDING, PROVISION OF EXTRA PUBLIC TRANSPORT SERVICES, OR FACILITIES OR OTHER TRANSPORT MEASURES, AN APPROPRIATE CONTRIBUTION TO THE COST OF SUCH PROVISION WILL BE SOUGHT FROM DEVELOPERS AND/OR LANDOWNERS
- T16 IN CONSIDERING PROPOSALS FOR DEVELOPMENT, ACCOUNT WILL BE TAKEN OF:
- a) THE EXISTING TRANSPORT SITUATION AND TRAFFIC AND CAR PARKING MANAGEMENT MEASURES;
 - b) THE IMPACT OF GENERATED TRAFFIC ON EXISTING SETTLEMENTS AND ROADS;

- c) THE REQUIREMENTS OF PUBLIC TRANSPORT;
 - d) THE LIKELY RESOURCE IMPLICATIONS FOR THE HIGHWAY AUTHORITY;
 - e) ACCESS FOR PEDESTRIANS, CYCLISTS AND DISABLED PEOPLE;
 - f) ACCESS AND THE SCOPE TO DISCOURAGE UNNECESSARY USE OF PRIVATE VEHICLES
 - g) SERVICING ARRANGEMENTS AND THE IMPACT OF SERVICING TRAFFIC;
 - b) THE SAFETY OF ALL HIGH WAY USERS.
- T17 WHEREVER POSSIBLE, NEW DEVELOPMENT SHOULD BE LOCATED WHERE IT CAN CONVENIENTLY BE SERVED BY RAIL OR OTHER PUBLIC TRANSPORT SERVICES. THE USE OF RAILWAYS WILL BE ENCOURAGED ALSO BY THE SITING OF RAIL FREIGHT DEPOTS IN SUITABLE LOCATIONS AND BY OTHER MEANS.
- T18 TO ENCOURAGE LORRIES TO USE SUITABLE ROUTES AND TO RESTRICT THEM ON UNSUITABLE ROADS.
- T19 PROVISION FOR A LIMITED NUMBER OF HIGH STANDARD SERVICE FACILITIES FOR LORRIES AND OTHER ROAD USERS ON MAJOR THROUGH ROUTES WILL BE ENCOURAGED PROVIDED THAT THEY DO NOT CAUSE SERIOUS ENVIRONMENTAL NUISANCE, JEOPARDISE ROAD SAFETY OR PREJUDICE OTHER POLICIES IN THIS PLAN.

SHOPPING

- S1 THE PRINCIPAL LOCATIONS FOR MAJOR NEW SHOPPING DEVELOPMENT WILL BE IN THE COUNTRY TOWNS OF BANBURY, BICESTER, DIDCOT AND WITNEY.
- S2 FURTHER SHOPPING PROVISION WILL BE PERMITTED IN THE EXISTING SHOPPING CENTRES OF BANBURY AND OXFORD TO MEET THE COMPARISON AND SPECIALISED REQUIREMENTS OF THE POPULATIONS OF THE WIDER CATCHMENT AREAS OF THESE TOWNS.
- S3 PROPOSALS FOR SHOPPING DEVELOPMENT SUFFICIENT TO MEET THE DAY TO DAY SHOPPING NEEDS OF THE LOCAL POPULATION, WITHIN OR CONVENIENT TO RESIDENTIAL AREAS IN TOWNS AND VILLAGES WILL NORMALLY BE PERMITTED.
- S4 PLANNING AUTHORITIES WILL CONSIDER PROPOSALS FOR SHOPPING DEVELOPMENT IN THE LIGHT OF THE FOLLOWING CRITERIA:
- a) THE LIKELY EFFECT OF THE PROPOSED DEVELOPMENT, TOGETHER WITH OTHER RECENT AND PROPOSED DEVELOPMENTS IN THE LOCALITY, UPON THE VITALITY AND VIABILITY OF NEARBY TOWN CENTRES AS A WHOLE;

- b) THE NEED TO PROTECT THE CHARACTER OF AREAS OF CONSERVATION IMPORTANCE;
 - c) THE ACCESSIBILITY OF THE SITE BY PUBLIC TRANSPORT;
 - d) THE EFFECT OF THE PROPOSAL UPON THE HIGHWAY NETWORK; PROPOSALS WHICH WOULD INCREASE DANGER AND CONGESTION ON THE HIGHWAYS OR FOR WHICH ADEQUATE ACCESS CANNOT BE PROVIDED WILL NOT NORMALLY BE PERMITTED.
- S5 PROPOSALS WHICH MAINTAIN AND ENHANCE THE VIABILITY AND ATTRACTIVENESS OF EXISTING SHOPPING CENTRES THROUGH IMPROVEMENTS TO THEIR RANGE OF SHOPS AND TO THE ENVIRONMENT WITHIN SHOPPING CENTRES WILL BE FAVOURABLY CONSIDERED.

RECREATION

- R1 TO MAKE OPTIMUM USE OF EXISTING COUNTRYSIDE RECREATION FACILITIES AND RESOURCES, INCLUDING PUBLIC RIGHTS OF WAY, BANKS OF RIVERS AND WATERWAYS, WOODLANDS AND PARKLANDS, AND SUITABLE DISUSED LAND. OPPORTUNITIES WILL BE TAKEN TO PROVIDE AND PERMISSION WILL NORMALLY BE GRANTED FOR NEW FACILITIES WHERE THIS CAN BE DONE IN ACCORDANCE WITH POLICY R3 AND WHERE THERE IS A CLEAR SHORTAGE OF SUCH FACILITIES.
- R2 TO COOPERATE WITH LANDOWNERS AND MANAGERS, VOLUNTARY BODIES, AND OTHER INTERESTED PARTIES TO RESOLVE CONFLICTS ARISING BETWEEN USERS OF THE COUNTRYSIDE AND TO IMPROVE OPPORTUNITIES FOR ACCESS TO THE COUNTRYSIDE AND TO SITES OF NATURE CONSERVATION, HISTORICAL OR ARCHAEOLOGICAL IMPORTANCE WHERE APPROPRIATE AND DESIRABLE.
- R3 PROPOSALS FOR RECREATIONAL DEVELOPMENT WILL NOT NORMALLY BE PERMITTED IF BY THEIR NATURE THEY ARE INAPPROPRIATE TO THE LOCALITY AND LIKELY TO CAUSE SIGNIFICANT DAMAGE TO THE LANDSCAPE, THE URBAN OR RURAL AMENITY OR AGRICULTURAL, FORESTRY, NATURAL HISTORY, OR ARCHAEOLOGICAL INTERESTS OR CREATE POTENTIAL DANGER OR CONGESTION ON HIGHWAYS.
- R4 IN AREAS OF OUTSTANDING NATURAL BEAUTY THE COUNTY COUNCIL WILL SEEK TO IMPROVE OPPORTUNITIES FOR THE QUIET ENJOYMENT OF THE COUNTRYSIDE, AND, WHERE NECESSARY, TO RESOLVE CONFLICTS OF INTEREST BETWEEN USERS OF IT.
- R5 TO SECURE THE RECREATIONAL OR NATURE STUDY/CONSERVATION AFTER-USE OF MINERAL WORKINGS AND WASTE DISPOSAL SITES WHERE THERE IS NO OVERRIDING CONSTRAINT INHIBITING SUCH USE AND WHERE RESTORATION TO HIGH QUALITY AGRICULTURAL LAND OF GRADES 1, 2, AND 3₂ IS NOT APPROPRIATE AND TO SECURE INCREASED PUBLIC ACCESS IN APPROPRIATE CASES.
- R6 THE COUNCIL WILL SEEK TO PROMOTE RIVER VALLEY AS IMPORTANT AREAS OF OPEN LAND BY ENCOURAGING PUBLIC ACCESS AND WATER RELATED RECREATION IN APPROPRIATE LOCATIONS.

- R7 IN CONSIDERING PROPOSALS FOR DEVELOPMENT ON OR AFFECTING THE RIVER THAMES AND ITS IMMEDIATE VALLEY, TO SEEK TO PRESERVE AND WHERE APPROPRIATE ENHANCE THE PLEASANT ENVIRONMENTAL QUALITIES OF THE RIVER AND ITS VALLEY AND TO PREVENT INCREASED CONGESTION AND CONSEQUENT LOSS OF AMENITY. TO THIS END:
- a) ANY NEW RIVERSIDE RECREATIONAL DEVELOPMENT INCORPORATING SUBSTANTIAL BUILDINGS AND STRUCTURES SHOULD BE ASSOCIATED AS FAR AS POSSIBLE WITH EXISTING SETTLEMENTS, AND SHOULD BE CAPABLE OF BEING PROVIDED WITH ADEQUATE ROAD ACCESS AND PARKING AREAS. PERMISSION WILL NOT NORMALLY BE GRANTED FOR DEVELOPMENT IN THE OPEN COUNTRYSIDE WHICH COULD DAMAGE THE RURAL QUALITY OF THE RIVER AND ITS VALLEY.
 - b) THERE WILL BE PRESUMPTION AGAINST THE PROVISION OF NEW PERMANENT MOORINGS, OR NEW HIRE BASES. PROPOSALS FOR EXTENSIONS TO EXISTING HIRE BASES WILL BE CONSIDERED IN RELATION TO THEIR EFFECT ON THE CHARACTER OF THE RIVER AND ITS SURROUNDINGS, AND ANY OTHER LOCAL PLANNING INTERESTS AND THERE WILL BE A PRESUMPTION AGAINST PROPOSALS WHICH WOULD RESULT IN A SIGNIFICANT INCREASE IN RIVER TRAFFIC. OPPORTUNITIES WILL BE TAKEN WHERE APPROPRIATE AND DESIRABLE TO RELOCATE EXISTING ON-RIVER MOORINGS INTO SIDE-CHANNELS, GRAVEL WORKINGS OR BACKWATERS.
 - c) THERE WILL BE A PRESUMPTION AGAINST ADDITIONAL ORGANISED WATER SPORTS PROPOSALS WHICH WOULD RESULT IN A SIGNIFICANT INCREASE IN CONGESTION OR INSUPERABLE CONFLICTS BETWEEN RIVER USERS, OR WHICH WOULD DAMAGE THE CHARACTER OF THE RIVERS AND ITS SURROUNDINGS. WHEREVER POSSIBLE, WATER SPORTS CLUBS AND ORGANISATIONS WILL BE ENCOURAGED TO DEVELOP THROUGH EXISTING CLUBS AND PREMISES RATHER THAN THROUGH THE CREATION OF NEW ONES.
 - d) ENCOURAGEMENT WILL BE GIVEN TO PROPOSALS WHICH SEEK TO IMPROVE OPPORTUNITIES FOR ACCESS TO AND WALKING ALONG THE RIVER BY IMPROVEMENT AND COMPLETION OF THE THAMES TOWING PATH AS A CONTINUOUS ROUTE.
- R8 THE PROVISION OF RECREATION, ARTS AND COMMUNITY FACILITIES WILL BE SOUGHT IN ASSOCIATION WITH NEW DEVELOPMENT AND IN SETTLEMENTS WHERE THERE ARE DEFICIENCIES. THE COUNTY COUNCIL WILL SEEK TO PROVIDE LEISURE FACILITIES IN COOPERATION WITH INTERESTED BODIES, PARTICULARLY IN SCHOOLS WHERE THEY CAN BE USED JOINTLY WITH THE COMMUNITY.

WASTE DISPOSAL

- WD1** FACILITIES WILL BE PROVIDED AND PROPOSALS ENCOURAGED WHICH INCREASE RECYCLING OF MATERIALS, LIMIT WASTE GENERATION, OR PROVIDE ENVIRONMENTALLY ACCEPTABLE ALTERNATIVES TO LANDFILL. ON LANDFILL SITES THE COUNCIL WILL ENCOURAGE SCHEMES TO USE LANDFILL GAS ENERGY SOURCES.
- WD2** TO CONTROL THE RELEASE AND LOCATION OF LANDFILL SITES IN SUCH A WAY AS TO ENSURE THAT SATISFACTORY RESTORATION IS PROGRESSIVELY ACHIEVED WITH THE LEAST POSSIBLE HARM TO THE ENVIRONMENT. PROPOSALS WILL THEREFORE BE ASSESSED AGAINST THE FOLLOWING CRITERIA:
- a) THERE IS A DEFINITE NEED FOR THE FACILITIES WHICH CANNOT BE MET BY EXISTING OR PERMITTED LANDFILL SITES.
 - b) THERE SHOULD BE NO MATERIAL DAMAGE OR DISTURBANCE TO THE ENVIRONMENT OR TO THE AMENITIES OF RESIDENTIAL AND OTHER SENSITIVE USES OR BUILDINGS, BOTH DURING AND AFTER OPERATION, BY REASON OF NOISE, DUST, VERMIN, SMELL, GAS AND OTHER POLLUTION, OR LONG TERM DAMAGE TO THE VISUAL AMENITIES.
 - c) THE PROPOSED FILLING SHOULD NOT RAISE OR IMPEDE THE FLOOD PLAIN OF RIVERS AND STREAMS OR CREATE RISK OF POLLUTION OF SURFACE OR UNDERGROUND WATER COURSES.
 - d) THE PROPOSAL WILL CAUSE NO MATERIAL DAMAGE TO ANY FEATURE OF IMPORTANCE WITHIN A SITE OF SPECIAL SCIENTIFIC INTEREST OR OTHER SITE OF NATURE CONSERVATION IMPORTANCE WHICH CANNOT BE PROTECTED BY MEASURES INCORPORATED WITHIN THE PROPOSAL.
 - e) THE PROPOSAL WILL CAUSE NO MATERIAL DAMAGE TO AN ANCIENT MONUMENT OR ARCHAEOLOGICALLY IMPORTANT AREA REQUIRING PERMANENT PRESERVATION
 - f) THE PROPOSALS WILL NOT ADVERSELY AFFECT AN AREA OF OUTSTANDING NATURAL BEAUTY OR OF HIGH LANDSCAPE VALUE.
 - g) IN THE CASE OF PROPOSALS IN THE GREEN BELT THE DEVELOPMENT SHOULD NOT INJURE THE VISUAL AMENITIES OF THE GREEN BELT OR CONFLICT WITH ITS PURPOSES BECAUSE OF INAPPROPRIATE SITING, SCALE OR DESIGN.
 - h) THE PROPOSED ACCESS TO THE SITE, AND TRANSPORT ROUTES FOR CARRYING WASTE TO IT, ARE SUITABLE FOR THE VOLUME AND NATURE OF TRAFFIC WHICH MAY BE EXPECTED
 - i) THE SITE AND THE METHODS OF OPERATION PROPOSED ARE CAPABLE OF PROGRESSIVE RESTORATION AND COMPLETION WITHIN AN ACCEPTABLE PERIOD HAVING REGARD TO THE PARTICULAR CIRCUMSTANCES IN EACH CASE.

- j) PROPOSALS FOR SITES MUST MEET WITH THE HYDROLOGICAL AND GEOLOGICAL REQUIREMENTS FOR SAFE DISPOSAL OF THE PARTICULAR WASTE CONCERNED.
 - k) WHERE WASTE DISPOSAL MIGHT DAMAGE THE VISUAL AMENITIES OF AN AREA DURING THE PERIOD OF OPERATION, THE SITE WILL BE SCREENED BY EARTH MOUNDING, TREE PLANTING OR OTHER TECHNIQUES APPROPRIATE TO THE AREA.
- WD3 THERE WILL BE A STRONG PRESUMPTION AGAINST WASTE DISPOSAL BY LANDFILL EXCEPT INTO OLD MINERAL WORKINGS AND OTHER ARTIFICIAL DEPRESSIONS. DISPOSAL ON AGRICULTURAL LAND WILL NOT NORMALLY BE PERMITTED UNLESS IT CAN BE DEMONSTRATED THAT IT IS NECESSARY TO IMPROVE THE AGRICULTURAL QUALITY OF THE LAND, AND THERE WILL BE NO OTHER CONFLICTS WITH THE CRITERIA SET OUT IN WD2.
- WD4 IN ORDER TO AVOID TRANSPORT OF LARGE VOLUMES OF WASTE ON PUBLIC ROADS, PLANNING PERMISSION MAY BE GRANTED FOR THE DISPOSAL OF EXCAVATED MATERIAL FROM MAJOR ROAD BUILDING SCHEMES CLOSE TO THE ROAD, PROVIDED IT DOES NOT CAUSE SERIOUS LOCAL ENVIRONMENTAL PROBLEMS. PRIORITY WILL BE GIVEN TO PROPOSALS TO FILL BORROW PITS EXCAVATED TO PROVIDE MATERIALS FOR THE ROUTE, AND OTHERWISE PROPOSALS SHOULD COMPLY WITH THE CRITERIA SET OUT IN WD3. SUCH DISPOSAL WILL ONLY BE PERMITTED FOR SPECIFIC PROJECTS AND WHERE THERE IS NO EQUALLY ACCEPTABLE SITE ALREADY PERMITTED OR ALLOCATED FOR LANDFILL OR OTHER MEANS OF DISPOSAL AND WHERE THE MATERIAL CANNOT BE BETTER USED IN THE LANDSCAPING OF THE NEW ROAD. SUCH DISPOSAL WILL NOT BE REGARDED AS SETTING A PRECEDENT FOR FURTHER WASTE DISPOSAL PROPOSALS.

MINERALS

Supply and Demand

All Minerals

- M1 THE COUNTY COUNCIL WILL RELEASE LAND FOR MINERAL WORKING SO AS TO MAINTAIN AN ADEQUATE AND STEADY SUPPLY TO CONTRIBUTE TO LOCAL, REGIONAL AND NATIONAL NEEDS PROVIDED THAT THEY ARE SATISFIED THAT THE DEMAND CANNOT REASONABLY BE MET FROM EXISTING PLANNING PERMISSIONS.
- M2 IN ASSESSING APPLICATIONS FOR MINERALS WORKING THE COUNTY COUNCIL WILL TAKE INTO ACCOUNT THE QUALITY AND QUANTITY OF THE DEPOSIT IN THE APPLICATION SITE AND THE AVAILABILITY OF PROVEN DEPOSITS ELSEWHERE IN THE COUNTY WHICH MIGHT PROVIDE LESS DAMAGING ALTERNATIVE SOURCES OF SUPPLY.
- M3 THE COUNTY COUNCIL WILL ENCOURAGE THE USE OF RECYCLED MATERIALS TO REDUCE THE DEMAND FOR LOCALLY DUG MINERALS.

- M4 THE COUNTY COUNCIL WILL SUPPORT THE DEVELOPMENT OF RAIL-DEPOTS FOR THE IMPORT OF MINERALS INTO THE COUNTY WHERE THERE ARE NO OVERRIDING PLANNING OBJECTIONS.
- M5 PROPOSALS FOR EXPLORATORY WORKS (INCLUDING THOSE FOR OIL AND GAS) WILL GENERALLY BE APPROVED PROVIDED THAT SATISFACTORY MEASURES ARE PROPOSED:
- a) TO SAFEGUARD THE AMENITIES OF LOCAL RESIDENTS AND THE ENVIRONMENT
 - b) FOR VEHICULAR ACCESS
 - c) FOR RESTORATION
- M6 DEVELOPMENT WILL NORMALLY BE RESISTED WHERE IT WOULD STERILISE MINERAL RESOURCES THAT COULD BE WORKED UNDER THE POLICIES IN THIS PLAN.

Aggregates

- M7 THE COUNTY COUNCIL WILL SEEK TO MAINTAIN A STOCK OF LAND IN THE COUNTY WITH PLANNING PERMISSION FOR THE EXTRACTION OF AGGREGATES EQUIVALENT TO AT LEAST A 10 YEAR SUPPLY, PROVIDED THAT SUFFICIENT APPLICATIONS ARE MADE WHICH DO NOT CONFLICT WITH POLICIES M9-M14. IN ADDITION BORROW PITS MAY BE PERMITTED TO SERVE SPECIFIC LARGE SCALE PROJECTS IN ACCORDANCE WITH POLICY M8.
- M8 PERMISSION MAY BE GRANTED FOR BORROW PITS TO SERVE MAJOR CONSTRUCTION PROJECTS IN OXFORDSHIRE PROVIDED THEY DO NOT CAUSE SERIOUS LOCAL ENVIRONMENTAL PROBLEMS. IN PARTICULAR THEY SHOULD SEEK TO AVOID THE CONSTRAINTS IN POLICY M9 AND ADEQUATE PROVISION MUST BE MADE FOR RESTORATION. BORROW PITS WILL BE PERMITTED ONLY TO SUPPLY SPECIFIC PROJECTS AND WHERE THERE IS NO EQUALLY ACCEPTABLE SITE ALREADY PERMITTED OR ALLOCATED FOR EXTRACTION. THEY WILL NOT BE REGARDED AS SETTING A PRECEDENT FOR FURTHER EXTRACTION.

Location of Mineral Workings

All Minerals

- M9 IN THE FOLLOWING AREAS OF NATIONALLY ACKNOWLEDGED IMPORTANCE THERE WILL NORMALLY BE A PRESUMPTION AGAINST MINERAL WORKING UNLESS IT CAN BE SHOWN THAT THE NEED FOR THE DEVELOPMENT OUTWEIGHS ANY ADVERSE ENVIRONMENTAL CONSEQUENCES:
- (a) ON GRADE 1, 2 OR 3A LAND, UNLESS IT IS DEMONSTRATED THAT A HIGH STANDARD OF RESTORATION TO AGRICULTURE WILL BE ACHIEVED;
 - (b) IN OR AFFECTING AREAS OF OUTSTANDING NATURAL BEAUTY;

- (c) WHICH WOULD DAMAGE AN ANCIENT MONUMENT OR ARCHAEOLOGICALLY IMPORTANT AREA REQUIRING PERMANENT PRESERVATION;
 - (d) WHICH WOULD DAMAGE THE CONSERVATION INTEREST OF A NATURE RESERVE OR SITE OF SPECIAL SCIENTIFIC INTEREST
- M10 THE COUNTY COUNCIL WILL ALSO PROTECT AREAS OF REGIONALLY AND LOCALLY ACKNOWLEDGED IMPORTANCE, AND THERE WILL NORMALLY BE A PRESUMPTION AGAINST MINERAL WORKING WHICH WOULD SERIOUSLY DAMAGE:
- (a) AREAS IMPORTANT TO THE IMMEDIATE LANDSCAPE SETTING OF OXFORD;
 - (b) THE IMMEDIATE SETTING OF THE RIVER THAMES OR OTHER RIVERS IN THE COUNTY, AND THE OXFORD CANAL;
 - (c) THE SPECIAL QUALITIES OF AN AREA OF HIGH LANDSCAPE VALUE OR IMPORTANT LOCAL LANDSCAPE FEATURE;
 - (d) THE ENVIRONMENT AND AMENITIES OF TOWNS, VILLAGES, DWELLINGS, RESIDENTIAL INSTITUTIONS, HOSPITALS AND OTHER SENSITIVE BUILDINGS;
 - (e) IMPORTANT HISTORIC LANDSCAPE, PARKS AND GARDENS AND AN ANCIENT SEMI NATURAL WOODLAND.
- M11 OUTSIDE THE AREAS COVERED BY M9, M10 AND M13 APPLICATIONS FOR MINERAL EXTRACTION WILL BE CONSIDERED ON THEIR MERITS IN THE LIGHT OF OTHER POLICIES IN THE PLAN.
- M12 POLICY EN5 WILL NOT BE REGARDED AS NECESSARILY PREVENTING THE WINNING AND WORKING OF MINERALS PROVIDED THAT HIGH ENVIRONMENTAL STANDARDS ARE MAINTAINED AND THAT THE SITE IS WELL RESTORED.

Sharp Sand and Gravel

- M13 THE PRINCIPLE OF NEW SAND AND GRAVEL WORKINGS IS ACCEPTED IN THE FOLLOWING AREAS:

THE SUTTON COURTENAY AREA
 THE SUTTON WICK AREA
 THE STANTON HARCOURT AREA
 THE CASSINGTON-YARNTON AREA

Control of Mineral Workings

All Minerals

- M14 PROPOSALS FOR MINERAL WORKINGS WILL BE CONSIDERED IN THE LIGHT OF THE CRITERIA BELOW:

- (a) THE PROTECTION OF LOCAL RESIDENTIAL, LANDSCAPE AND NATURAL AMENITIES;
- (b) THE PROVISION OF ADEQUATE BUFFER ZONES TO PROTECT RESIDENTIAL AND NATURAL AMENITIES;
- (c) BUILDINGS OF ARCHITECTURAL AND HISTORICAL IMPORTANCE AND THEIR SETTING ARE NOT SIGNIFICANTLY DAMAGED;
- (d) THAT SATISFACTORY ACCESS CAN BE PROVIDED ONTO ROADS WHICH CAN SAFELY ACCOMMODATE THE PROPOSED TRAFFIC WITHOUT MATERIAL HARM TO THE ENVIRONMENT;
- (e) WHERE ARCHAEOLOGICAL SITES DO NOT NEED TO BE PRESERVED, APPROPRIATE PROVISION IS MADE FOR THE RECOVERY AND RECORDING OF REMAINS BEFORE EXTRACTION TAKES PLACE;
- (f) SITES IMPORTANT FOR NATURE CONSERVATION, OTHER THAN COVERED BY POLICY M9(d), ARE NOT SERIOUSLY DAMAGED,
- (g) WOODS, COPSES AND BELTS OF TREES WHICH ARE IMPORTANT IN THE LANDSCAPE, ARE PROTECTED;
- (h) A HIGH STANDARD OF RESTORATION AND LANDSCAPING IS PROVIDED;
- (i) WATER SUPPLIES AND RESOURCES ARE PROTECTED AND POLLUTION AVOIDED, AND HYDROLOGICAL STUDIES ARE PROVIDED WHERE NECESSARY;
- (j) THE NETWORKS OF PUBLIC RIGHTS OF WAY ARE PROTECTED;
- (k) THAT EVERY CARE IS TAKEN IN THE SITING, DESIGN AND LANDSCAPING OF PROCESSING PLANTS TO MINIMISE THE EFFECTS ON THE LOCAL AREA;
- (l) WHEN CONSIDERING APPLICATIONS FOR MINERAL DEVELOPMENT, THE COUNTY COUNCIL WILL CONSIDER THE FEASIBILITY OF THE RESTORATION AND AFTERCARE PROPOSALS.

Restoration

- M15 BEFORE GRANTING PLANNING PERMISSION THE COUNTY COUNCIL WILL NEED TO BE SATISFIED THAT THE LAND WILL BE PROGRESSIVELY RESTORED WITHIN A REASONABLE TIME SCALE TO AN ACCEPTABLE USE THAT IS APPROPRIATE TO ITS LOCATION AND IMMEDIATE AREA.
- M16 THE COUNTY COUNCIL WILL SEEK TO SECURE THE ENVIRONMENTAL IMPROVEMENT OF LAND THAT HAS BEEN DAMAGED BY MINERAL WORKING.

Transport

- M17 THE COUNTY COUNCIL WILL SEEK TO MINIMISE THE EFFECT OF TRAFFIC ON THE HIGHWAY NETWORK, AND WILL ENCOURAGE THE USE

OF RAIL, BARGE, PIPELINE, CONVEYOR AND OTHER ALTERNATIVES TO ROAD WHERE THIS IS FEASIBLE AND BENEFICIAL, AND WOULD NOT LEAD TO AN INCREASE IN THE RATE OF MINERAL EXTRACTION OR CREATE TRANSPORT PROBLEMS ELSEWHERE.

- M18 RAPID AND CONVENIENT ACCESS TO THE PRIMARY ROAD NETWORK OF HIGH QUALITY ROADS WILL BE SOUGHT FOR MINERALS TRAFFIC IN THE CONTEXT OF STRUCTURE PLAN POLICIES T1-T19. WHERE SUCH ACCESS IS NOT DIRECTLY AVAILABLE THE USE OF OTHER ROADS WILL BE STRICTLY CONTROLLED, AND MEASURES SUCH AS HAUL ROUTES, ROUTING AGREEMENTS AND APPROPRIATE CONTRIBUTIONS TOWARDS ROAD IMPROVEMENTS WILL BE SECURED BEFORE PLANNING PERMISSION IS GRANTED.

Industries Associated with Mineral Working

- M19 APPLICATIONS FOR INDUSTRIES ASSOCIATED WITH A MINERAL WORKING WILL BE CONSIDERED ON THEIR MERITS AND IN THE LIGHT OF SUITABLE ALTERNATIVE SITES. IF PERMISSION IS GRANTED IT WILL GENERALLY ONLY BE FOR A LIMITED PERIOD, WHICH WILL NOT EXTEND BEYOND THE LIFE OF THE WORKING.

Hydrocarbons

- M20 THE COUNTY COUNCIL WILL NORMALLY PERMIT DEVELOPMENT FOR THE EXTRACTION OF OIL AND GAS PROVIDED:
- (a) THE PROPOSED DEVELOPMENT IS PART OF A COMPREHENSIVE PLAN FOR THE AREA AND THE COUNCIL IS SATISFIED THAT IT IS NECESSARY TO EXPLOIT THE RESOURCES IN THE WAY PROPOSED;
 - (b) THE SITING AND MANAGEMENT OF THE PROPOSAL MINIMISES DISRUPTION AND DISTURBANCE TO LOCAL RESIDENTS AND THE ENVIRONMENT IN THE CONTEXT OF POLICIES M9-M11 AND M14;
 - (c) VEHICULAR ACCESS, CONTROL AND ROUTING, AND THE DISTRIBUTION OF OIL FROM THE AREA PREFERABLY BY PIPELINE OR RAIL, ARE SATISFACTORY;
 - (d) THE METHODS FOR DISPOSING OF WASTE, SAFETY PRECAUTIONS AND MEANS OF MINIMISING POLLUTION ARE SATISFACTORY
 - (e) THE LOCATION OF PROCESSING, STORING AND DISTRIBUTION FACILITIES AVOID AREAS LISTED IN POLICIES M9 AND M10;
 - (f) THERE IS A COMPREHENSIVE SCHEME FOR THE REMOVAL OF ALL PLANT, BUILDINGS AND HARDSTANDINGS, AND FOR THE RESTORATION AND AFTERCARE OF THE LAND INVOLVED.

Environmental Statements

- M21 WHERE APPROPRIATE, APPLICATIONS FOR MINERAL DEVELOPMENT SHOULD BE ACCOMPANIED BY ENVIRONMENTAL STATEMENTS WHICH SHOULD INCLUDE A DESCRIPTION OF THE LIKELY SIGNIFICANT EFFECTS OF THE DEVELOPMENT ON THE ENVIRONMENT AND ITS

RELATIONSHIP TO THE POLICIES IN THIS PLAN AND SET OUT MEASURES AND PROPOSALS TO AVOID, REDUCE OR REMEDY ANY SIGNIFICANT ADVERSE EFFECTS THAT HAVE BEEN IDENTIFIED.

PROPOSALS FOR AREAS OF THE COUNTY

BANBURY

- BAN1** THE RELEASE OF LAND FOR EMPLOYMENT GENERATING DEVELOPMENT IN BANBURY SHOULD BE MADE IN ACCORDANCE WITH POLICIES G1, E1 AND E5.
- BAN2** PROVISION WILL BE MADE FOR ABOUT 4400 NEW DWELLINGS TO BE BUILT BETWEEN 1 APRIL 1986 AND 31 MARCH 2001.
- BAN3** ESSENTIAL INFRASTRUCTURE INCLUDING COMMUNITY FACILITIES WILL BE PROVIDED IN ASSOCIATION WITH DEVELOPMENT. PROPOSALS FOR DEVELOPMENT SHOULD INCLUDE MEASURES TO MINIMISE ANY ADVERSE TRAFFIC EFFECTS THAT MAY ARISE AS A CONSEQUENCE OF THE DEVELOPMENT, PARTICULARLY IN THE TOWN CENTRE. MEASURES WILL BE INTRODUCED TO DISCOURAGE EXTRANEIOUS TRAFFIC FROM THE MAIN SHOPPING AND RESIDENTIAL AREAS.
- BAN4** SHOPPING DEVELOPMENT WHICH ASSISTS IN CONSOLIDATING THE CENTRAL AREA SHOPPING FACILITIES WILL NORMALLY BE PERMITTED IN THE TOWN CENTRE.
- BAN5** PROVISION WILL BE MADE FOR THE DEVELOPMENT OF RECREATION AND COMMUNITY FACILITIES.

BICESTER

- BIC1** THE RELEASE OF LAND FOR EMPLOYMENT GENERATING DEVELOPMENT IN BICESTER SHOULD BE IN ACCORDANCE WITH POLICIES G1, E1 AND E5
- BIC2** PROVISION WILL BE MADE FOR ABOUT 4,900 NEW DWELLINGS TO BE BUILT BETWEEN 1 APRIL 1986 AND 31 MARCH 2001.
- BIC3** NEW DEVELOPMENT AND ASSOCIATED ROAD SCHEMES WILL BE DESIGNED TO MINIMISE THE IMPACT OF TRAFFIC ON THE TOWN, PARTICULARLY THE TOWN CENTRE. CONVENIENT ACCESS BETWEEN THE A41 BYPASS, THE MAIN INDUSTRIAL AREAS, THE TOWN CENTRE AND NEW DEVELOPMENT WILL BE SOUGHT.
- BIC4** ADDITIONAL DEVELOPMENT IS PROPOSED TO IMPROVE BICESTER'S ROLE AS A SHOPPING CENTRE FOR THE NORTH EASTERN PART OF THE COUNTY IN ACCORDANCE WITH POLICY S1.
- BIC5** PROVISION WILL BE MADE FOR THE DEVELOPMENT OF RECREATION AND COMMUNITY FACILITIES.

CENTRAL OXFORDSHIRE

CO1 PROPOSALS FOR EMPLOYMENT GENERATING DEVELOPMENT WILL BE CONSIDERED UNDER POLICIES E3, E4 AND E5.

CO2 PROVISION WILL BE MADE FOR ABOUT 10,100 NEW DWELLINGS TO BE BUILT BETWEEN 1 APRIL 1986 AND 31 MARCH 2001. THE PROVISION WILL BE DISTRIBUTED AS FOLLOWS:

CHERWELL	800
OXFORD CITY	5050
S.OXON	850
VOWH	3400
AREA TOTAL	<u>10100</u>

CO4 IN OXFORD AND THE ADJACENT BUILT UP AREAS PROPOSALS WILL SEEK TO ENCOURAGE THE USE OF PUBLIC TRANSPORT, TO RETAIN AND DEVELOP PARK AND RIDE SCHEMES AND BUS LANES, TO DISCOURAGE THROUGH TRAFFIC IN RESIDENTIAL AREAS AND TO IMPROVE CONDITIONS FOR CYCLISTS AND PEDESTRIANS. PROVISION WILL BE MADE BY TRANSPORT MEASURES, INCLUDING TRAFFIC CALMING, FOR PROTECTION AND ENHANCEMENT OF THE ENVIRONMENT PARTICULARLY IN OXFORD CENTRAL AREA. THE TOTAL NUMBER OF CENTRAL PARKING SPACES WILL BE KEPT GENERALLY AT PRESENT LEVELS. THE EFFICIENT USE AND OPERATION OF THE RING ROAD WILL BE PROTECTED AND PROPOSALS LIKELY TO CONFLICT WITH THIS PRINCIPLE WILL BE RESTRICTED.

CO5 IMPROVEMENTS IN ENVIRONMENTAL CONDITIONS THROUGHOUT ABINGDON WILL BE SOUGHT THROUGH THE PROVISION OF NEW HIGHWAYS AND OTHER TRANSPORT AND ENVIRONMENTAL MEASURES. FINANCIAL CONTRIBUTIONS FROM DEVELOPERS WILL BE SOUGHT WHERE APPROPRIATE.

CO6 IN ABINGDON A LIMITED AMOUNT OF NEW SHOPPING DEVELOPMENT WILL BE PERMITTED IN THE TOWN CENTRE. PROPOSALS WHICH ARE LIKELY TO PREJUDICE SHOPPING PROVISION AT DIDCOT WILL BE RESISTED.

CO7 IN OXFORD NEW SHOPPING DEVELOPMENT WILL BE ALLOWED IN THE EXISTING DISTRICT CENTRES TO PROVIDE FOR THE LOCAL POPULATION. IN THE CITY CENTRE NEW SHOPPING DEVELOPMENT WILL BE PERMITTED TO MEET THE SPECIALISED REQUIREMENTS OF THE WIDER CATCHMENT AREA.

CO8 IN KIDLINGTON A LIMITED AMOUNT OF ADDITIONAL SHOPPING TO MEET LOCAL NEEDS WILL BE PERMITTED IN THE CENTRE.

CO9 THE CONSERVATION OF OXFORD'S ARCHITECTURAL AND HISTORIC HERITAGE AND ITS LANDSCAPE SETTING WILL TAKE PRIORITY IN CONSIDERING PROPOSALS FOR DEVELOPMENT IN AND AROUND THE CITY. THE RIVER VALLEYS AND OTHER IMPORTANT LAND WHICH EXTENDS INTO THE CITY WILL BE PRESERVED AS OPEN SPACE

C010 PROVISION WILL BE MADE FOR THE DEVELOPMENT OF RECREATION AND COMMUNITY FACILITIES.

RURAL AREAS

RUR1 PROVISION FOR EMPLOYMENT GENERATING DEVELOPMENT WILL BE MADE IN ACCORDANCE WITH POLICIES E2, E3, E4 AND E5.

RUR2 PROVISION WILL BE MADE FOR 14400 NEW DWELLINGS TO BE BUILT BETWEEN 1 APRIL 1986 AND 31 MARCH 2001. THE PROVISION WILL BE MADE IN TWO PHASES AND WILL BE DISTRIBUTED AS FOLLOWS:

	1986-96	1996-2001	1986-2001
CHERWELL	1650	650	2300
SOUTH OXFORDSHIRE	2800	800	3600
VALE OF WHITE HORSE	2900	800	3700
WEST OXFORDSHIRE	3650	1150	4800
TOTAL	<u>11000</u>	<u>3400</u>	<u>14400</u>

RUR3 MOST DEVELOPMENT SHOULD TAKE PLACE IN SETTLEMENTS WHERE A REASONABLE RANGE OF SERVICES AND COMMUNITY FACILITIES EXIST OR CAN BE PROVIDED. EVEN IN THESE SETTLEMENTS DEVELOPMENT MAY NOT BE PERMITTED IF IT HAS AN ADVERSE EFFECT ON THE ENVIRONMENT. DEVELOPMENT WILL NOT NORMALLY BE PERMITTED IF IT USES VALUABLE OPEN SPACE WITHIN THE SETTLEMENTS, DETRACTS FROM THE OPEN CHARACTER OR SPOILS AN IMPORTANT VIEW.

RUR4 IN SETTLEMENTS WHICH DO NOT HAVE A REASONABLE RANGE OF SERVICES AND COMMUNITY FACILITIES DEVELOPMENT WILL NORMALLY BE RESTRICTED.

RUR5 PROVISION WILL BE MADE FOR THE DEVELOPMENT OF RECREATIONAL AND COMMUNITY FACILITIES.

APPENDIX B

VEHICLE PARKING STANDARDS

Note: Additional detailed guidance is contained in Oxfordshire County Council's Vehicle Parking Standards document which can be inspected at this Council's Department of Development and Property Services, or purchased direct from the Director of Environmental Services Oxfordshire County Council.

RESIDENTIAL (including caravan parks)

1 bedroom unit	1 space/unit plus 1 casual space/2 units
2 & 3 bedroom units	2 spaces/unit
4 bedroom units	3 spaces/unit
5+ bedroom units	3 spaces plus 1 space/additional bedroom
General requirement	1 space/4 dwellings unless all garages have a minimum internal length of 6.5m
Retired homes, sheltered housing	Standards as above unless relaxation is justified. Minimum standard 2 spaces/3 units plus manoeuvring and parking space for emergency vehicle.
Elderly Person's hostels/homes	1 space/3 units plus wardens provision as for residential standard, plus 1 space per 2 non-residential staff. Manoeuvring and parking space for emergency vehicle.

GENERAL

Theatres, Cinemas	1 space/4 seats up to 300 seats 1 space per 10 seats thereafter. Space for manoeuvring and parking a large commercial vehicle plus pick up/set down space for cars.
Multi-screen/multi-plex cinemas	1 space/4 seats
Public Halls	1 space/4 seats or 1 space/6 sq m; whichever is greater. Servicing and pick-up/set-down facilities as above.
Place of Worship	1 space/4 seats (1 space/5 sq m) up to 300 seats. 1 space/30 seats thereafter. Servicing and pick up/set down facilities as above.
Libraries	1 space/30 sq m plus servicing and pick up/set down facilities as above.
Hospitals and nursing homes	1 space per resident staff plus 1 space per consultants/surgeon/doctor plus 1 space per 2 other staff plus 1 space per 3 beds

for outpatients/visitors. Space for ambulance pick up/set down and manoeuvring.

Medical Clinics, Doctor's Group Practises, Dental Clinics

1 space/member of primary health care team plus 1 space/2 admin staff plus 4 spaces/treatment room. Space for picking up/setting down.

RETAIL (Service vehicle provision based on individual assessment)

Out of/edge of town food superstores.

1 space/10 sq m.

Out of/edge of town non-food retail warehouses/stores.

1 space/15 sq m.

Small retail shops (up to 500 sq m)

1 space/25 sq m.

Food retail units (500-1000 sq m)

Treated on own merits

Town centre food retail stores (over 1000 sq m)

9 spaces/100 sq m.

Town centre non-food retail stores (over 500 sq m)

1 space/20 sq m.

Large shopping complexes

based on individual assessment.

OFFICES

Class A2

1 space per 25 m²

INDUSTRIAL/BUSINESS

Science parks, research and development

1 space/25 sq m plus 1 lorry space/500 sq m.

Business Use-B1

1 space/25 sq m plus 1 lorry space/500 sq m

General industry-B2

1 space/25 sq m up to 225 sq m, 1 space/50 sq m thereafter plus 1 lorry space/200 sq m.

Special industry B3-B7

1 space/25 sq m plus 1 lorry space/200 sq m

Storage and distribution-B8

1 space/25 sq m up to 225 sq m, 1 space/200 sq m thereafter plus 1 lorry space/200 sq m.

Public houses, licenced clubs.

1 space/resident staff plus normal residential standards/unit plus 1 space/3 sq m of net public floor space plus servicing

space and pick up/set down area.

Restaurants/cafes	1 space/resident staff plus 1 space/ 3 non-resident staff plus 1 space/3 sq m of dining area plus servicing space and pick up/set down area.
Hotels and motels	1 space/bedroom plus 1 space/2 staff. Servicing space and pick up/set down area.
Conference centres	1 space/3 seats plus servicing space and pick up/set down area.
Garden centres	1 space/50 sq m (internal and external sales and display areas) plus servicing area.

INDOOR SPORTS FACILITIES

Sports/leisure centres	Assessed individually.
Swimming pools (traditional)	1 space/10 sq m plus 1 space/2 staff plus servicing space and pick up/set down area.
Tennis, badminton	4 spaces/court
Squash	2 spaces/court
Indoor bowls	10 spaces/rink

OUTDOOR FACILITIES

Golf courses	1 space/2 staff, 2 spaces/hole plus spaces for bar/restaurant/ clubhouse etc as above.
Football/rugby/hockey pitches etc	1 space/2 participants plus 1 coach parking space per pitch.
Sports stadium	1 space/2 staff plus 1 space per 5 seats plus 1 space per 2 participants plus provision for servicing, pick up/set down area, and coach parking where required.

EDUCATIONAL ESTABLISHMENTS

Schools	1 space/teacher plus 1 space/2 teachers for visitors plus space for servicing/manoeuvring facility plus space for manoeuvring/parking contract buses.
Community uses in schools	Based on individual assessment.
Further education establishments	1 space/teaching staff member plus 1 space/3 ancillary staff plus 1 space/10 students plus servicing area.

Halls of residence	1 space/resident staff plus 1 space/4 non resident staff plus 1 space/10 students plus servicing area.
Nurseries/Playgroups	1 space/member of staff plus manoeuvring space on site to accommodate up to 3 cars. Entry and exit to be in forward gear.

CYCLE PARKING STANDARDS

Cycle parking areas are recommended for the following types of development: City/town centre shopping areas, shopping facilities in general, employment, leisure facilities, and transport interchanges. Further guidance on cycle parking provision is contained in Oxfordshire County Council's Recommended Vehicle Parking Standards document.

DISABLED PERSONS PARKING

Disabled persons parking spaces shall be 5.0m x 3.4m. Provision for disabled persons' parking will be required for the majority of community, retail and commercial facilities.

The percentage provision to be made will be a product of the scale of overall parking provision and should be discussed early in the planning stage with the relevant planning and Highway Authority staff. All such spaces shall be located so as to provide the most convenient access to the site buildings.

APPENDIX C

CURRENT LIST OF CONSERVATION AREAS

MAY 1996	Date of Designation
Adderbury	April 1975 (reviewed July 1991)
Balscote	April 1980
Banbury	1969 (reviewed May 1991)
Barford St John	Mar 1988
Barford St Michael	Jul 1988
Begbroke	Jul 1991
Bicester	1969 (reviewed Oct 1992)
Bletchington	April 1980 (reviewed May 1991)
Bloxham	April 1975 (reviewed July 1991)
Bodicote	Mar 1988 (reviewed Nov 1995)
Charlton-on-Otmoor	Nov 1989 (reviewed March 1996)
Chesterton	Mar 1988 (reviewed Jan 1995)
Cotnsford	Nov 1980
Cropredy	Feb 1978 (reviewed Sept 1995)
Deddington	Mar 1988
Drayton	Feb 1977
Fritwell	Mar 1988
Hampton Gay, Shipton on Cherwell & Thrupp	Oct 1975
Hampton Poyle	May 1991
Hanwell	Jan 1985
Hethe	Mar 1988 (reviewed July 1993)
Hook Norton	Mar 1988
Harley	Jan 1987 (reviewed July 1991)
Horton	Mar 1988 (reviewed July 1988)
Islip	Nov 1989 (reviewed Nov 1994)
Juniper Hill	Nov 1980
Kidlington, Church Street	1974 (reviewed May 1991 and March 1996)
- High Street	May 1991
- The Rookery	May 1991 (reviewed March 1996)
Kirtlington	Mar 1988
Milton	Mar 1988
Mixbury	Mar 1988
North Aston	Mar 1988
North Newington	May 1989
Rousham	July 1991 (reviewed May 1996)
Sibford Ferris	Nov 1985
Sibford Gower & Burdrop	Jan 1988
Somerton	Oct 1992 (reviewed March 1996)
Souldern	Mar 1988
South Newington	April 1989
Steeple Aston	Mar 1988 (reviewed May 1996)
Stratton Audley	Mar 1988
Swackliffe	Mar 1988
Tadmarton	Oct 1992 (reviewed Nov 1995)
Wardington	Mar 1988
Wigginton	Mar 1988
Williamscot	Oct 1992 (reviewed Nov 1995)
Wroxton	Sept 1977

APPENDIX D

ARCHAEOLOGICAL SITES

Scheduled Ancient Monuments

Parish	County No	Monument Title	Grid Ref
Ambrosden	104	Churchyard cross	SP 603 194
Ambrosden	108	Wretchwick deserted village at Middle Wretchwick Farm	SP 596 213 SP 598 215
Ardley	84	Moated site in Ardley Wood	SP 539 274
Banbury	172	Tooley's boaryard	SP 458 407
Chesterton	145	Saxon barrow	SP 534 222
Deddington	83	Deddington Castle, including banks and ditches of outer bailey	SP 471 316
Deddington	123	Ilbury camp	SP 437 305
Hampton Gay and Poyle	120	Deserted village of Hampton Gay	SP 486 164
Hardwick with Tusmore	103	Site of deserted village at Tusmore	SP 562 308
Istip	107	Romano-Celtic temple N of Wood Eaton	SP 536 127
Istip	148	Roman villa 600m SE of Istip Bridge	SP 533 133
Kidlington	131	Roman villa	SP 498 148
Kirdlington	154	Moated site E of school	SP 501 198
Middleton Stoney	109	Castle (motte and bailey)	SP 534 233
Milcombe	259	Dovecote S of Milcombe Hall Farm	SP 413 347
Mixbury	102	Beaumont Castle	SP 610 341
Oddington	170	Oddington Grange	SP 544 166
Shenington with Alkerton	181	Lyncheted ridge and furrow N of Shenington	SP 370 431
Shipton-on-Cherwell and Thrupp	100	Thrupp Cross	SP 480 157

Parish	County No	Monument Title	Grid Ref
Shipton-on-Cherwell and Thrupp	101	Shipton-on-Cherwell churchyard cross	SP 480 165
Somerton	152	Somerton Manor House; earthworks and remains of hall	SP 499 285
Somerton	261	Somerton village earthworks	SP 496 292
Stratton Andley	153	Moated site SE of church	SP 609 259
Swalcliffe	36a	Madmarston Hill camp	SP 386 389
Swalcliffe	78	Tithe barn	SP 378 379
Tadmarton	35	Tadmarton camp	SP 388 356 SP 388 357
Tadmarton	36b	Earthwork NE of Tadmarton village	SP 398 388
Upper Heyford	93	Tithe barn	SP 495 258
Wendlebury	18	Alchester Roman site	SP 572 202

APPENDIX E

COMMITTED HOUSING SITES

(number of dwellings)

PART 1 SITES THAT HAD PLANNING PERMISSION AT 1.4.93.

(if site under construction, number of dwellings not complete at 1.4.93)

(a) SITES WITH 10 OR MORE DWELLINGS

(shown on Proposals Map)

BANBURY

Land at Overthorpe Road	23
Land at Middleton Road/Daventry Road	12
Hinscote Park, Daventry Road	32
Plots 54-60, 70-90, 99 & 100 Overthorpe Road	29
Brinkburn Grove, Daventry Road	22
Britannia Buildings, Britannia Road	60
R.U.F.C. Ground, Oxford Road	60
21-33 Southam Road	22
Rear of 86 Broughton Road	20
Fourwinds, Warwick Road	22
Britannia Road	46
Boxhedge Nurseries, Boxhedge Road	10
Banbury Slaughterhouse, Lambs Crescent	14
Middleton Road, Phase 2	15
Cattle Market, Merton Street	120
Rear of 55 Hightown Road	18
Former Neithrop Hospital, Warwick Road	151
Land off Bloxham Road	92
Land at Grimsbury Green	69
Park Road	49
St Leonards School, School View	25
Rear of 86 Broughton Road	11
The Sovereigns, Grimsbury	18
Grimsbury Infants School	25
Rear of 59 & 61 Hightown Road	18
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	983

BICESTER

South Farm, Buckingham Road	163
Buckingham Road	42
Off Buckingham Road, Phase 1c	13
Southwold 2 South Farm, Buckingham Road	234

Middle Wretchwick, East of London Road	439
Area H, East of London Road	60
S.E. Bicester off A41	21
Area E, S.E. Bicester	14
Area 9, East of London Road	62
Area E, off Avocet Way	27
Part Area L, East of London Road	23
Middle Wretchwick Farm	19
Market End Way	44
London Road	191
Bicester Cottage Hospital, Oxford Road	10
Plots 55-101, 157-199, S.E. Bicester	61
Southwold, Phase 1c	19
Boston Road, Phase B8-2	14
Land off Lancaster Close	12
Southwold, Phase 2	17
Middle Wretchwick Farm	13
Hudson St	40
St Edburgs Church Hall, Old Place Yard	10
Phase 3A Southwold Plots 805-919	62
Lawnswood, off London Road	37
S.E. Bicester Development	49

1818

CENTRAL OXFORDSHIRE

Poultry Farm, Fireacres, Murrton	11
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RURAL AREAS

Old Arncott Road and Merton Road, Ambrosden	19
Vacant land, access off Cumberford Close, Bloxham	21
Former School, Fringford Road, Caversfield	12
Home Farm, Claydon with Clattercote	10
Manor Farm. OS pt. 4600, Deddington	62
Barleyfield, off Mill Close, Deddington	26
Bouldentyke Farm, Clifton	15
Town Farm, Fulwell Road, Finmere	10
Land off Main Street, Fringford	11
Land off Green Lane, Chesterton	12
Rear of Fewcott Road, Fritwell	20
Station Road, Hook Norton	28
Fronting The Bourne and Watery Lane, Hook Norton	25
Land fronting The Bourne, Hook Norton	10
Bicester Road, Lawnton	10
Former Nursery, Adj. Margaret's Road, Adderbury	20

Home Farm, Claydon	10
	<hr/>
	321

(b) **SITES WITH LESS THAN 10 DWELLINGS - TOTALS**
(not shown on Proposals Map)

BANBURY	144
BICESTER	111
CENTRAL OXFORDSHIRE	126
RURAL AREAS	559

PART 2 HOUSING ALLOCATIONS AT 1.4.93 - ESTIMATES
(shown on Proposals Map)
(excludes new housing allocations proposed in this plan)

BANBURY

Bretch Hill Farm	60
Bloxham Road/Salt Way	55
East Close	15
Balmoral Avenue	22
Castle Gardens	108
West Street/Middleton Road	250
	<hr/>
	510

BICESTER

S.E. Bicester	617
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RURAL AREAS

Cumberford Close, Bloxham	12
Poplars Farm, Cropredy	25

Park End, Bodicote 20

57

CENTRAL OXFORDSHIRE

Lock Crescent, Kidlington 90

90

APPENDIX F

**SUMMARY OF HOUSING PROVISIONS IN THE PLAN
(Number of Dwellings)**

	Banbury	Bicester	Rural Areas	Central Oxon	Cherwell District
Total Structure Plan Requirement 1.4.86 - 31.3.2001	4400	4900	2300	800	12400
Completions 1.4.86 - 1.4.93	2178	2041	758	489	5466
Remaining to be built 1.4.93-31.3.2001	2222	2859	1542	311	6934
Number of dwellings with permission at 1.4.93	1127	1929	880	137	4073
Number of dwellings allocated in existing local plans but without planning permission(-10%)	460	555	50	90	1155
Total No of dwellings permitted and allocated	1587	2484	930	227	5228
Number of dwellings proposed as new allocations in this local plan (-10%)	520	270	70	0	860
Number of dwellings remaining to be accommodated on windfall sites	115	105	542	84	846

APPENDIX G

THE COUNCIL'S ECONOMIC DEVELOPMENT POLICY

1. The overall aim of the Council's Economic Development Strategy for 1996/97 is to create a climate for sustainable economic growth which will enhance the overall quality of life of all members of the local community.
2. The objectives of the Council's Strategy are as follows:
 - a) to promote a positive, high quality image for the district;
 - b) to promote the business opportunities available in North Oxfordshire;
 - c) to encourage a release of land and premises to provide a range of development opportunities which meet the needs of different types of industry and an expanding population;
 - d) to encourage investment in the district which will create appropriate job opportunities and work towards full employment;
 - e) to increase access to employment and skill training for all local job seekers;
 - f) to assist in overcoming skill shortages by the provision of training schemes and participation in collaborative ventures with other organisations;
 - g) to pursue a partnership approach to economic development working closely with the local business community and other representative bodies;
 - h) to pursue where appropriate, opportunities of additional resources from the European Union, UK Government and other agencies;
 - i) to encourage enterprise by assisting in the formation of new companies and the retention and growth of existing companies;
 - j) to encourage the development of high value-added, new technology businesses in the district.
3. The Economic Development Unit works to support and promote the development of a high wage, high skill and high added value economy in North Oxfordshire. The Unit provides skill training programmes, promotes business development, co-ordinates a range of initiatives which take advantage of Government and European funding opportunities and monitors changes and developments in the local economy. The Unit also works in conjunction with its partners the Cherwell-M40 Investment Partnership, a public-private sector initiative which also includes the Heart of England Training and Enterprise Council, North Oxfordshire College and around 60 local companies. This initiative primarily aims to promote inward investment and assist those companies considering relocation to North Oxfordshire.

WORKSPACE CONVERSION GRANT

4. Grants are available either to convert or to renovate buildings which are currently redundant, to form new workplaces which will be used by a business for the first time (this may include use by the applicant), or to sub divide premises to form new

workplaces. Each converted or sub divided unit should be less than 92.9 sqm (1,000 sq ft).

- 5 The grant is calculated at a rate of £1.00 for every square foot converted or sub divided and which is available for occupation.

TEST MARKETING GRANT

- 6 Grants of £250 are available to test the market for a product or service. The grant will assist with market research and the production of a sales forecast. The money would, for example, be applied to advertising, artwork or direct mail.
- 7 To be successful the grant application must be endorsed by NORBIS, the local Enterprise Agency.

APPENDIX H

MAJOR COMMERCIAL DEVELOPMENT SITES (APRIL 1992)

Ref No	Site Location	Site Area (hectares)	Comment
BANBURY			
BANNTC 3	Wildmere Ind Est (SW)	1.36	
BANNTC 4	Wildmere Ind Est (NE)	0.75	
BANNTC 5	Southam Road (N)	0.63	
BANNTC 6	Southam Road (S)	0.59	
BANNTC 8	Alcan (E)	9.31	
BANNTC 9	S. of allots, Spital Fm	1.50	
BANNTC 10	N. of Hennef Way	8.01	
BANNTC 12	N. of Middleton Rd	3.56	Trafalgar House site (Cherwell Park)
BANNTC 13	S. of Middleton Rd	6.03	Amec site (N) Banbury Cross
BANNTC 14	N. of Overthorpe Rd	6.18	Amec site (S) Business Centre
BANNTC 15	Alcan (NW)	0.73	Proposed for first time in this plan
BANNTC 16	Alcan (NE)	2.37	Proposed for first time in this plan
CHN.527/89	Spital Farm	4.47	
CHN.750/90	Cattle Market	6.43	
CHN.666/91	Echo Park	5.45	
BANTC 1	North Bar Site	0.93	Town centre offices site
BANTC 2	George Street	1.00	Town centre offices site
CHN.230/90	Swan Close Road	2.42	Lanchester/Focus 40 site
BICESTER			
BIC 1	S.E. Bicester	3.44	Diocesan Board Land
BIC 2	Station Road	3.20	
BIC 3	Bicester Airfield	52.65	No more than 12 ha (30 acres) of land to be released before the year 2001. See Policy EMP2
BIC 8	S. of Market Square	0.74	R/O Kings Arms
BIC 9	N. of Southern Bypass	4.69	Charterhouse/McGregor site
CHS.329/87	S.E. Bicester	12.14	Gallagher land
CHS.937/88	S.E. Bicester	9.51	L & M (Bicester Park) site (S)
CHS.268/90	S.E. Bicester	6.48	L & M (Bicester Park) site (N)
CENTRAL OXFORDSHIRE			
CHS.12/87	Kidlington	1.86	Oxford Spires Business Park
CHS.93/90	Kidlington	2.10	Oxford Spires Business Park
CHS.540/88	Kidlington	7.68	South of Station Fields
RURAL AREAS			
CHN.831/88	Adderbury	4.82	Banbury Business Park

APPENDIX I

SITES OF SPECIAL SCIENTIFIC INTEREST

PARISH		NAME OF SITE	GRID REFERENCE
Ambrosden	-	Arncon Bridge Meadow	SP 608185
Ardley	-	Ardley Cutting & Quarries	SP 540269
Banbury	-	Neitrop Fields Cutting	SP 438418
Charlton-on-Otmoor	-	Otmoor	SP 575130
Duns Tew	-	Horsehay Quarries	SP 456273 and SP 456276
Gosford & Water Eaton	-	Pitney & Yarnon Meads	SP 480105
Hook Norton	-	Sharps Hill Quarry	SP 338359
Hook Norton	-	Hook Norton Cuttings & Bark	SP 359322 and SP 358315
Horton-Cum-Stodley	-	Murcott Meadows	SP 593139
Horton-Cum-Stodley	-	Whitecross Green and Oriol Woods	SP 603144
Horton-Cum-Stodley	-	Warren Farm	SP 607138
Kidlington	-	Rushy Meadows	SP 481143
Kirtlington	-	Kirtlington Quarry	SP 494199
North Aston	-	Bestmoor	SP 493297
Shipton-on-Cherwell	-	Shipton-on-Cherwell and Whitehill Farm Quarries	SP 474178 and SP 478186
Stratton Andley	-	Stratton Andley Quarries	SP 601255 and SP 602250
Wendlebury	-	Wendlebury Meads	SP 562175
Weston on the Green	-	Weston Fen	SP 525195

Appendix 13

Adderbury Neighbourhood Plan

Adderbury Neighbourhood Plan 2014 - 2031



**Made (adopted)
16 July 2018**

Adderbury Neighbourhood Plan 2014 - 2031

Contents

Foreword

List of Land Use Policies:

- 1. Introduction and Background**
- 2. The Neighbourhood Area**
- 3. Planning Policy Context**
- 4. Community View on Planning Issues**
- 5. Vision, Objectives and Land Use Policies**
- 6. Implementation**

Appendix A: Schedule of Evidence

Foreword

Creating a Neighbourhood Plan offers the people of Adderbury the opportunity to have our say about what our community should look like over the next 15 years. It allows us to protect what we love about living here and to guide the changes we think that need to be made to keep Adderbury modern, thriving and sustainable.

Adderbury is a very beautiful place; its historic ironstone core nestled in rolling farmland. But it is not just its history that makes Adderbury such a great place to live. It has a vibrant community, good leisure facilities with a great variety of social and sporting events for all ages throughout the year.

More than 100 Adderbury residents have done a great deal of work over the last 4 years to get this neighbourhood plan to where we are now. Public consultation meetings were initially held in November 2012, with an in-depth residents and business survey completed in June 2013. The results of those consultation meetings and surveys were distilled into the 'TAP Report', which set out a vision and objectives for our village across a range of topics. The headline objectives were that, whilst Adderbury should grow to allow a few more homes that it should stay as a village with clear buffers from Banbury and other villages. Since then over 180 new homes have been given approval in Adderbury and therefore this plan does not make provision for any more new homes. Other important objectives were to protect the character of our village and plan for the improvement of our employment provision, services and leisure facilities over the next 15 years.

This Neighbourhood Plan contains 21 land use planning policies that will help to meet these objectives. It is important to note that the Neighbourhood Plan is required to focus on land use planning policies.

Following the Leisure Survey in 2016, plans for the future of leisure facilities across the village will be developed by the Parish Council in conjunction with the community.

These matters and the other issues that came out of the "TAP Report" will be addressed in a future, all-encompassing Parish Plan to be prepared by Adderbury Parish Council with the theme of keeping Adderbury modern, thriving and sustainable. It is in this Parish Plan that the environmental, social and economic vision and policies for preservation and betterment of the village will be drawn together. The topics will include:

- sustainable rural and built environment;
- other infrastructure
- transport (including traffic management and reducing the need to drive by car around the village and its environs)
- the resources, facilities and services to support the size of village
- education
- local employment and small-scale local businesses
- leisure and tourism

- wildlife habitat and protection;

The funding of any proposals arising out of these policies will be key. While some national and local government resources and developer funds may be available for certain items, we must expect to have to raise significant sums from other sources and from within our community with targeted fund-raising.

This Neighbourhood plan is a final version having taken account of the comments received on the pre-submission version of the plan, consulted on between December 2016 and February 2017. It has been put together by a steering group comprised of Community members and Adderbury Parish Councillors, together with Consultants RCOH. We would like to thank everyone who has been involved in preparing this plan to date.

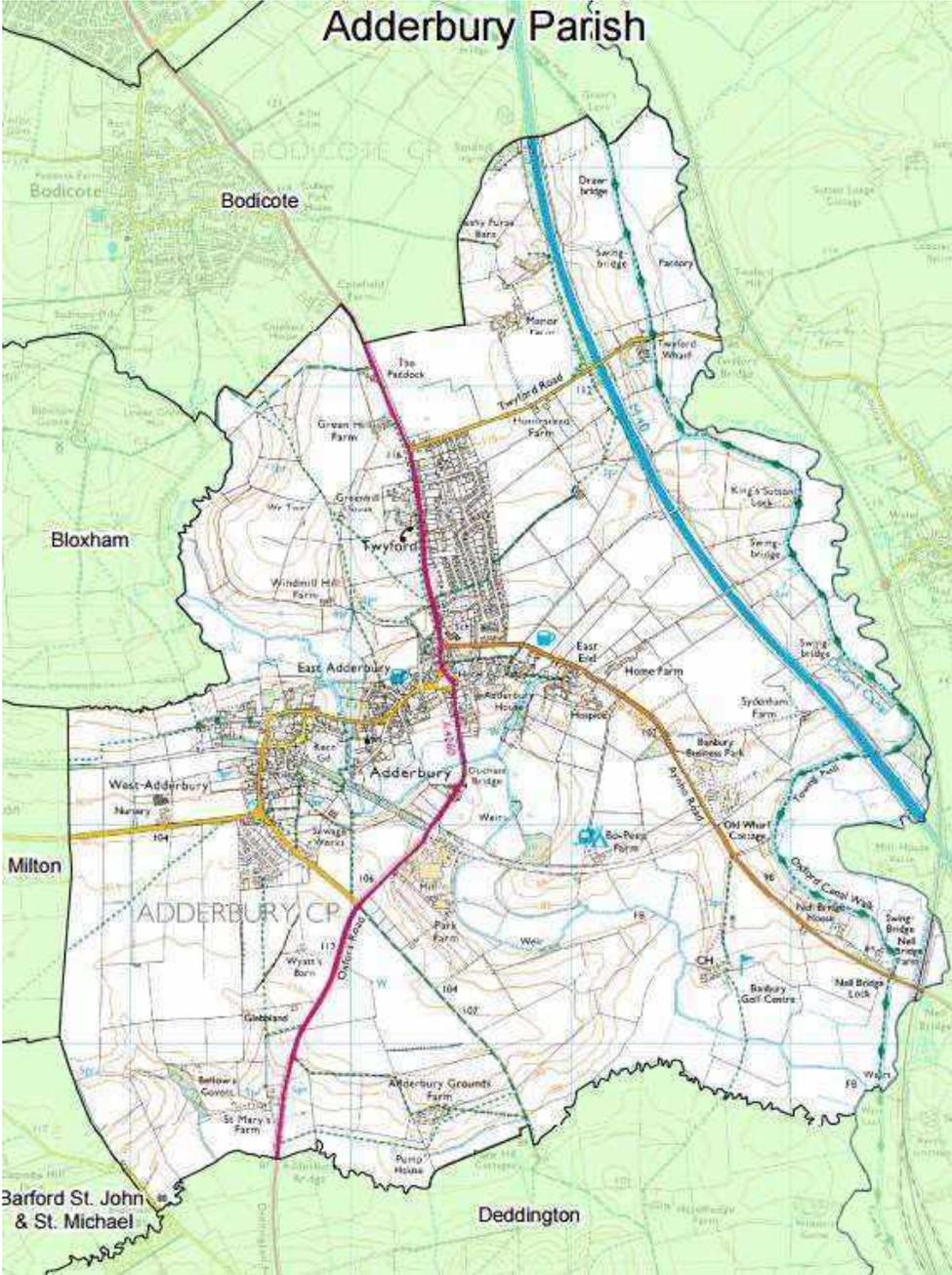
Neighbourhood Plan Steering Group, March 2017

List of Land Use policies

AD1	Adderbury Settlement Boundary	
AD2	Green Infrastructure	
AD3	Local Green Spaces	
AD4	Local Open Spaces	
AD5	Local Gaps: <ul style="list-style-type: none"> - Twyford and Bodicote/Banbury - West Adderbury and Milton 	
AD6	Managing Design in the Conservation Area and its Setting Church Quarter	
AD7	Managing Design in the Conservation Area: The Green	
AD8	Managing Design in the Conservation Area: The Manors	
AD9	Managing Design in the Conservation Area: The Streets	
AD10	Managing Design in the Conservation Area: The Lanes	
AD11	Managing Design in the Conservation Area: The Valley	
AD12	Managing Design in the Conservation Area and its Setting: Former Farm Groups	
AD13	Managing Design in The Crescent	
AD14	Managing Design in Banbury Road	
AD15	Managing Design in the Twyford Estate	
AD16	Managing Design in Berry Hill Road and St. Mary's Road	
AD17	Building and structures of local importance	
AD18	New Community Facilities	
AD19	Community Assets & Local Services	
AD20	Promoting New Employment and Tourism	
AD21	Community Infrastructure Levy	

1. Introduction & Background

1.1 Adderbury Parish Council has prepared a Neighbourhood Plan for the area designated by the local planning authority, Cherwell District Council, on 7 June 2013, under the provisions of the Localism Act 2011 and of the Neighbourhood Planning (General) Regulations 2012. The designated area is shown in Plan A below.



Plan A: The Designated Adderbury Parish Neighbourhood Area

1.2 The purpose of the Adderbury Neighbourhood Plan is to set out a series of planning policies that can be used to determine planning applications in the area up to March 2031. These policies aim to protect the special character of the Parish but also to encourage development proposals for the benefit of the local community. Given the plan needs to take account of approved housing developments that contribute to the supply of housing in the village in line with Policy Villages 2 of the adopted Cherwell Local Plan 2011 – 2031, the plan period of the Neighbourhood Plan starts in April 2014.

1.3 Neighbourhood Plans provide local communities with the chance to shape the future development of their areas. Once approved at a referendum, the Neighbourhood Plan becomes a statutory part of the development plan for the area and will carry significant weight in how planning applications are decided.

1.4 Neighbourhood plans can therefore only contain land use planning policies that can be used for this purpose. This often means that there are more important issues of interest to the local community that cannot be addressed in a Neighbourhood Plan if they are not directly related to planning.

1.5 Although there is considerable scope for the local community to decide on its planning policies, Neighbourhood plans must meet some 'basic conditions'. Essentially, these are:

- Is the Plan consistent with the national planning policy?
- Is the Plan consistent with local strategic planning policy?
- Does the Plan promote the principles of sustainable development?
- Has the process of making of the Plan met the requirements of the European environmental standards?

1.6 In addition, the Parish Council must be able to show that it has properly consulted local people and other relevant organisations during the process of making its Neighbourhood Plan and has followed the 2012 Neighbourhood Planning Regulations.

1.7 These requirements will be tested by an independent examiner once the Neighbourhood Plan is finalised. If satisfied, the examiner will recommend to the District Council that the plan goes to referendum of the local electorate. If a simple majority of the turnout votes for the Plan then it becomes adopted as formal planning policy for the area.

The Submission Plan

1.8 The Submission Plan is the final version of the Neighbourhood Plan to be proposed by the Parish Council. It has taken account of the comments received on the Pre Submission version of the Plan in December 2016 – February 2017 and has made sure that the Plan reflects existing national and local planning policies and how they affect this Parish.

Strategic Environmental Assessment

1.10 The Parish Council received a screening opinion from the District Council confirming that the Neighbourhood Plan was not likely to have any significant environmental effects and therefore a Strategic Environment Assessment (SEA) was not required under the EU directives 42/2001 and the 2004 Environmental Assessment of Plans and Programmes Regulations. In which case, the separate Basic Conditions Statement sets out how the Neighbourhood Plan contributes to achieving sustainable development.

2. The Neighbourhood Area

2.1 Adderbury is a village and civil parish within the Cherwell District of Northern Oxfordshire. The village is situated on the edge of the Cotswolds in North Oxfordshire and is noted for its magnificent Church, which features an impressive steeple. The older parts of the village contain many honey coloured Hornton stone. It is about 3 miles (5km) south of Banbury. The village consists of three neighbourhoods: Twyford, East Adderbury and West Adderbury. The boundary of Adderbury Parish is shown in the map on page 5. Adderbury was bounded on the Northern boundary by Bodicote, but under the modified Local Plan submission, part of the Northern boundary is now bounded by Banbury. The population of Adderbury is 2,819 (Census 2011) and is a rural settlement surrounded by farmland with an historic ironstone heart and two 20th century developments at its North-Eastern and South-Western extremities.

2.2 Adderbury is situated on the main road leading south of Banbury towards Oxford at the junction of a road leading east towards Aylesbury. The Oxford canal came to the village in 1790 allowing bulk transportation of the iron ore. In 1881 the railway arrived to serve the village and surrounding areas until its closure in 1951. Much more recently the M40 motorway linking London with Birmingham has provided more modern connections.

2.3 The Parish is a largely rural area with most residents living in the village and a number of farms and houses in the area around the village. The area covered by the Neighbourhood Plan is the whole parish of Adderbury as on the map shown on the next page. Adderbury has a strong community spirit and there is a regular diary of events including the History Association, Women's Institute, Over Sixties club, Amateur Dramatics, the Banbury West End Lawn Tennis & Squash club, Cubs, Scouts, Guides and The Bell, Red Lion, Pickled Ploughman and Coach & Horse pubs.

2.4 Adderbury's recorded history begins more than 1,000 years ago whilst its origins go back even further to archaeological evidence of Neolithic remains. An ancient settlement, there are two known Roman sites within the village. First reference to the village appeared in an Anglo-Saxon will of c.990 naming it as "Eadburggebyrig" meaning "Eadburg's town". Two of the oldest surviving buildings in the village are the parish church of St Mary the Virgin with origins dating back into the 13th century and the Tithe Barn which dates back to the 15th century.

2.5 Adderbury is situated in a prime rural and agricultural area. This led to significant agricultural expansion during the late 16th and the whole of the 17th century, primarily driven by the development of the local sheep trade. This also led to related trades such as weaving and plush. The Enclosure Acts saw significant restructuring of the village for agricultural efficiency. Later, during the late 19th and early 20th century large scale extraction of the local iron ore occurred locally. Hornton Stone, with its high iron ore content, provides the warm, honey colouring to many of the village buildings.

2.6 The Parish has an attractive rural environment in which to live with traditional stone buildings, Village Green, playing fields, walks, lakes, streams, canals, and rolling countryside typical of the adjacent Cotswolds. Accessible tourism is available at Broughton, Oxford, Stratford-upon-Avon, Blenheim, Stow on the Wold, Bourton on the Water, Moreton-in Marsh, and Silverstone is within 20 minutes and recreational canals are nearby. For sports, Adderbury have active communities for running, ball sports and martial arts. Other active clubs and societies include gardening, theatricals, photography, film, history, Morris dancing and bell ringing.

2.7 The village lies between the 90m and 100m contours astride the valley cut by the Sor Brook through the marlstone upland, which was previously designated as an Area of High Landscape Value in the 1996 Cherwell Local Plan. The Conservation Area follows an east-west axis through the village comprising the historic core and its setting. Twentieth century residential development to the southwest and north east is excluded. There are over 100 listed buildings in Adderbury, the majority of which are Grade II listed. There are areas within the parish that fall within flood zones 2 and 3, caused by the River Cherwell and the Sor Brook.

3. Planning Policy Context

3.1 The Parish lies within Cherwell District in the County of Oxfordshire. The Neighbourhood Plan needs to reflect local planning policy for the District, as well as national policy.

3.2 In this respect, the National Planning Policy framework (NPPF) published by the Government in 2012 is an important guide in the preparation of local plans and neighbourhood plans. The Neighbourhood Plan must demonstrate that it is consistent with the provisions of the NPPF. The following paragraphs of the NPPF are especially relevant to the Plan:

- Supporting a prosperous rural economy (paragraph 28)
- Good Design (paragraph 58)
- Protecting healthy communities (paragraph 70)
- Protecting local green spaces (paragraph 76)
- Conserving and enhancing the natural environment (paragraph 109)
- Conserving and enhancing the historic environment (paragraph 126)

3.3 The District Council has planning policies that are helping to shape strategy and policies of the Neighbourhood Plan. The Plan must be in general conformity with the strategic policies of the development plan as required by the 2012 Neighbourhood Planning Regulations. These policies are contained within the Cherwell Local Plan 2011 – 2031 Part 1 ('LP1') adopted in July 2015 and also include those saved from the 1996 Cherwell Local Plan ('CLP').

The Cherwell Local Plan 2011 – 2031 Part 1

3.4 The District benefits from having an up-to-date strategic planning policy framework and a five year supply of housing land. This has helped provide the Parish Council with a clear strategy with which to come forward with complementary policies for the Parish of Adderbury. The LP1 contains the following policies of particular relevance to the Neighbourhood Plan:

- Policy BSC 03: Affordable Housing (requiring all housing sites suitable for 11 or more dwellings (gross), will be expected to deliver 35% affordable homes on site in places like Adderbury)
- Policy BSC 04: Housing Mix (setting out the requirements in the type of open market and affordable homes)
- Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision (protecting existing assets and setting out requirements for new facilities)
- Policy BSC 12: Indoor Sport, Recreation and Community Facilities (protecting existing assets and encouraging the provision of new facilities)
- Policy ESD 6: Sustainable Flood Risk Management (requiring development in flood risk areas to put in place flood mitigation)

- Policy ESD 7: Sustainable Drainage Systems (SuDS) (requiring all development to manage surface water run off)
- Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment (setting out a range of principles to ensure development is appropriate in biodiversity terms)
- Policy ESD 13: Local Landscape Protection and Enhancement (setting out a range of principles to ensure development does not harm landscape character and identifying the Sor Brook Valley as a special landscape character area)
- Policy ESD 15: The Character of the Built and Historic Environment (requiring developments to sustain and enhance the character of historic settlements and promoting good design more generally)
- Policy ESD 17: Green Infrastructure (establishing the principles of a network of assets across the District and requiring that network to be protected and enhanced)
- Policy VILLAGES 1: Village Categorisation (Adderbury is defined as a Category A Service Village suited to 'minor development, infilling and conversions')
- Policy VILLAGES 2: Distributing Growth across the Rural Areas (requiring Category A villages to contribute a total of 750 new homes to local housing supply in the period 2014 – 2031, 109 of which have been completed and another 86 consented in Adderbury, and 353 completed or consented in other Parishes, as at 31 March 2016)
- Policy INF 1: Infrastructure (establishing the means by which CDC will secure investment in supporting infrastructure)

The Cherwell Local Plan 1996

3.5 The LP1 was the partial replacement of the previous adopted plan – the CLP of 1996. There are a small number of saved policies from that Plan, which continue to be used in day-to-day planning decisions. These will eventually be replaced by Part 2 of the new Local Plan or by neighbourhood plans like Adderbury in the meantime.

3.6 The most relevant strategic policies of the CLP are:

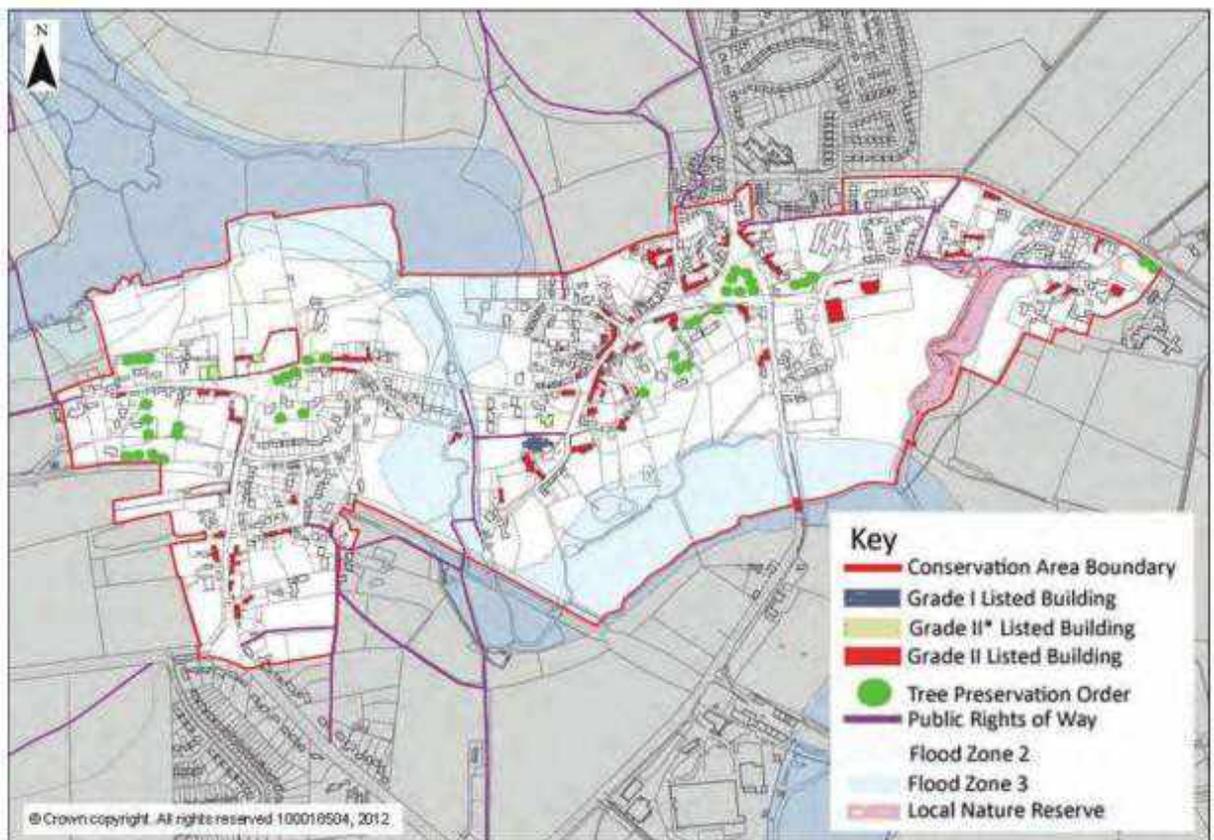
- S28: Proposals for Small Shops
- S29: Loss of Existing Village Services
- C15: Prevention of Coalescence of Settlements
- C30: Design of new residential development
- C33: Protection of important gaps of undeveloped land

Conservation Areas

3.7 A large part of Adderbury village was designated by the District Council as a Conservation Area under the powers of the Town and Country Planning Act in 1975. Its boundary has since been reviewed and the Area re-appraised, most recently in 2012

(see Plan B below). The Oxford Canal (within and beyond the Parish) has also been designated a Conservation Area (in 2012).

3.8 Both the NPPF and the Listed Buildings & Conservation Areas Act 1990 require all planning decisions affecting the Area and its setting to demonstrate that development proposals will preserve and enhance the special character and appearance of the Area. In 2012, the District Council published a detailed Conservation Area Appraisal for this Area, which defined the significance of the character of the Area and its many listed and other heritage buildings (see Evidence Base). The Appraisal was adopted by the District Council as supplementary planning guidance to inform its planning decisions. The Neighbourhood Plan provides an opportunity to increase the weight attached to appropriate elements of that guidance by including them in its policies.



Plan B: Designated Conservation Area Map with Listed buildings, Flood zone, Local Nature Reserves and Tree Preservation Orders

4. Community Views on Planning Issues

4.1 The Parish Council and the Neighbourhood Plan steering group have consulted with the local community during the course of the Plan preparation process, and the Neighbourhood Plan is based upon the results of these consultations, which have included meetings, open days and community surveys.

Consultation process

4.2 Public meetings were held at St Mary's Church in November 2012 and at Christopher Rawlins School in February 2013 to inform villagers of the pressing need for Adderbury to produce a Neighbourhood Plan and establish a vision of what our community wanted for Adderbury over the next 20 years.

4.3 After the November meeting, a steering committee was formed to manage the process of preparing The Adderbury Plan which became known as TAP. The committee, drawing on the services of a cross-section of residents, compiled a Residents' Survey to give everyone (aged 11 and over) a chance to address important aspects of village life through the Plan, for the future.

4.4 Teams of villagers (some 40 residents) came together to work on specific topics (Housing, Environment, Transport, etc.) to devise the questions that need to be asked of the community. The Residents' Survey was held in June 2013 and 1090 residents representing 661 (59%) households responded. In May 2013 a Business Survey was also carried out to elicit the future needs of Adderbury businesses. 70 businesses (77%) out of the 91 identified in the village responded. Each of the topic teams then analysed the results, and, where possible, compared them with previous Adderbury surveys (1994 and 2004) and census returns for trends. The teams then put forward their proposals to go in the Plan

4.5 On the basis of the village responses and the proposals, this Plan was prepared in draft in August 2013 and, to invite further consultation, was posted to the village websites with a printed copy available in Adderbury Library. Further consultation meetings for the community were held at St Mary's Church and at Christopher Rawlins School in mid-September 2013.

4.6 Since January 2014, 182 new homes have been approved in Adderbury (117 of which count towards the 750 homes allocated to Category A villages). Another public consultation of a revised plan was carried out in church and school in April 2015, with their comments being used for further updates. Subsequently, in early 2016 consultants were appointed and a new Neighbourhood Plan steering group was created comprised of Parish Councillors and community members. A further presentation of progress was made at school and church in September 2016, with particular views sought on leisure facilities via a formal questionnaire.

4.7 The headline objectives from all these consultations are:

- Protect and enhance the character and vitality of Adderbury
- Restrict new development to within current boundaries, and minimise the impact of new development on the village, the surrounding countryside, landscape and ecosystems
- Provide existing and future Adderbury residents with the opportunity to live in suitable homes
- Ensure Adderbury has and will continue to have the appropriate resources and services to support the size of village
- Encourage local employment and small-scale local businesses
- Protect our environment and support eco-friendly developments
- Control road traffic and reduce the need to drive by car around the village and to and from Adderbury
- Strengthen the leisure amenities available to villagers within Adderbury

5. Vision, Objectives & Land Use Policies

Vision

5.1 The vision for Adderbury Parish in 2031 is:

“To continue as a thriving, modern, viable and sustainable rural village for “work, rest, and play”

Adderbury will have grown successfully as a community, with new and old residents alike benefiting from community facilities and services, which have survived and flourished. New homes have helped meet local housing needs and have enabled investment in improving local facilities.

Although this change has been significant, much of it was completed in the early years of the plan and growth since has been through the occasional infill scheme. These schemes have been well-designed to ensure the rural character of the village has been preserved.

The special landscape setting to the village has been maintained and Twyford has remained very separate from the major developments around Bodicote and Banbury. This has also sustained the setting of the Conservation Area as part of a wider green infrastructure network of fields, open spaces, trees, streams, bridleways, cycleways and footpaths from the village into the countryside.”

Objectives

5.2 To achieve this vision a number of key objectives have been identified as follows:

- To manage the incremental growth of the village through sensitive infill and to protect the surrounding countryside from harmful development
- To transform the quality and diversity of community facilities in the village to serve the local community
- To conserve the special heritage character of the village and its landscape setting
- To protect and improve the ecological value and connectivity of the green infrastructure assets of the village and wider parish

Planning Policies

5.3 The policies aim to deliver the objectives of the Neighbourhood Plan, and are to be used in determining the outcome of planning decisions affecting Adderbury Parish. For this reason, there are many other public policy matters that cannot be addressed by the Plan, notably in respect of traffic management initiatives. This type of proposal is captured in Section 6 of the Plan and the Parish Council will endeavour to address them as separate projects in due course.

5.4 It recognised that permitted development rights exist which take precedence over certain policies in this plan at the time of drafting. It is not intended that this plan removes these rights. However, permitted development rights can be removed by means of an Article 4 Direction made by the local planning authority, or by conditions attached to planning permissions. Furthermore, this plan will remain in operation until 2031, whereas permitted development rights are subject to periodic reviews and amendments. For these reasons, it is considered appropriate for policies to cover development which would normally be classed as permitted.

5.5 The policies are intended to assist in the delivery of appropriate residential, commercial, community, agricultural and other development. They seek to encourage planning applications for things the local community wants to see happen, and discourage applications for developments that they do not want to happen. They will also be used to establish the principles for changing or retaining land use and to set out the conditions against which development proposals will be judged in terms of their design, access, etc.

5.6 The Neighbourhood Plan policies aim to avoid repeating existing national or development plan policies. They therefore focus on a relatively small number of development issues of particular significance to Adderbury Parish. For all other planning matters, existing policies and guidance will continue to be used – primarily the policies of LP1 and the saved policies of the CLP - but also including the National Planning Policy Framework.

5.7 Set out below are the proposed Neighbourhood Plan policies (AD1 – AD21). Each has a separate number and title. The policy itself is written in bold italics for ease of reference. It is followed by a short statement (in normal text) explaining the intention of the policy and providing other relevant background information. Where the policy refers to a specific site or area, it is shown on the Neighbourhood Plan Policies Maps included at the end of this document.

Policy AD1: Adderbury Settlement Boundary

The Neighbourhood Plan defines an Adderbury Settlement Boundary, as shown on the Policies Map.

Proposals for infill development within the boundary will be supported,

“Development proposals will not be supported outside the Adderbury Settlement Boundary unless it is demonstrated they will enhance, or at least not harm, local landscape character. New isolated homes in the countryside will not be supported except in special circumstances described in paragraph 55 of the Framework. Proposals for the provision of affordable housing on rural exception sites immediately adjacent to the Adderbury Settlement Boundary will be supported where they meet an identified local need and relate well to the built form of the existing settlement”.

5.8 This policy is intended to distinguish between the 'built up limits' of the village and its surrounding countryside in order to manage development proposals accordingly. The Local Plan does not define the term 'built up limits' and so, rather than leave this as ambiguous, the policy defines a Settlement Boundary and this is shown on the Policies Map. This will provide clarity for those proposing development schemes.

5.9 Proposals for any form of development suited to a village location will be supported if they are located within the boundary and provided they are consistent with policies on open space protection, design and access for example (notably policies AD3, AD4 and AD6 – AD16 of the Plan). The suitability of proposed access will be judged by the planning and highways authorities in the normal way. In respect of proposals located outside the boundary, the policy operates alongside LP1 Policy ESD13. This is to ensure that they are compatible with the objective of that policy of protecting and enhancing the local landscape and to restricting development to that for which a countryside location is essential. It therefore provides for the improvement of business parks and the reuse of redundant farm buildings in the rural area of the Parish, subject to those proposals meet the tests of LP1 Policy ESD13 and of policies AD2 and AD5 of the Neighbourhood Plan.

5.10 The Parish Council has followed the standard conventions adopted by local planning authorities for drawing boundaries of this type. The boundary therefore reflects the present observable, developed edge of the village and makes provision for the committed housing schemes approved in recent years. The policy is consistent with LP1 Policies Villages 1 and Villages 2, although it makes no provision for housing site allocations over and above the current committed housing schemes on the edge of the village. Nor was there suitable land on the present edge of the village with potential for retail or employment development.

5.11 The scale of those recently completed housing schemes, and of the schemes that will be built out in the next couple of years or so, is such that the District Council does not consider it desirable or necessary for any additional major contribution from Adderbury to meeting the needs of LP1 Policy Villages 2 in the plan period by way of new greenfield development on the edge of the village. The schemes have already begun to change the character of the village but it will take a number of years for their full, cumulative effects on character and local services and infrastructure to be felt. A decade of house building activity confined to small infill or redevelopment within the Boundary is therefore considered reasonable in these specific circumstances. However, the Parish Council firmly believes in the value of the plan-led system promoted by the Planning & Compensation Act 2004 and of the NPPF. In the event of the District's housing supply strategy having to change before the end of the plan period, then its implications will be considered by the Parish and District Councils and the Neighbourhood Plan may be reviewed to plan for that eventuality.

5.12 In some places, there are dwellings on the edge of village with long gardens extending into the countryside beyond. As the sub-division and development of such rear garden land is not considered an acceptable form of infill development in principle, they have been excluded from the Boundary.

Policy AD2: Green infrastructure

The Neighbourhood Plan defines the Adderbury Green Infrastructure Network around and within the village, as shown on the Policies Map.

The Network comprises a variety of green infrastructure assets, including informal open space and Local Green Spaces, allotments, playing fields, assets of biodiversity value and children's play areas, footpaths, bridleways and cycleways.

Development proposals on land that lies within or immediately adjoining the defined Network must demonstrate how they maintain or enhance its integrity and green infrastructure value, by way of their landscape schemes, layouts, access and or through equivalent alternative provision nearby.

5.13 This policy defines a network of green infrastructure assets for protection, improvement and creation, thereby refining LP1 Policy ESD17 for its implementation in this Parish. It is derived from an analysis of maps showing existing woodlands, hedgerows, open spaces, recreational areas, and amenity land and water bodies in the Parish.

5.14 The collection of open spaces, allotments and sports pitches and much else besides play an important role in defining Adderbury. Most are connected to form a network for the local community to walk or cycle along or through, and they allow wildlife to move throughout the Parish.

5.15 It is therefore important that, at the very least, development proposals that lie within the Network, or that immediately adjoin it, do not harm the particular value of the Network in that locality or the integrity of the wider Network, for example its ecological connectivity. Wherever possible, proposals should design their layouts and landscape schemes to enhance the network.

Policy AD3: Local Green Spaces

The Neighbourhood Plan designates the following locations as Local Green Spaces, as shown on the Policies Map:

- 1. Lucy Plackett Playing Field (Off Round Close Road);**
- 2. Colin Butler Green (Registered Common);**
- 3. Adderbury Lakes Local Nature Reserve, off Lake Walk;**
- 4. Adderbury Cemetery and the Religious Society of Friends Burial Grounds;**
- 5. Historic stonewalled lambing paddock fronting onto Aynho Road (To west of the Pickled Ploughman Public House);**
- 6. Field with stone wall boundary abutting New Road, Adderbury. (West of Pump House Garage), also known as Thistlethwayte's Field; and**
- 7. The Village Green**

New development will not be permitted on land designated as Local Green Space except in very special circumstances.

5.16 This policy identifies seven important open spaces for designation as Local Green Spaces in line with 76 of the NPPF. Each space is considered to meet the tests of 77 of the NPPF – see the separate 'Green Spaces & Gaps' report in the evidence base – and forms part of the Green Infrastructure Network identified in Policy AD2.

5.17 The effect of the policy is to provide Green Belt-equivalent protection from development in that any proposal must maintain the essential open character of the space and must, in any event, demonstrate the exceptional circumstances for its justification.

Policy AD4: Local Open Spaces

The Neighbourhood Plan designates the following locations:

- a. *Former railway embankment on southern edge of the Lucy Plackett Field;*
- b. *Triangle of land at the Junction of Horn Hill Road, Berry Hill Road and Milton Road junction;*
- c. *Small copse of trees to the south of Greenhill and Summers Close off Banbury Road;*
- d. *The Village Pound, east side of The Horn Hill Road, Berry Hill Road and Milton Road junction;*
- e. *John Harper Road Estate Open Space, Aynho Road;*
- f. *Adderbury Fields Estate Open Space, south of Milton Road;*
- g. *Rawlins Close Open Space, off Margaret Road;*
- h. *The Crescent Open Space, Banbury Road;*
- i. *The Rise Open Space, off Banbury Road;*
- j. *Adderbury Court Open Space, Banbury Road;*
- k. *Land to west of Adderbury Court Open Space;*
- l. *Keytes Close Open Space, Aynho Road;*
- m. *Sydenham Close Open Space, Aynho Road;*
- n. *Allotments, Adderbury House;*
- o. *Henry Jepp/Long Wall Close Open Space, Aynho Road;*
- p. *Griffin Close Open Space;*
- q. *Lake Walk Green and*
- r. *Development North of Milton Road Open Space*

To be supported development proposals on land within any of the Local Open Spaces must demonstrate that, unless it can be clearly shown that the land is surplus to requirements as Local Open Space, that any loss of active or passive recreational provision in a no less convenient location for users

5.18 This policy identifies 18 important open spaces as Local Open Spaces for appropriate protection from harmful development. These open spaces also play an important role in the Green Infrastructure Network of Policy AD2 but they do not meet the tests of 77 of the NPPF. Again, see the separate 'Green Spaces & Gaps' report in evidence base for further details.

5.19 In which case, the level of protection from development is less than that of a Local Green Space but the policy still requires a justification for that development. In addition, it requires all proposals that are appropriate to make a financial contribution to the management and improvement of the Network, as a public benefit to offset to the loss of harm to the open space.

Policy AD5: Local Gaps

The Neighbourhood Plan defines the following Local Gaps, as shown on the Policies Map, for the purpose of preventing the coalescence of the following settlements:

- i. Twyford and Bodicote/Banbury***
- ii. West Adderbury and Milton***

Development proposals within a Local Gap will only be supported if they do not harm, individually or cumulatively, its open character.

5.20 This policy defines two areas of land on the edge of the village that play an especially important role in preventing development that will undermine the visual integrity of the gap to the point that there is a coalescence of Adderbury with its neighbouring settlements. Once again, see the separate 'Green Spaces & Gaps' report in evidence base for further details.

5.21 The first – the area of land between Twyford (at the northern end of main village) and the Parish boundary with Bodicote Parish and Banbury – is especially precious, given the commitments to build on the southern edge of Bodicote/Banbury beyond the Parish boundary. Here, the policy refines the saved CLP Policy C15, which seeks to prevent the coalescence of settlements and specifically references land in close proximity to Banbury and Bodicote.

5.22 Although the land lies outside the Settlement Boundary of Policy AD1 that policy acknowledges that some types of development that are suited to the countryside may be appropriate. However, this policy requires that its effects - by way of its height, scale and massing for example – should not lead to any visual coalescence between Twyford and Bodicote/Banbury.

5.23 This is especially important as the local community considers that recently approved plans for development between Bodicote and Banbury will make this gap even more important as the only effective space preventing Adderbury joining the larger Banbury urban area. The land included in the gap is considered to be the minimum to ensure that the visual openness of the space between Adderbury and Bodicote/Banbury is protected.

5.24 The second covers an area of land between the western end of Adderbury and the Parish boundary with Milton Parish. Although not as immediately at threat from development, the gap is still sufficiently small in visual terms that development that may otherwise be acceptable in the countryside may be inappropriate here, if its height or massing begins to coalesce the two villages. Again, the land shown is considered to be the minimum necessary for the policy to have effect.

Managing Design Policies

The following policies AD6 to AD12 have been based on the descriptions of the characteristics provided in the Adderbury Conservation Area Appraisal (2012) and also cross reference strategic policy ESD15, and the emerging CDC Design Guide in order to reinforce the characteristics of each area"

Policy AD6: Managing Design in the Conservation Area and its Setting: Church Quarter

Development proposals in the Church Quarter Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iii. The use of red brick for chimneys;***
- iv. Proposals retain or re-provide as necessary boundary walls, railings and front gardens to match the existing arrangement on the same alignment;***
- v. Proposals do not significantly harm the views to the open countryside from the western end of Mill Lane; and***
- vi. Proposals on fronting on to Mill Lane continue to comprise grass verges to the highway and do not include new footways.***

Development proposals in the open countryside beyond the defined Adderbury Settlement Boundary between Banbury Road and the Parish Boundary to the west will only be supported if they do not significantly harm the views from Banbury Road to the Church Quarter Character Area.

5.25 This policy manages design quality in the Church Quarter of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.26 The Church of St Mary is a grade I listed building and forms the centre piece to this character area. The church is located just outside the central commercial area, along Mill Lane, which filters off the High street. The village library is located in Church House, a grade II listed former school nearby. The church quarter is quiet and peaceful. There is no formal footpath along a significant portion of the lane. Mill Lane begins with a wide entrance from the High Street and funnels into a narrow road, which sweeps around the edge of the churchyard and then narrows further at the end where it suddenly opens up to expansive views of the Sor Valley.

5.27 The policy also identifies the specific significance of the open land to the north of the Conservation Area in the enjoyment of views to the Church and surrounding buildings. This is evidenced by the Conservation Area Appraisal and by Historic England in its comments on a previous planning application (15/00317/OUT) in that area. The land lies outside the Settlement Boundary but some forms of development suited to a countryside location are permissible. This policy requires that such proposals avoid obstructing the views to the Character Area from the north.

Policy AD7: Managing Design in the Conservation Area: The Green

Development proposals in The Green Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. To the North and East of the Green, proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. To the South, proposals must not impact on the distinctive density and layout of the area including the looser building line;***
- iii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iv. Roofing materials include slate or tile roofs;***
- v. Proposals retain or re-provide as necessary boundary walls, hedges and front gardens to match the existing arrangement on the same alignment; and***
- vi. Proposals retain or re-provide as necessary natural verges to the highway where possible.***

5.28 This policy manages design quality in the Green character area of the Adderbury Conservation Area. In doing so, it refines saved CLP C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.29 Adderbury was once called “Adderbury on the Green” and it is clearly evident why. The scale of The Green and the trees on its border are a magnificent feature. There is a significant contrast between The Green and the adjoining areas, which become more linear and densely built. Today, this is an important gateway to Adderbury Conservation Area. The area suddenly appears to visitors approaching the village from the south, where the Oxford Road narrows on approach before opening out and revealing the extensive Green around the corner.

Policy AD8: Managing Design in the Conservation Area: The Manors

Development proposals in The Manors Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iii. Roofing materials include slate or tile roofs;***
- iv. Proposals retain or re-provide as necessary boundary walls, hedges and front gardens to match the existing arrangement on the same alignment;***
- v. Proposals retain or re-provide as necessary natural verges to the highway where possible.***

5.30 This policy manages design quality in the Manors character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with Policy Villages 1 in allowing for appropriate infill housing development.

5.31 There is a high concentration of historic Manor houses, along Manor Road (as the name suggests), and also in East Adderbury, south of The Green, including Adderbury House. The areas are located in distinguished positions, just off the main Village Green.

Policy AD9: Managing Design in the Conservation Area: The Streets

Development proposals in The Streets Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing plot ratio, the strong building line to the frontage and building height and form;***
- ii. The facing or cladding materials include the use of squared and ashlar ironstone or coursed (rubble) ironstone***
- iii. Roofing materials include slate, tile or thatched roofs;***
- iv. Proposals retain or re-provide as necessary boundary walls, hedges and front gardens to match the existing arrangement on the same alignment; and***
- v. Proposals retain or re-provide as necessary stone walls or where possible natural verges to the highway to match the existing arrangement.***

5.32 This policy manages design quality in The Streets character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with Policy Villages 1 in allowing for appropriate infill housing development.

5.33 The 'Streets' consist of the High Street, Cross Hill Road/ Water Lane, Horn Hill Road and Tanners Lane/ The Leys/ Round Close Road/ Dog Close. All share similar characteristics in that they are strong linear streets which retain strong building lines.

Policy AD10: Managing Design in the Conservation Area: The Lanes

Development proposals in The Lanes Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing informal pattern of narrow routes with no footway, the strong building line abuts the main thoroughfare and modest cottages;***
- ii. The facing or cladding materials include the use of course rubble/ square ironstone;***
- iii. The use of red brick for chimneys;***
- iv. Roofing materials include slate, thatch and plain tiles to match nearby roofs;***
- v. Proposals to retain or re-provide vernacular features such as casement windows, timber lintels and a mix of roof types;***
- vi. Proposals retain or re-provide as necessary boundary walls and timber fencing where appropriate and do not use feather board or larch lap or similar fencing;***
- vii. Proposals do not significantly harm the views to the open countryside and the Sor Valley from the northern end of Chapel Lane or the southern end of Church Lane; and***
- viii. Proposals do not significantly harm the view of the Church of St Mary at the southern end of Church Lane.***

5.34 This policy manages design quality in The Lanes character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.35 Chapel Lane and Church lane consist of minor routes that filter off the main central spine. The lanes are narrow, informal routes without footways and where dwellings abut the main thoroughfare.

5.36 Chapel Lane is a small residential area off High Street with tennis courts sunken into the landscape at the end. As the name suggests, the lane has supported two chapels. It is a quiet, narrow lane with no formal footway along the initial part. The road filters from High Street, where the historic buildings are concentrated around the entrance; further down, the character changes and becomes more suburban with a collection of post war dwellings at the end. The road meanders round and falls steeply at the northern end, allowing for extensive views of the Sor Valley beyond.

5.37 Church Lane is a narrow residential street with no formal footways, the cottages are small and modest the doorways and windows appear slightly dwarfed, creating a pleasant enchanting character. This lane narrows further at the end and then curves into a very narrow alley, bounded by ironstone walls/buildings, which guides the eye to a framed view of the Church of St Mary.

Policy AD11: Managing Design in the Conservation Area: The Valley

Development proposals in The Valley Landscape Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals do not significantly harm the views to the open countryside of the Sor Brook Valley; and***
- ii. Proposals maintain the existing pastoral quality of East Adderbury, along with the Oxford Road, and to the rear of properties in both East and West Adderbury which follow the Sor Brook Valley.***

5.38 This policy manages design quality in the Valley character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.39 The Valley Landscape is that of the Sor Brook. It is heavily tree-lined, which in addition to the topography further emphasises the perceived separation of the village east and west.

5.40 The Character area features along the length of the conservation area and although a dominant landscape feature, the inward-looking central spine of the village restricts views of this valuable landscape to the perimeter, with views often found at the end of secondary streets and lanes. The Valley Landscape includes areas with a pastoral quality, where livestock roam the fields, in East Adderbury along the Oxford Road, and at West Adderbury to the rear of properties such as White House on Manor Road.

Policy AD12: Managing Design in the Conservation Area and its Setting: Former Farm Groups

Development proposals in the Former Farm Groups Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals maintain the existing informal plot layout (usually L-shaped) with individual lanes and gravel tracks for access;**
- ii. The facing or cladding materials include the use of coursed rubble or square cut ironstone**
- iii. Roofing materials include slate and plain tiles to match nearby roofs;**
- iv. Proposals retain or re-provide vernacular features such as casement windows, timber lintels and timber plank doors to match the existing emphasis on the rural connection;**
- v. Proposals retain or re-provide as necessary boundary walls of varying heights, railings and timber fences to match the existing arrangement on the same alignment; and**
- vi. Proposals retain or re-provide as necessary the informal green open spaces where possible and large grass verges to continue to enhance the pastoral character which links with the nearby agricultural fields.**

5.41 Development proposals in the open countryside beyond the defined Adderbury Settlement Boundary between Banbury Road and the Parish Boundary to the west will only be supported if they avoid any obstruction of the views from Banbury Road to the Former Farm Groups Character Area.

5.42 This policy manages design quality in The Former Farm Groups character area of the Adderbury Conservation Area. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development.

5.43 This character area includes two areas in East Adderbury (consisting of Fleet Farm, Sydenham Farm, Stud Farm and Home Farm) and a small area north of The Green (Croft Farm). The core characteristics include a rural/pastoral character on the edge of the village, adjacent to open grazing fields. The topography sits on lower land to the wider and modern built up areas of Adderbury to the north. The pastoral character is further enhanced by the various areas of informal green spaces between the buildings. For example, east of The Pickled Ploughman public house is an informal green space which is left to naturally overgrow, creating a naturalistic rural environment. Agricultural activity still exists in the surrounding fields including grazing land to the north of Aynho Road and arable land west of the Banbury Road.

5.44 The policy also identifies the specific significance of the open land to the north of the Conservation Area in the enjoyment of the setting to the historic village boundary of this Character Area. This is evidenced by the Conservation Area Appraisal and by Historic England in its comments on a previous planning application (15/00317/OUT) in that area. The land lies outside the Settlement Boundary but some forms of development suited to a countryside location are permissible. This policy requires that such proposals avoid obstructing the views to the Character Area from the north.

Policy AD13: Managing Design in The Crescent

Development proposals in The Crescent Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following principles:

- i. Proposals to retain or re-provide as necessary front gardens and an 'open plan' feel to the frontage;***
- ii. The facing or cladding materials include the use of brick***
- iii. Roofing materials include red pantiles to match nearby roofs; and***
- iv. Proposals retain or re-provide design features such as casement windows and small porches with pantiled roofs.***

5.45 This policy manages design quality in The Crescent character area of the village. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development. As it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.46 The Crescent is a 1918 design of semi-detached properties, having particular architectural features, such as porches and specific building materials. At the end of 1918 the Banbury Rural District Council attempted to devise a housing scheme to meet the need of housing for soldiers returning from WW1. 20 houses were planned but only 12 houses were built, in The Crescent just off the Banbury Road, and were ready for occupation in the autumn of 1922. The setting was described as on an elevated position away from the road. The houses are arranged in a semi-circle around a small green space, which were originally allotments. The Crescent lies to the east of the Banbury Road and north of the Adderbury Conservation area.

Policy AD14: Managing Design in Banbury Road

Development proposals in the Banbury Road Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals retain or re-provide as necessary boundary hedges and timber fences where appropriate;***
- ii. Proposals retain or re-provide as necessary front gardens where possible and roadside verges;***
- iii. The facing or cladding materials include the use of render and red brick;***
- iv. Roofing materials include red tiles to match nearby roofs.***

5.47 This policy manages design quality in the Banbury Road character area of the village. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development. Again, as it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.48 Banbury Road is a main traffic route (A4260) lined with residential properties to the east and open fields to the west. It includes detached properties with large front gardens and wide roadside verges. These are mainly 1930s houses, although the previous Twyford Tea Gardens is earlier and opened in late 1912/early 1913.

5.49 Although there is a mixture of design, these houses have used the same building materials and have retained their large front gardens with mature planting that make a positive contribution to the character and distinctiveness of the area.

Policy AD15: Managing Design in the Twyford Estate

Development proposals in the Twyford Estate Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals retain or re-provide as necessary front gardens where possible and roadside verges;***
- ii. Proposals retain or re-provide as necessary boundary hedges (as in The Rise) and low walls (as in Walton Avenue and Rochester Way) where appropriate; and***
- iii. In those parts of the Estate characterised by open plan front gardens, proposals retain or re-provide as necessary (such as Deene Close) gardens in that form and do not add boundary features like walls and hedges.***

5.50 This policy manages design quality in the Twyford Estate Character area of the village. It refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with Policy Villages 1 in allowing for appropriate infill housing development. Once again, as it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.51 The area lies to the north of the Conservation Area and includes the main approaches to the village from the north and east. The Twyford Estate was built largely in the 1960s and is a mixed development including detached/semi-detached two-storey houses and bungalows. The estate is east of the Banbury Road and is bordered on the north (Twyford Road) and east (Walton Avenue) sides by open countryside. There are a number of features worthy of retaining or enhancing.

Policy AD16: Managing Design in Berry Hill Road and St. Mary's Road

Development proposals in the Berry Hill Road and St. Mary's Road Character Area, as shown on the Policies Map, will be supported, provided they have full regard to the following design principles:

- i. Proposals retain or re-provide as necessary front gardens where possible and roadside verges; and***
- ii. Proposals retain or re-provide as necessary boundary hedges (as in St. Mary's Road) and low walls (as in Norris Close) where appropriate.***

5.52 This policy manages design quality in the St. Mary's / Berry Hill Road Character Area of the village. In doing so, it refines saved CLP policies C27 and C28 in respect of requiring the design of development proposals to reflect the historic settlement pattern of villages like Adderbury. It is also in line with LP1 Policy ESD15 in ensuring the character of the built and historic environment is sustained and enhanced and with LP1 Policy Villages 1 in allowing for appropriate infill housing development. As it lies outside the Conservation Area, and so was not included in the Appraisal, an analysis has been undertaken to identify the most important of design features of this character area.

5.53 The area lies to the south west of the Conservation Area and includes the main approaches to the village from the southeast and southwest. There are two particular areas within this larger area, which are worthy of consideration. The Berry Hill Road and St. Mary's Road/ Norris Close. Both areas comprise 20th century housing. Berry Hill Road is characterised by substantial properties set well back from the road with extensive grass verges in front and large front gardens. St. Mary's Road and Norris Close have mixed development of detached/semi-detached two storey houses and bungalows. They are characterised by large front gardens enclosed for the most part with low walls, and grass verges along the roadside.

Policy AD17: Buildings and structures of local importance

Proposals affecting the significance of the following locally important buildings and structures will be assessed having regard to the scale of any harm or loss and the significance of the locally important building or structure:

- A. *The Crescent, Twyford***
- B. *The Pump House Garage***
- C. *The Walled Lambing Paddock, Aynho Road***
- D. *The Pound, Hornhill Road***
- E. *The Ice House, Adderbury Lakes***
- F. *The Long Wall, Long Wall Path***
- G. *Twyford Tea Gardens, Banbury Road***
- H. *The Friends Meeting House, Hornhill Road***
- I. *The Well, Hornhill Road***
- J. *The Canal Bridge, Twyford Road***

5.54 This policy identifies buildings and structures of local architectural and/or historic interest to Adderbury for the application of LP1 Policy ESD15. This policy manages proposals for the extension, alteration and change of use of such buildings, which are now defined as 'non-designated heritage assets' by §135 of the NPPF.

5.55 In line with the Historic England guidance on 'Local Heritage Listing' (2012), an identified building or structure is considered by the local community to exhibit attributes of one or more of the following:

- It is directly associated with a significant period in the history of Adderbury
- It is directly associated with the social history of Adderbury
- It is a notable example of planned development, or of incidental development in Adderbury, for example forming part of an original street plan or having some rarity value in its architectural for this area (though its type may be common elsewhere)
- It is directly associated with a notable figure of local importance

The Parish Council used as its primary source material, the Conservation Area Appraisal document of April 2012, which identified 'locally listed buildings'. The justification of each the proposed buildings is provided in the separate 'Community Assets' report in the evidence base.

Policy AD18: New Community Facilities

The Neighbourhood Plan allocates land off Milton Road, West Adderbury, as shown on the Policies Map, for sports and community uses.

Proposals for these uses of the land will be supported, provided:

- i. Any buildings are ancillary to the operation of the uses and are located within the site and are designed in such a way that has regard to the countryside location of the site;***
- ii. Vehicular access is made from Milton Road, with a minimum loss of the existing site boundary hedgerow, and sufficient car parking spaces are provided;***
- iii. Safe pedestrian and cycle access is provided to the site;***
- iv. The landscape scheme contributes to the delivery of Policy AD2 by making provision for ecological connectivity from Milton Road to the proposed Local Green Space off Horn Hill Road in Policy AD3;***
- v. The scheme will result in a biodiversity net gain; and***
- vi. The layout and any lighting have regard to the proximity of the adjoining residential and employment uses.***

Proposals for the improvement and extension of the community facilities at Lucy Plackett Fields, as shown on the Policies Map, will be supported, provided they do not undermine the visual integrity of the Local Green Space.

5.56 This policy allocates agricultural land on the western edge of the village, now in the ownership of the Parish Council, for sports and community uses for the benefit of the local community. It allocates the land in line with the restrictive covenant placed on this land. It also supports improvements to the existing facilities at the Lucy Plackett Field within the village. In both cases, the policy is responding to the increase in demand for such uses as the village has grown in recent years. It follows a survey undertaken of the local community to understand their preferences for future provision in the village.

5.57 Although the Milton Road site is not central to the village, its size, shape and topography are suited to these uses and, given its public ownership, it provides a suitable location. Provided any buildings (e.g. community centre) are well designed and located, these uses are not incompatible with the location of the land in the countryside beyond the Settlement Boundary. The policy also provides an opportunity to deliver an improvement to the local green infrastructure network of Policy AD2, as it requires the landscape scheme to incorporate an appropriate means of improving the ecological connectivity between the hedgerows of Milton Road to an adjoining proposed Local Green Space, thus meeting its obligation to deliver a net biodiversity gain.

5.58 Proposals for buildings and any floodlighting must avoid or minimise their impacts on the established amenities enjoyed by the neighbouring residential and employment properties. A 2016 leisure survey of Adderbury households identified multiple uses with preference being given for a large community centre, football pitches and part woodland on the site. Once the Neighbourhood Plan is made, the Parish Council will seek to bring forward proposals on both sites and other appropriate locations for the mix and configuration of such uses and for their financing.

Policy AD19: Community Assets & Local Services

Proposals to improve the viability of established community use for the following buildings and facilities (by way of the extension or partial redevelopment of existing buildings) will be supported, provided that the scheme does not have a harmful impact on the street scene, and that any resulting increase in use will not harm the amenity of neighbouring properties.

- 1. Adderbury Bowls Club**
- 2. Adderbury Post Office**
- 3. Adderbury Stores**
- 4. Ball Colegrave**
- 5. Banbury West End Tennis and Squash Club**
- 6. Beehive Veterinary Surgery**
- 7. Dovecote Barn (Bo-Peep)**
- 8. Katharine House Hospice**
- 9. Lake House Care Home**
- 10. Lucy Plackett Activity Centre**
- 11. Pump House Garage**
- 12. Sports and Social Club**
- 13. Squires Hairdressers**
- 14. Step Ahead Hairdressers**
- 15. The Bell Inn**
- 16. The Friends Meeting House**
- 17. The Church House**
- 18. The Coach & Horses**
- 19. The Institute**
- 20. The Pickled Ploughman**
- 21. The Pig Place**
- 22. The Red Lion**
- 23. Twilite Leisure Park**
- 24. Gracewell Retirement Home**

Proposals that will result in either the loss of, or significant harm to, facilities listed above, will be resisted, unless it can be clearly demonstrated that:

- i. the operation of the facility, or on-going delivery of the community value of the facility, is no longer financially viable; or**
- ii. it is more appropriate to replace it with a facility of equivalent or better value to the community in an equally convenient location for residents of the Parish.**

Development proposals to expand existing shops or commercial premises as well as to create new local shops or commercial uses will be supported.

Development proposals to change the use of shops or commercial units will be resisted, unless it can be demonstrated that their continued use is no longer viable.

5.59 This policy identifies a number of buildings and their land in the Parish for protection from harmful development, and to allow for their improvement to maintain their on-going viability, in line with LP1 Policy BSC12 and saved CLP Policy S29. The justification for why each facility is included in the policy is provided in the separate 'Community Assets' report in the evidence base.

5.60 Each building plays an important part in sustaining the healthy life of the village and together they help justify the status of Adderbury as one of the larger villages in the District. The unnecessary loss of building will therefore have a harmful impact on the viability of the village as a 'Category A Village' and on local community life and will be resisted unless it can be clearly demonstrated by an applicant that the building and its location can no longer sustain a viable community purpose.

5.61 In addition, the policy is encouraging of the appropriate improvement of these facilities in order that they can remain viable in the longer term. This encouragement is subject to the proposals being well designed to be appropriate to their location – having regard to the relevant character area design policy of the Neighbourhood Plan for example – and to them avoiding harming local residential amenity by way of additional noise or traffic movements for example.

5.62 More generally, the policy encourages the retention, improvement and creation of new local shops in the village. With a growing population, there may be an increased demand for such local services to be provided within the village. The saved CLP Policy S28 allows for such retail development to meet local needs.

Policy AD20 Promoting New Employment and Tourism

Proposals for new employment and tourism uses will be supported within the defined Adderbury Settlement Boundary provided there is no harm to the amenities of nearby residents or to other land users by way of noise, air or light pollution.

Proposals to intensify employment uses within the defined area of an established employment site elsewhere in the Parish will be supported, provided the height and scale of any new buildings do not harm the overall open character of the surrounding landscape.

Proposals for tourism and leisure development along the Oxford Canal, as shown on the Policies Map, will be supported, provided:

- i. they will sustain and enhance the special character and appearance of the Conservation Area;***
- ii. the height and scale of any new buildings do not harm the overall open character of the surrounding landscape;***
- iii. they will not harm the linear biodiversity value of the canal; and***
- iv. they will not undermine the navigational and safe operation of the canal.***
- v. they will enhance access and use of the canal towpath for walking, cycling and other recreation and leisure pursuits.***
- vi. new facilities for canal users, other than appropriately located small scale car parks and picnic facilities, should be located within or immediately adjacent to settlements***

Proposals requiring planning consent or prior approval for the change of use of land or buildings in established business use will only be supported if it can clearly be demonstrated that the land is no longer viable for a business use and subject to general conformity with the criteria set out in Strategic Policy SLE1.

5.63 This policy seeks to encourage appropriate employment opportunities and tourism within the Parish in keeping with the needs and character of a rural village. It refines LP1 Policy SLE1 in using the Settlement Boundary to define where employment development should be located in this 'Category A' village.

5.64 For clarity, Policy AD20 seeks to support new employment uses within the defined settlement boundary. Where there are established business uses there is a requirement to be in general conformity with Strategic Policy SLE1.

5.65 The policy also refines LP1 Policy SLE3 in defining, what are the 'sustainable locations' within the Parish for tourism development, i.e. within the Settlement Boundary and along the Oxford Canal. The Canal is designated a Conservation Area and the policy requires that proposals pay special attention to understanding and reflecting its distinct character in their design. As a working canal, and an important leisure and tourism asset for the Parish, the policy complements LP1 Policy ESD16 (and CLP Policy C29) recognises that some new development may be appropriate to maintain the attractiveness of the canal to users.

5.66 An analysis was undertaken of the current employment areas in the Parish to ascertain their success as competitive locations for business by looking at vacancy rates and the opportunities for further intensification. There was also a survey of businesses to understand their needs and value to the Parish as local employers. The conclusion was that the variety of established business locations remained competitive for the current types of occupiers and that the Plan should focus future economic development at those locations, rather than to allocate new land.

Policy AD21: Community Infrastructure Levy

The Neighbourhood Plan identifies the following projects as priorities for investing in local infrastructure:

- ***improving cycle safety and connectivity of off-road cycleways***
- ***maintaining heritage assets***
- ***improvement of Adderbury Library services***
- ***improving leisure facilities***
- ***securing land for use as a cemetery***

5.67 This policy identifies a number of priority projects for the investment of the Parish proportion of the Levy charge in the area, in line with LP1 Policy INF1. It is derived from a review of community surveys in the past that have identified projects for the Parish Council to support.

5.68 The list of projects may change over the lifetime of the Neighbourhood Plan but gives a current view on how the Levy should be invested to meet local needs. As a policy in the Plan, it provides the local community with the opportunity to understand the benefits of development in the Parish in the coming years.

Monitoring & Review Policies

5.69 The Neighbourhood Plan will be monitored by the District Council and the Parish Council using data collected in planning monitoring reports. The objectives will form the core of the monitoring activity but other data collected and reported at a Village level relevant to the Plan may also be included. It is expected that the Plan will be formerly reviewed on a five-year cycle or to coincide with future reviews of the Local Plan.

6. Implementation

6.1 The Neighbourhood Plan will be implemented through a combination of the local planning authority's consideration and determination of planning applications for development in the parish, and through steering public and private investment into a series of infrastructure proposals contained in the plan.

Development Management

6.2 Most of the policies contained in the Neighbourhood Plan will be delivered by landowners and developers. In preparing the Plan, care has been taken to ensure, as far as possible, that the policies are reasonable and sufficiently clear to enable them to inform the District Council's decisions on planning applications.

6.3 Whilst the local planning authority will be responsible for the development management, the Parish Council will use the Neighbourhood Plan to frame its representations on submitted planning applications. It will also monitor the District Council's decisions to ensure that proper account is being taken of the Neighbourhood Plan as part of their Local development plan.

6.4 Where one or more Neighbourhood Plan policies are used as a reason for a refusal of a planning application, the Parish Council will support the District Council in defending that decision at any appeal. If necessary, the Parish Council will also consider requesting the Secretary of State to call-in of any applications the District Council is minded to approve, if the Parish Council considers that insufficient weight has been attributed to the conflict between a proposal and a policy of the Neighbourhood Plan.

Infrastructure Projects

6.5 The Parish Council proposes some or all of the following projects for investment of future community infrastructure levy funding allocated by the local planning authority to the Parish:

- Improving Cycle safety and connectivity of off-road cycleways
- Maintaining heritage assets
- Funding of Adderbury Library services
- Leisure requirements determined by outcome of questionnaire
- Provision of land for use as a cemetery

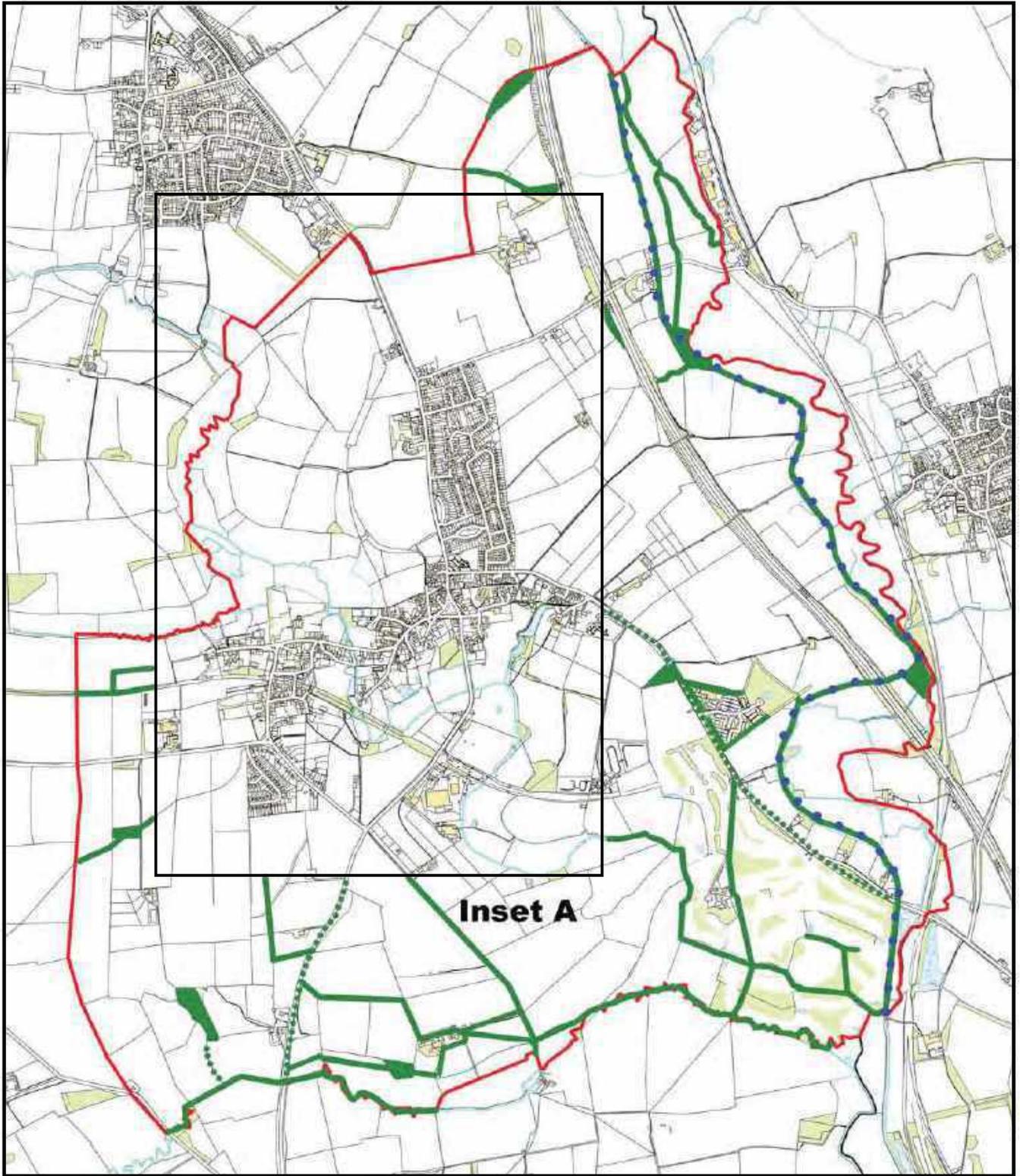
6.6 This series of local infrastructure projects will be prioritized for investment from Section 106 agreements and, if implemented in the Cherwell District Community Infrastructure Levy (CIL). A minimum of 25% of the levy collected from development in the Parish will be passed to the Parish Council for investment in the Parish. This provides the local community with an indication of the priorities for investing the fund to improve local infrastructure as a result of new development in the parish.

6.7 In addition, other policies of the Neighbourhood Plan require some planning obligations to be entered into as part of planning consents to finance and deliver specific infrastructure projects relating to the development scheme in order to make the scheme satisfactory in line with paragraphs 173 and 204 of the National Planning Policy Framework (NPPF).

Conservation

6.8 The following buildings and structures are nominated for assessment as Local Heritage Assets:

- A. *The Crescent, Twyford***
- B. *The Pump House Garage***
- C. *The Walled Lambing Paddock, Aynho Road***
- D. *The Pound, Hornhill Road***
- E. *The Ice House, Adderbury Lakes***
- F. *The Long Wall, Long Wall Path***
- G. *Twyford Tea Gardens, Banbury Road***
- H. *The Friends Meeting House, Hornhill Road***
- I. *The Well, Hornhill Road***
- J. *The Canal Bridge, Twyford Road***



Adderbury Neighbourhood Plan: Policies Map May 2018

Key



Parish Boundary



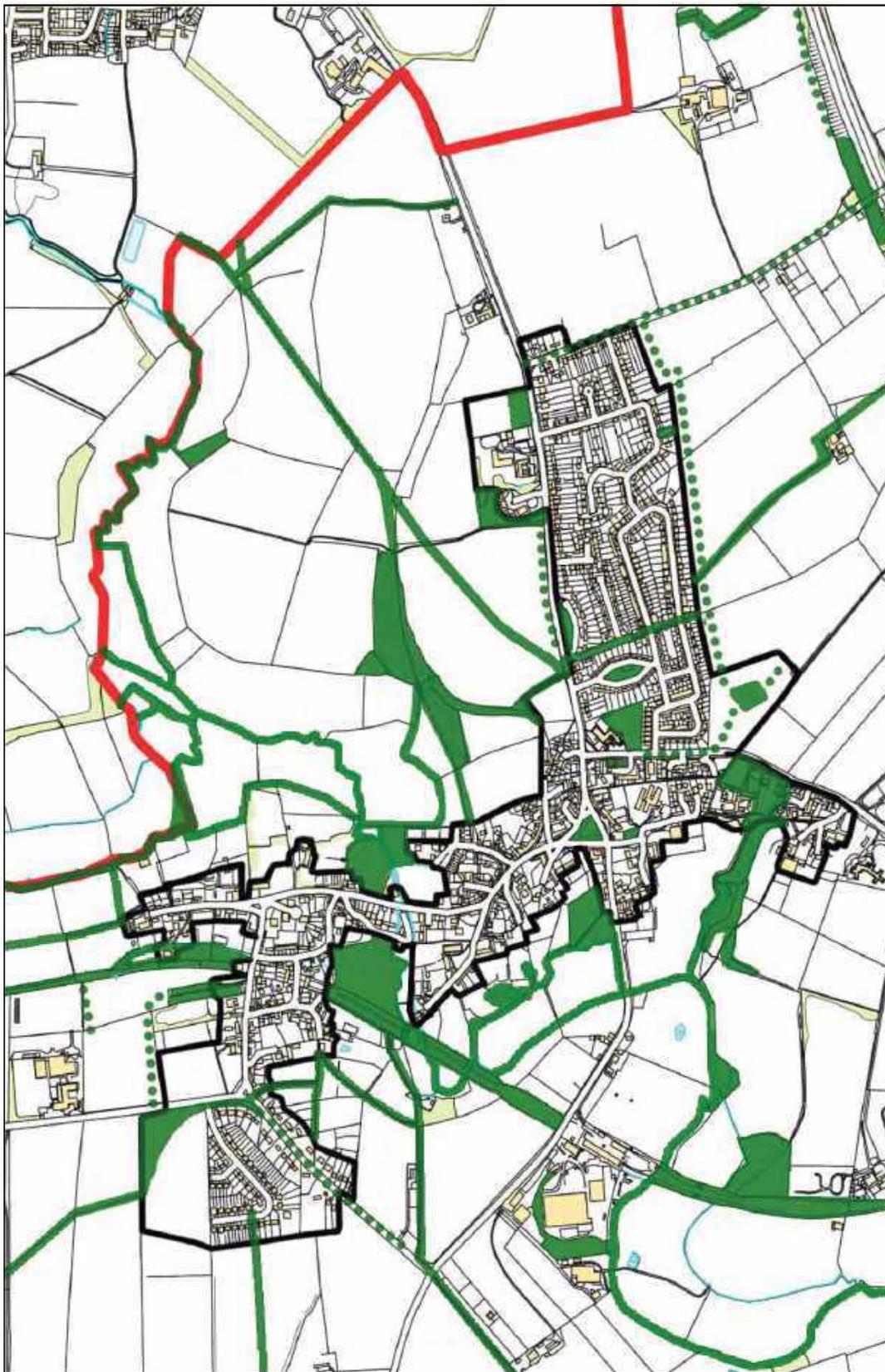
Inset A



AD2 Green Infrastructure
(Existing/Opportunity)



AD20: Oxford Canal



Adderbury Neighbourhood Plan:
 Policies Map Inset A
 May 2018

Key



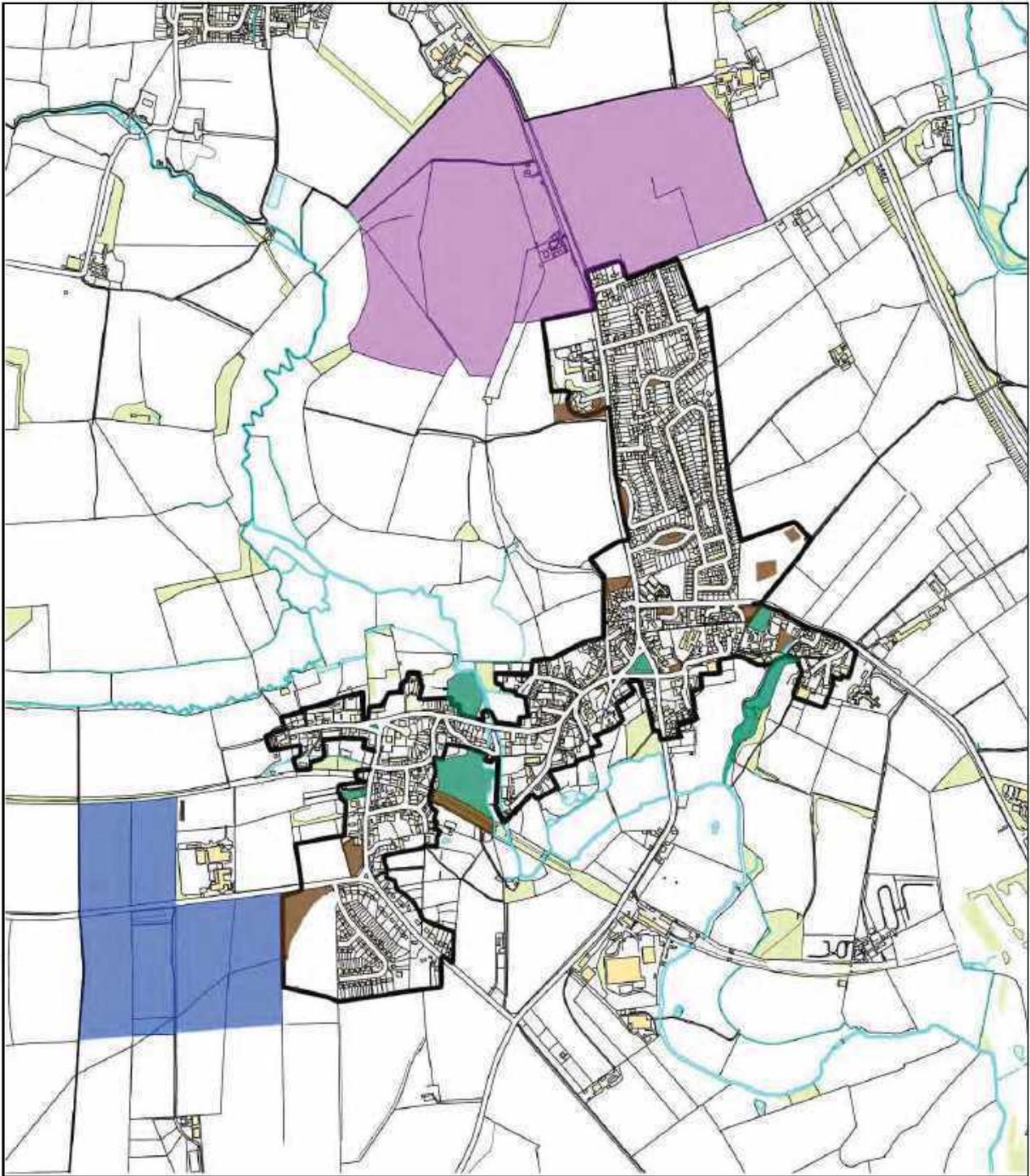
Parish Boundary



Settlement Boundary



AD2 Green Infrastructure
 (Existing/Opportunity)

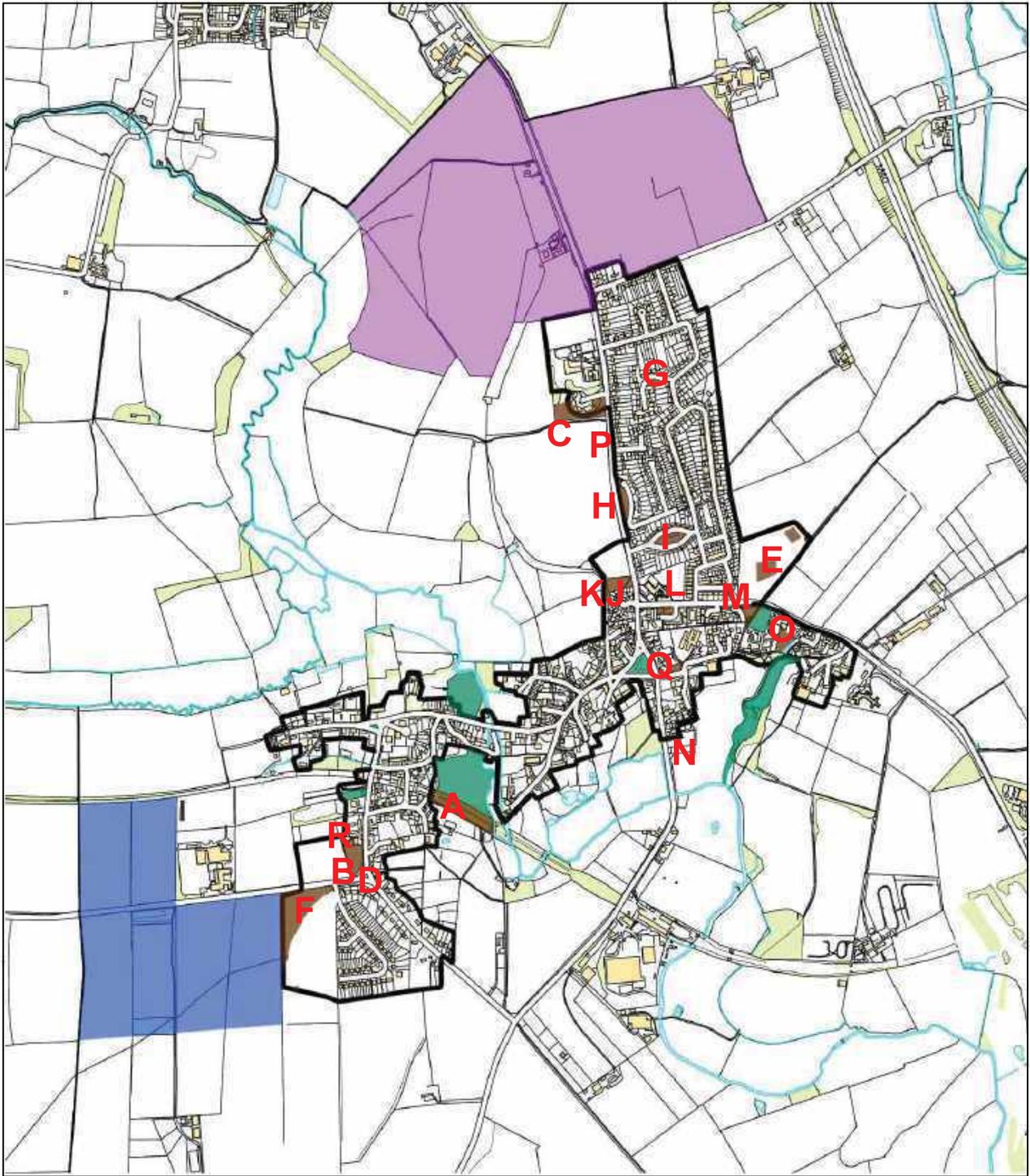


Adderbury Neighbourhood Plan:
Policies Map Inset B
 May 2018

Key

- | | | | | | |
|---|---------------------------|---|-----------------------|---|---------------------|
|  | AD3 Local Green Spaces |  | AD4 Local Open Spaces |  | AD 5 Twyford Gap |
|  | AD 5 Adderbury/Milton Gap |  | Parish Boundary |  | Settlement Boundary |

AD4 Local Open Spaces

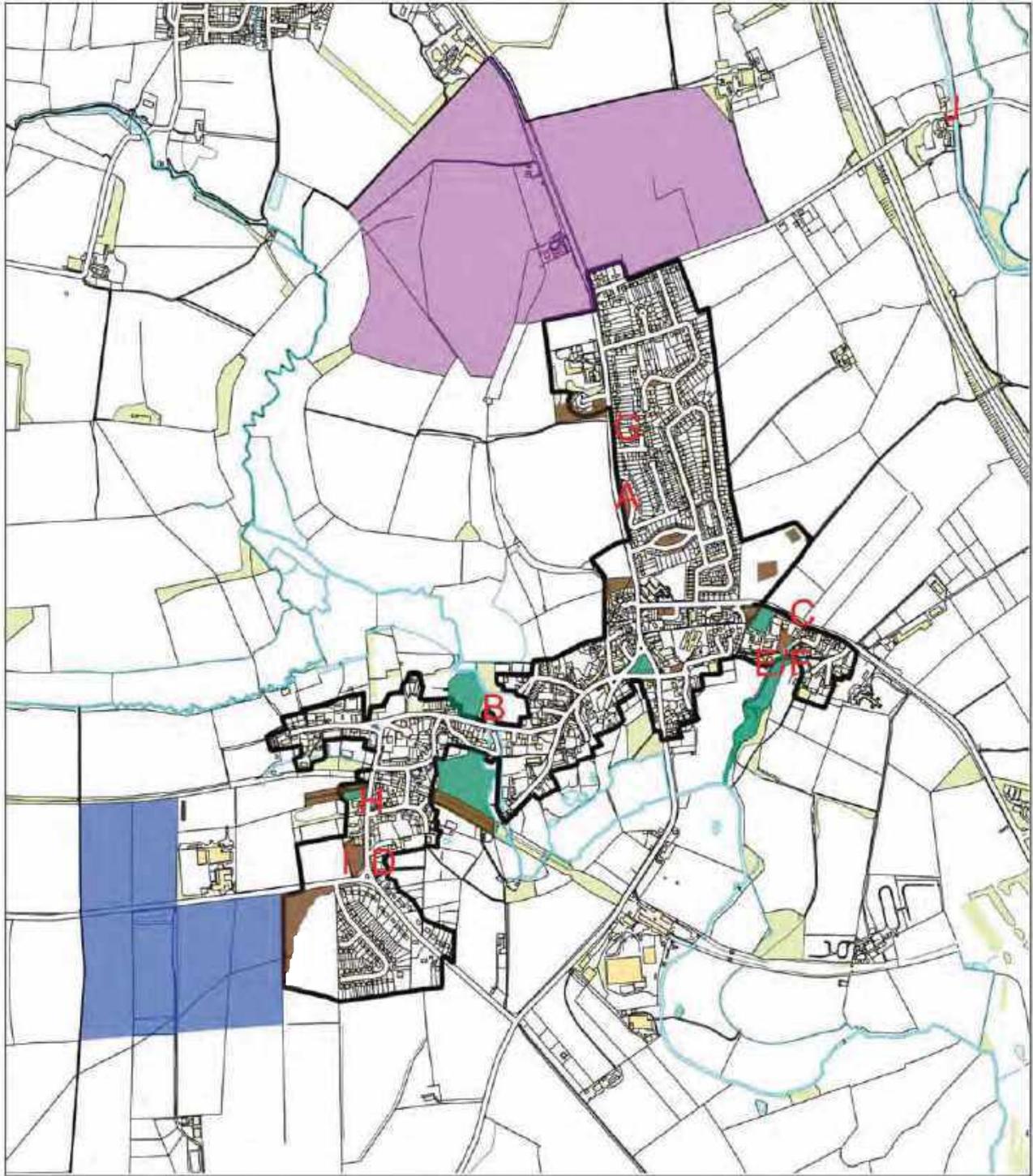


Adderbury Neighbourhood Plan:
 Policies Map Inset B
 May 2018

Key

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|---|----------------------------|---|-----------------------|---|---------------------|
|  | AD3 Local Green Spaces |  | AD4 Local Open Spaces |  | AD 5 Twyford Gap |
|  | AD 5 Adderbury/ Milton Gap |  | Parish Boundary |  | Settlement Boundary |

Illustrative Maps - AD 17 Buildings and Structures of Local Importance

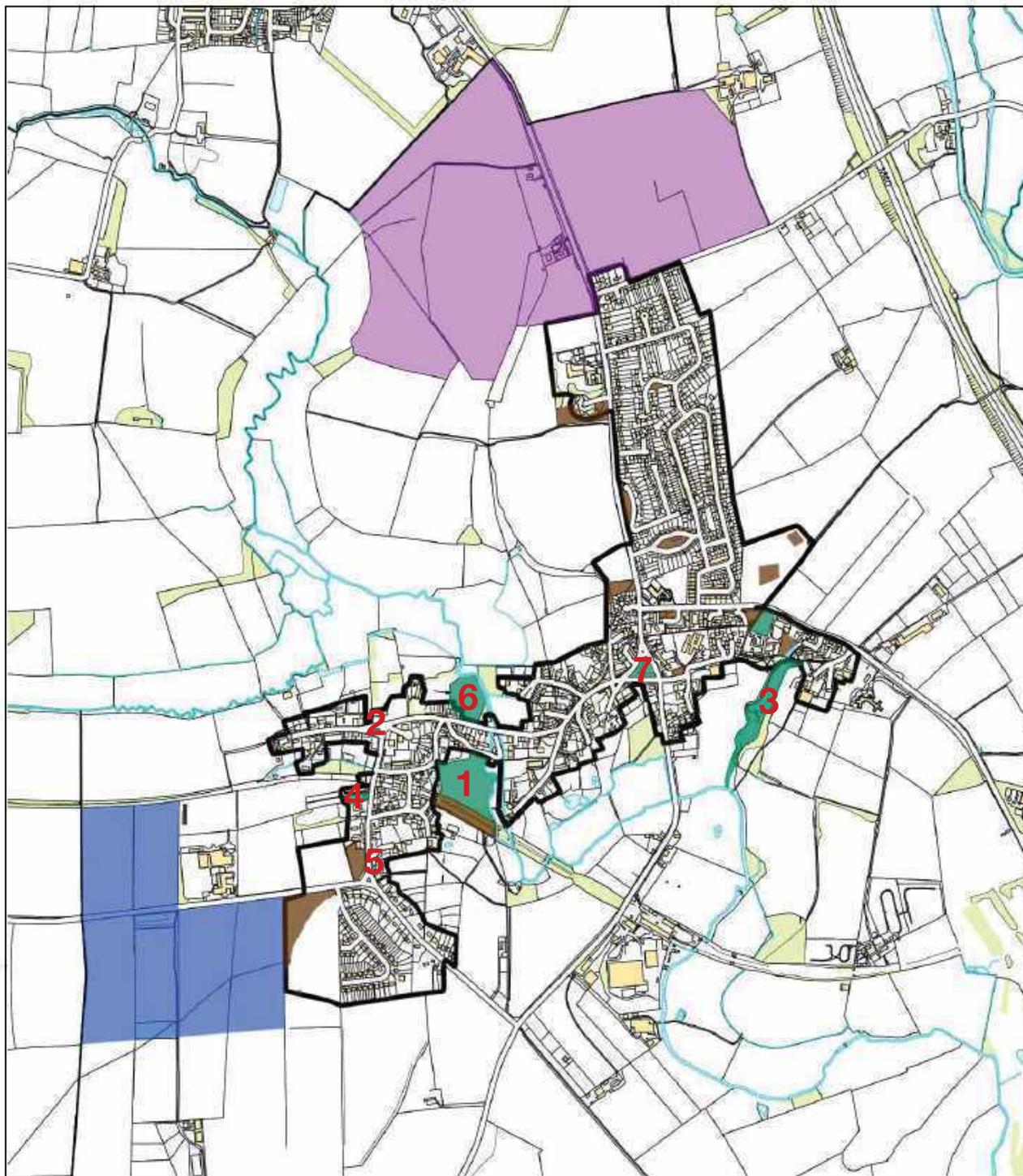


Adderbury Neighbourhood Plan:
Policies Map Inset B
May 2018

Key

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|---|---|---|
|  AD3 Local Green Spaces |  AD4 Local Open Spaces |  AD 5 Twyford Gap |
|  AD 5 Adderbury/Milton Gap |  Parish Boundary |  Settlement Boundary |

AD3 Local Green Spaces

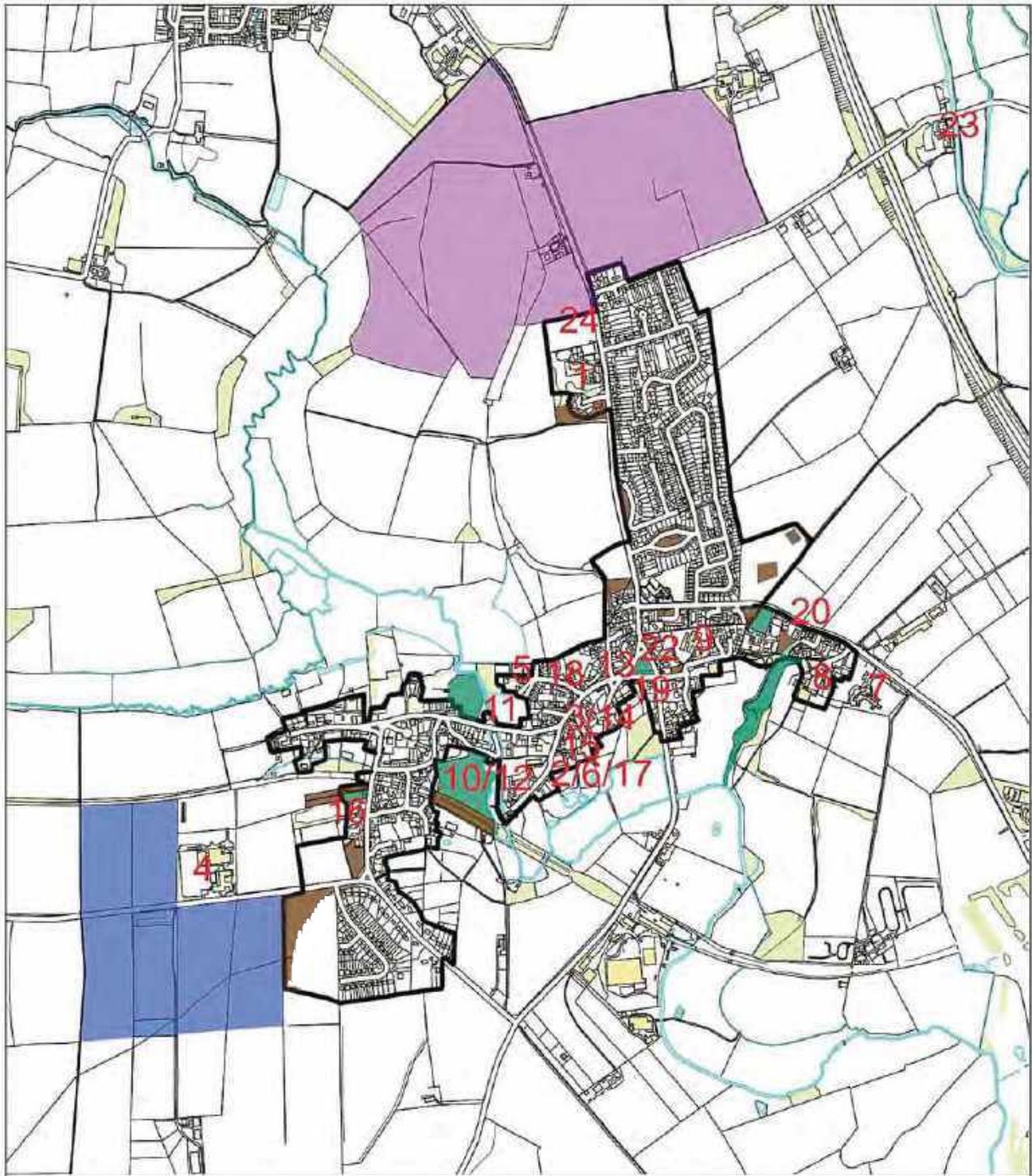


Adderbury Neighbourhood Plan:
Policies Map Inset B
May 2018

Key

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|  AD3 Local Green Spaces |  AD4 Local Open Spaces |  AD 5 Twyford Gap |
|  AD 5 Adderbury/ Milton Gap |  Parish Boundary |  Settlement Boundary |

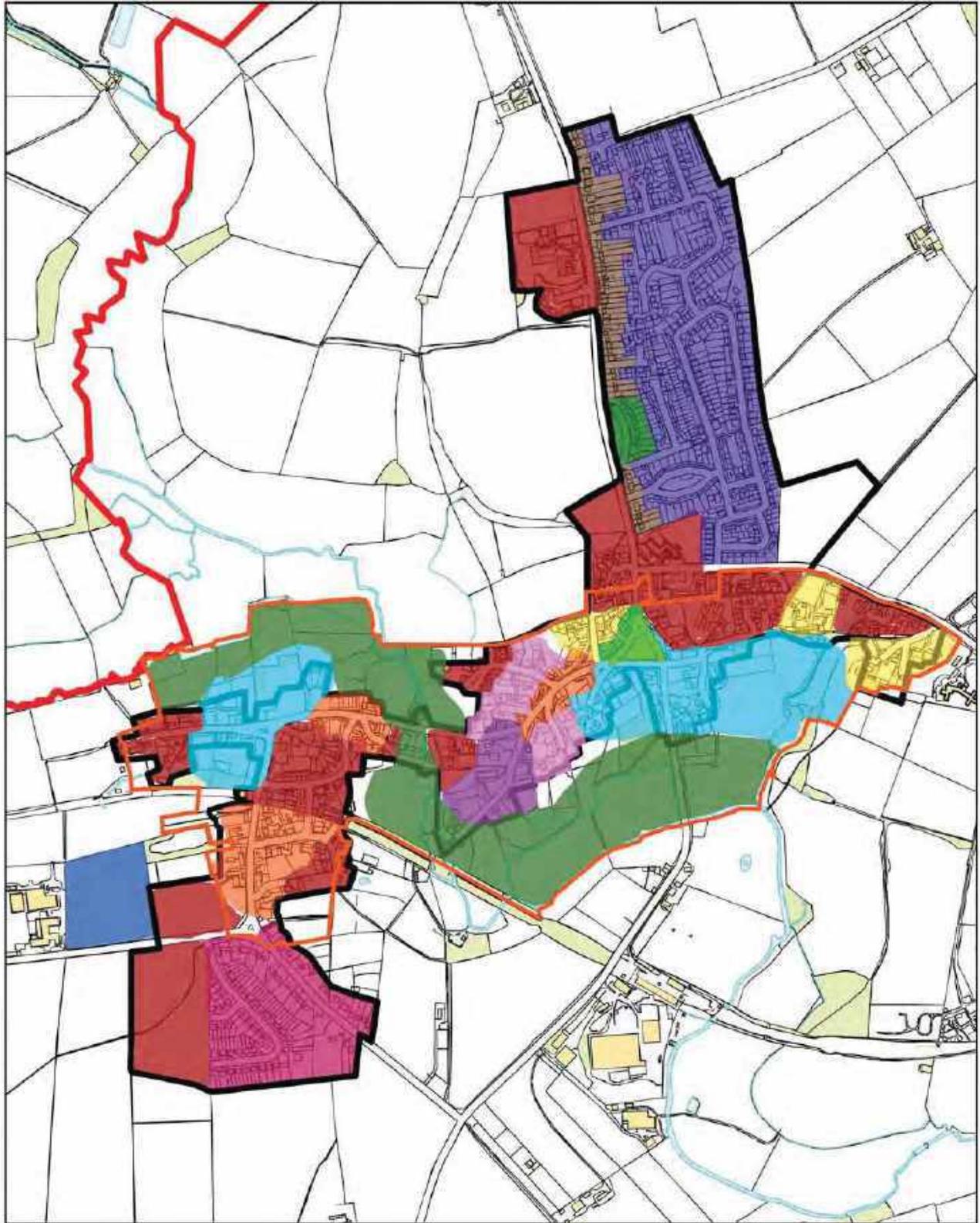
AD19 - Community Assets and Local Services



Adderbury Neighbourhood Plan:
Policies Map Inset B
May 2018

Key

- | | | |
|---|---|---|
|  AD3 Local Green Spaces |  AD4 Local Open Spaces |  AD 5 Twyford Gap |
|  AD 5 Adderbury/Milton Gap |  Parish Boundary |  Settlement Boundary |



Adderbury Neighbourhood Plan: Policies Map Inset C

May 2018

Key

 AD6 Church Quarter	 AD7 The Green	 AD8 the Manors	 AD9 The Streets
 AD10 The Lanes	 AD11 The Valley	 AD12 Former Farm Groups	 AD13 Managing Design in The Crescent
 AD14 Managing Design in Banbury Road	 AD15 Managing Design in the Tywford Estate	 AD16 Managing Design in Berry Hill Road and St.Mary's	 AD 18 New Community Facilities
 Conservation Area Boundary	 Parish Boundary	 Settlement Boundary	 Modern Infill

Appendix A: Schedule of Evidence

- The National Planning Policy Framework
- The Cherwell Local Plan 2011 – 2031 Part 1
- The Cherwell Local Plan 1996
- Adderbury Conservation Area Appraisal
- Adderbury Green Space & Local Gaps Report (See ANP Pre-Submission Plan)
- Adderbury Community Assets Report (See ANP Pre-Submission Plan)
- Adderbury Locally Listed Buildings Report (See ANP Pre-Submission Plan)

Abbreviations Used/Glossary.

ANP – Adderbury Neighbourhood Plan.

APC – Adderbury Parish Council.

APP – Adderbury Parish Plan. A report produced by APC in October 2007 following consultation with the village under the AVA Adderbury Village Appraisal of 2004.

APS – Adderbury Primary School. Full name: Christopher Rawlins Church of England Voluntary Aided Primary School.

AVA – Adderbury Village Appraisal. Survey and consultation carried out in 1994 and 2004.

CDC – Cherwell District Council, the local planning authority responsible for development plans, determining of planning applications, etc.

CDLP and CDP– Cherwell District Local Plan/Cherwell District Plan.

CIL – Cherwell District Community Infrastructure Levy

NPPF – National Planning Policy Framework. Introduced by the Government in March 2012.

OCC – Oxfordshire County Council. Responsible for education, roads, adult social care, etc. – Funded by the Council Tax.

PPG – Planning Practice Guidance issued by Government. Guides to support NPPF.

SEA – Strategic Environment Assessment

TAP – “The Adderbury Plan” consultation with the village Nov.2012 and Survey.in June 2013

TAP Report - The report on the findings of the consultation and survey with the village.

Appendix 14A
Cherwell Design Guide



Cherwell Design Guide

Supplementary Planning Document

Masterplanning and architectural design guidance for residential development

October 2017

Draft

Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

Alan Baxter

918

The Draft Cherwell Design Guide has been prepared by Cherwell District Council in collaboration with Alan Baxter Ltd and ESHA Architects.

Acknowledgements:

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Cherwell Design Guide

Supplementary Planning Document

Masterplanning and architectural design guidance for residential development

October 2017

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FOREWORD

Cherwell is an attractive district, structured around the historic market towns of Banbury and Bicester and its attractive villages and rural hamlets. The area has a distinct character born out of its geology, landscape and history and its places are well valued by those who live here and from those who visit from further afield.

The value of good design is well understood. Well-designed places add environmental, economic, social and cultural value. The Cherwell Design Guide has been produced to ensure that new residential development results in vibrant, sustainable, safe and attractive places that add to the District's legacy. The Guide is not focused on building detail, but intends to support the development of new places that reinforce the character and vitality of a settlement. Central to this is the need for development that provides safe places to live and work, promotes sustainable transport and ways of living with good connections to local facilities.

Over the Local Plan period to 2031, Cherwell will experience unprecedented growth that will bring over 22,000 new homes and many new jobs to the District. The Cherwell Local Plan sets a vision for high quality and locally distinctive design. The ethos of the Design Guide is underpinned by a commitment from the Council to promote exemplary standards of design across the District. Our aim is to create great buildings and desirable places that are valued by future generations and add value to the development process.

Achieving this ambition is only possible through working in partnership with multiple stakeholders. In the production of this document, the Council has sought the views of councillors, planners, developers and the local community and all these parties need to be active stakeholders as new development proposals are shaped. We hope you will welcome the guidance and use it to support a positive legacy of great places and well-loved neighbourhoods.

Cllr. Colin Clarke
Lead Member for Planning
Cherwell District Council

1 THE IMPORTANCE OF HIGH QUALITY DESIGN



- 1.1 A new era for design in Cherwell
- 1.2 The role of the Design Guide
- 1.3 The design and planning process
- 1.4 Policy background
- 1.5 Abbreviations

1.1 A new era for design in Cherwell

High quality design supports a positive legacy, leaving successful places which are both functional and beautiful, which engender a sense of community, are long lasting and age well.

The District of Cherwell is known for its distinctive picturesque villages and diverse, historic market town centres. These places have a strong character rooted in the local landscape and have evolved over many centuries.

Looking to the future, the evolution of the District's settlements is set to continue at a rapid pace, with a significant number of new homes planned reflecting Cherwell's attractiveness as a place to live and work. This vision is set out in the Cherwell Local Plan 2011 – 2031 Part 1 (adopted July 2015).

Cherwell District Council is committed to protecting and enhancing the special character of the District. The Cherwell Design Guide has been written to support high quality residential development, primarily on major and strategic development sites. Guiding the development of locally distinctive places that reinforce the positive character of the district.

This is an exciting opportunity to create new places which are of a high standard and fit well with the established character of the District. Investment in high quality design today will create a legacy of delightful and successful places for future generations to enjoy. It will support the wider economic prosperity of the District by providing the right mix of high quality homes to attract and retain workers.

The Council has made a commitment to raising the standard of design across the District through Policy ESD15 of the Cherwell District Local Plan, 2015 and recognises that there are lessons to be learnt from less successful twentieth century developments.

It is intended that the Guide will:

- Support more efficient and effective decision making in the planning process
- Provide clarity and more certainty to developers on the Council's approach to design
- Promote good quality design and inspire high quality development
- Engage residents of Cherwell in the shaping of their built environment



North West Bicester

1

1.2 The role of the Design Guide

This Draft Design Guide is an important document that supports the Council’s drive to significantly raise the standard of residential design across the District. It forms part of a wider design quality initiative which will include design review, alongside member and officer training.

Following public consultation, the Design Guide will be adopted as a Supplementary Planning Document and will be a material consideration in the determination of planning applications.

The Design Guide provides further explanation and guidance in relation to Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, explaining what high quality design means in practical terms and why it matters. It is a technical guide, providing clarity and certainty on the design standards that are required. In doing so, it supports a streamlined planning application process and the timely delivery of new homes.

It is designed to be used by everyone involved in shaping places: developers, designers, local residents, Council officers and politicians. By developing a shared understanding of what good design means and why it is important, the Guide empowers local residents and stakeholders to engage in the design process and demand more.

The Guide is designed to promote a holistic approach. Design is not a tick box exercise and we expect a contextual approach to guide the process. Each chapter of the Guide deals with a different part of design. It starts with responding to the site and context, followed by developing the structuring principles of the Masterplan, and then explores individual elements of place including streets, buildings and landscape. The final chapters consider sustainability and innovative approaches, building details and use of materials.

Read together the chapters give an overview of the design process from site selection to detailed design. The chapters of particular relevance to individual stages of the planning process are highlighted in table 1.1.

The Guide has been written to support residential development. While it is primarily aimed at supporting major and strategic development, many of the principles will also translate to other development, including smaller housing sites and commercial development.

The majority of recent development has tended to follow a ‘traditional’ style and form. However these developments often do not respond to Cherwell’s vernacular traditions. Chapter 7 sets out detailed information on the design of development that is in keeping with the District’s unique character.

The Guide promotes high standards of design in all areas. Innovation and the sustainability agenda are a key part of this and provide the foundation to creating healthy and sustainable places. As part of this approach, CDC promotes architectural innovation and sees this approach as being particularly appropriate on larger strategic development sites. This approach is set out in more detail in chapter 8.

Relevant chapters	Site selection / outline planning application	Full application	Reserved matters application
1 The importance of high quality design	✓✓	✓✓	✓
2 Cherwell’s special character	✓✓	✓✓	✓
3 Responding to the site and its context	✓✓	✓✓	✓
4 Establishing the structuring principles	✓✓	✓✓	✓
5 Streets and spaces	✓	✓✓	✓✓
6 Building and plot arrangements	✓	✓✓	✓✓
7 Building elevations and details	✓	✓✓	✓✓
8 Innovation and sustainability	✓✓	✓✓	✓✓

Table 1.1 Chapter relevance

✓✓ highly relevant
 ✓ relevant

1.3 The design and planning process

Good design is a collaborative process. Scheme promoters and their design teams will be expected to engage with council officers early in the process through the pre-planning application process.

The Council encourages pre-application engagement before a site is purchased as this provides an opportunity to establish and agree the brief for the site that will inform development value assumptions.

Early engagement with the Council will help to identify potential issues and uncertainties early on in the design process and therefore avoid delays in the application and help provide more certainty once an application is submitted.

For major and strategic sites, Planning Performance Agreements (PPA) are strongly recommended, where common goals, design standards, resources and delivery targets can be agreed.

The Council strongly encourages public engagement throughout the design process. Design review is also seen as an important part of the planning process. Further information on this can be found in **Appendix G**.

The preparation of site specific guidance is often required for most large sites, including design codes and development briefs:

- Design codes provide a clear design framework and vision for the site and ensure overall coordination and consistency between areas. Design codes should provide clear performance criteria for streets and public realm, building form, materials and details
- Development briefs are Council led documents, which set out clear aspirations for site assembly and design. These documents are particularly useful in promoting a development vision for complicated brownfield sites in multiple ownerships

Further information on these is provided in **Appendix G**.

Figure 1.1 explains the required process from site selection to reserved matters application and the points at which engagement with the Council should take place as a minimum.

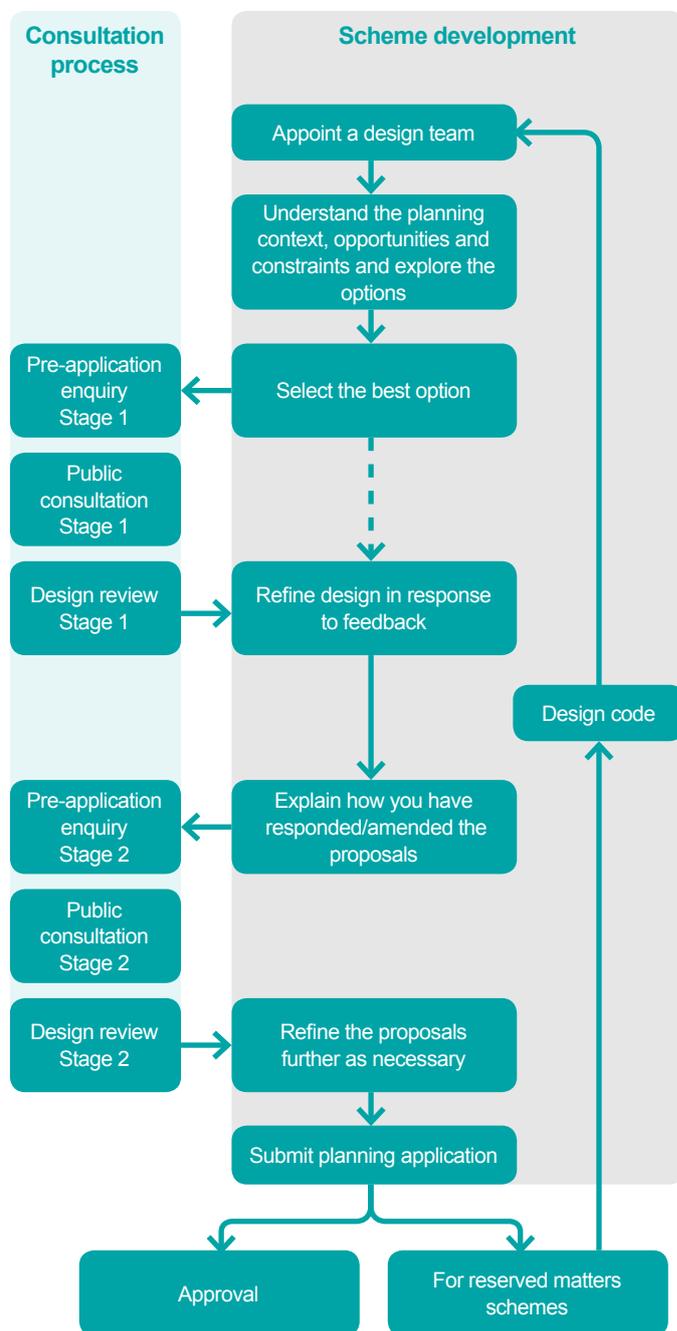


Figure 1.1 Process diagram for outline and full planning applications

1.4 Policy background

The requirement for high quality design is instilled in Local and National planning policy and supporting guidance.

Relevant policy and sources of further guidance are highlighted in each chapter of this report. A full reading list is provided in **Appendix A**.

National policy and guidance

National Planning Policy Framework (NPPF) 2012
The Government's NPPF is based around a presumption in favour of sustainable development of which good design is a key aspect.

The key message is that development should contribute positively to making places better for people though establishing a sense of place in response to local character and history. It clearly states that permission should be refused for development of poor design quality. The NPPF specifies that Local Plans should develop robust and comprehensive policies that set out the quality of development that will be expected within their area. Further explanation of the NPPF policies on design is provided in the supporting online publication **Planning Practice Guidance**.

National design guidance

National design guidance documents which provide useful background reading and further detail relating

to the design process include:

- The Urban Design Compendium, English Partnerships (2nd Edition 2007) and Urban Design Compendium 2, English Partnerships (2007)
- Manual for Streets, DfT/DCLG (2007) and Manual for Streets 2, DfT (2010)
- Car Parking: What Works Where, English Partnerships (2006)
- Building for Life 12, Design for Homes (2012)

Local policy and guidance

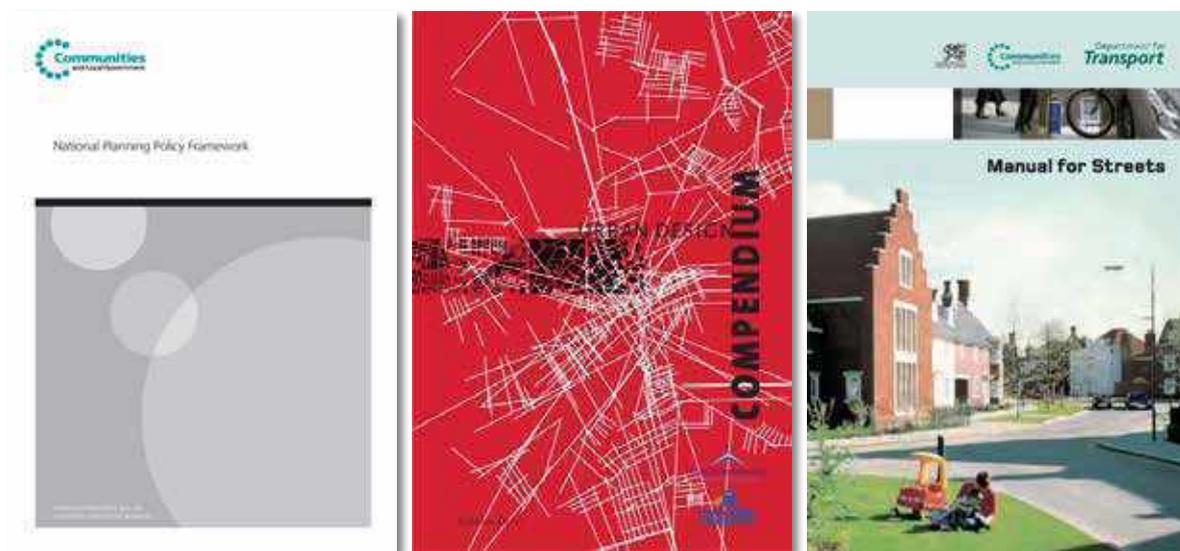
Cherwell District Local Plan 2011-2031 Part 1, 2015

The adopted Local Plan states,

“We will ensure that what we approve for development, whether commercial premises or housing, is of the highest design and building standards.” (Local Plan, Foreword).

The Design Guide is being prepared in response to Policy ESD 15: The Character of the Built and Historic Environment of the Local Plan. The headline policy states:

“Successful design is founded upon an understanding and respect for an area’s unique built, natural and cultural context. New development will be expected to complement



and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.”
(Local Plan, page 117).

The full wording of Policy ESD15 is provided in **Appendix B**. The Design Guide provides explanation and guidance on the meaning of the Local Plan policies in relation to design and once adopted as a Supplementary Planning Document will be a material consideration in the determination of planning applications.

Further policies relating to design are to be included within Part 2 of the Cherwell District Local Plan.

Neighbourhood Plans

Once made Neighbourhood plans are made part of the District's Development Plan and will be used in the determination of planning applications within the area / Parish. They typically provide local policy relating to character, design, mix and location of development.

Adopted Neighbourhood plans

- Bloxham (2016)
- Hook Norton (October 2015)

The following neighbourhood plans are in preparation:

- Adderbury
- Deddington
- Merton
- Mid-Cherwell
- Stratton Audley
- Weston on the Green
- Bodicote

County and District design guidance

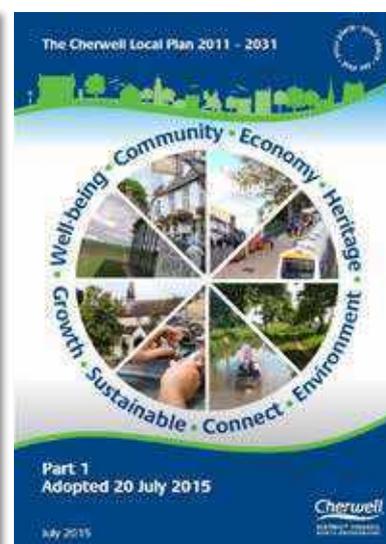
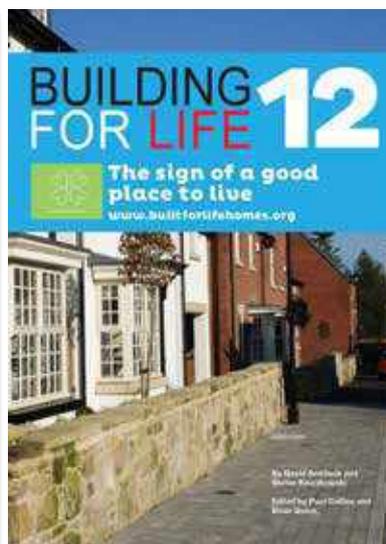
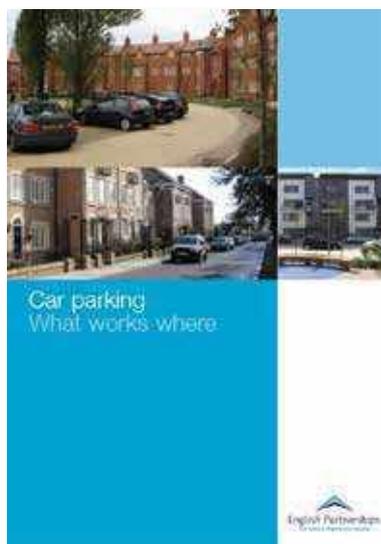
Sources of Cherwell planning guidance relating to design which are material considerations when determining planning applications include:

- Conservation Area Appraisals
- Supplementary Planning Documents – site specific and District wide
- Informal planning guidance

A list of current guidance documents is available on Cherwell District Council's website.

Oxfordshire County Council

The County's 'Residential Road Design Guide', Second Edition, 2015 provides guidance on the design of streets across Oxfordshire and emphasises the importance of designing layouts which prioritise people before cars.



1.5 Abbreviations

Throughout the document the following abbreviations are used:

Draft Cherwell District Design Guide (this document)
= the Guide
Cherwell District Council = CDC
Oxfordshire County Council = OCC

2 CHERWELL'S SPECIAL CHARACTER



- 2.1 The evolution of the District**
- 2.2 The larger settlements**
- 2.3 Countryside Character Areas**

Cherwell's towns and villages have evolved in response to their landscape, movement and social contexts.

This chapter provides a summary of the distinctive characteristics we see today in different parts of the District. It should be used as a starting point for more detailed, site specific analysis which is the first step towards creating a locally distinctive development which sits comfortably alongside its established neighbours.

New development in Cherwell should promote:

- Development informed by an understanding of the historic evolution of the District
- The creation of new places which fit well with the pattern and character of local towns and villages
- Development which is locally distinctive and reinforces the different characters of the north and south of the District
- Development which is located appropriately in response to landscape and topography
- Use of appropriate local materials and detailing (see also chapter 7)
- Or a truly innovative approach to architecture and design

New development should avoid:

- The creation of 'anywhere places' which do not reflect local character
- Inappropriate settlement patterns, architecture and materials
- An awkward relationship between new and old
- The use of superficial details to add character

Please refer to the following chapters for supporting information:

- **Chapter 3:** For details of how site specific analysis should be undertaken
- **Chapter 4-7:** For guidance on how the understanding of local character should inform the masterplan and detailed design decisions
- **Chapter 8:** For guidance on sustainability considerations
- **Appendix C:** List of Conservation Areas within the District

Further reading:

- **Countryside Design Summary, 1998, CDC:** A detailed characterisation study of the District's settlements with particular focus on the rural villages
- **Oxfordshire Wildlife and Landscape Study:** <http://owls.oxfordshire.gov.uk>. A detailed classification of the District's landscape character
- **Colour Palettes, 1996, Studio REAL:** A detailed guide to traditional materials and colour palettes used in different parts of the District.
- **Conservation Area Appraisals, CDC:** Provides detailed character analysis and guidance for each of the District's conservation areas
- **Landscape Character Sensitivity Assessment, 2017, CDC:** Provides an assessment of landscape sensitivities across the district
- **Category 'A' Villages Village Analysis, 2017, CDC:** Provides an analysis of key issues associated with category A villages

2.1 The evolution of the District

2

Local planning policy emphasises the importance of reinforcing Cherwell's local distinctiveness. New development should sit comfortably alongside the established townscape and landscape character of the local area and be unmistakably 'of Cherwell'.

This chapter is intended to assist with the understanding of local character by summarising the key characteristics of the District's three larger settlements and rural areas. It should be used as a reference when undertaking site specific analysis to inform the design process.

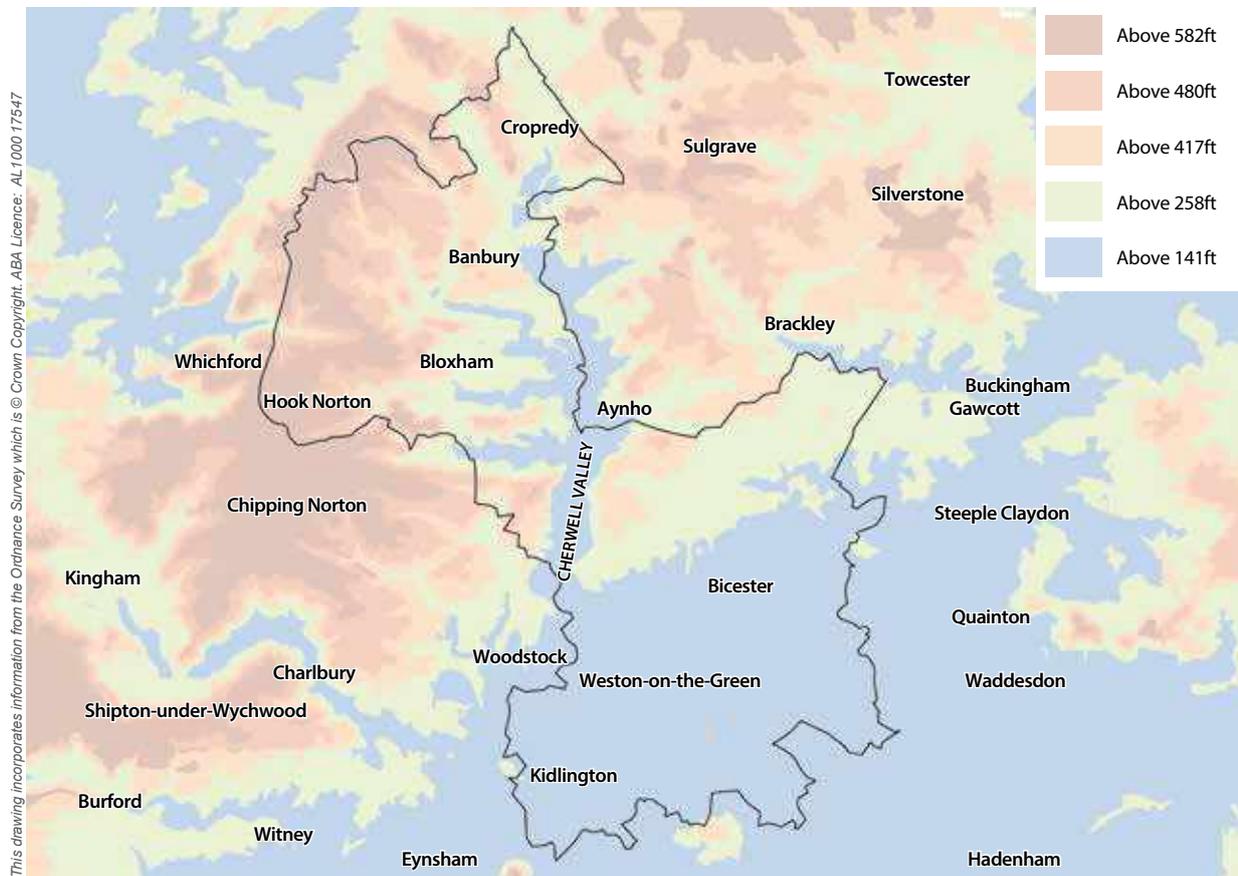


Figure 2.1 Topography map (derived from Ordnance Survey data)

Growing from the land

In an area of Oxfordshire rich in natural resources, Cherwell has been settled from the earliest times. The District takes its name from the River Cherwell, running north to south through the District.

The distinctive character of the District has evolved slowly over the centuries and owes much to its landscape and underlying geology which have directly influenced the character of the built environment. The majority of building materials were sourced from the landscape; buildings were constructed of locally quarried stone with roofs of locally grown thatch. The resulting townscapes are unique to each local area and have a strongly defined character.

Outside the central valley the District can be broadly divided into two character areas to the north and south:

- To the north and north-west, the District is defined by upland plateau, consisting of rolling hills and steep valleys of ironstone geology. Villages in this area are distinguished by their ochre ironstone walls. Banbury sits at the heart of the ironstone north
- The south-east consists of gently rolling limestone plateaux, with large areas of woodland and historic parkland. The south is mostly low lying, based on clay. Villages across the south make use of the cooler toned limestone as the primary building material. Bicester and Kidlington are larger settlements in the south

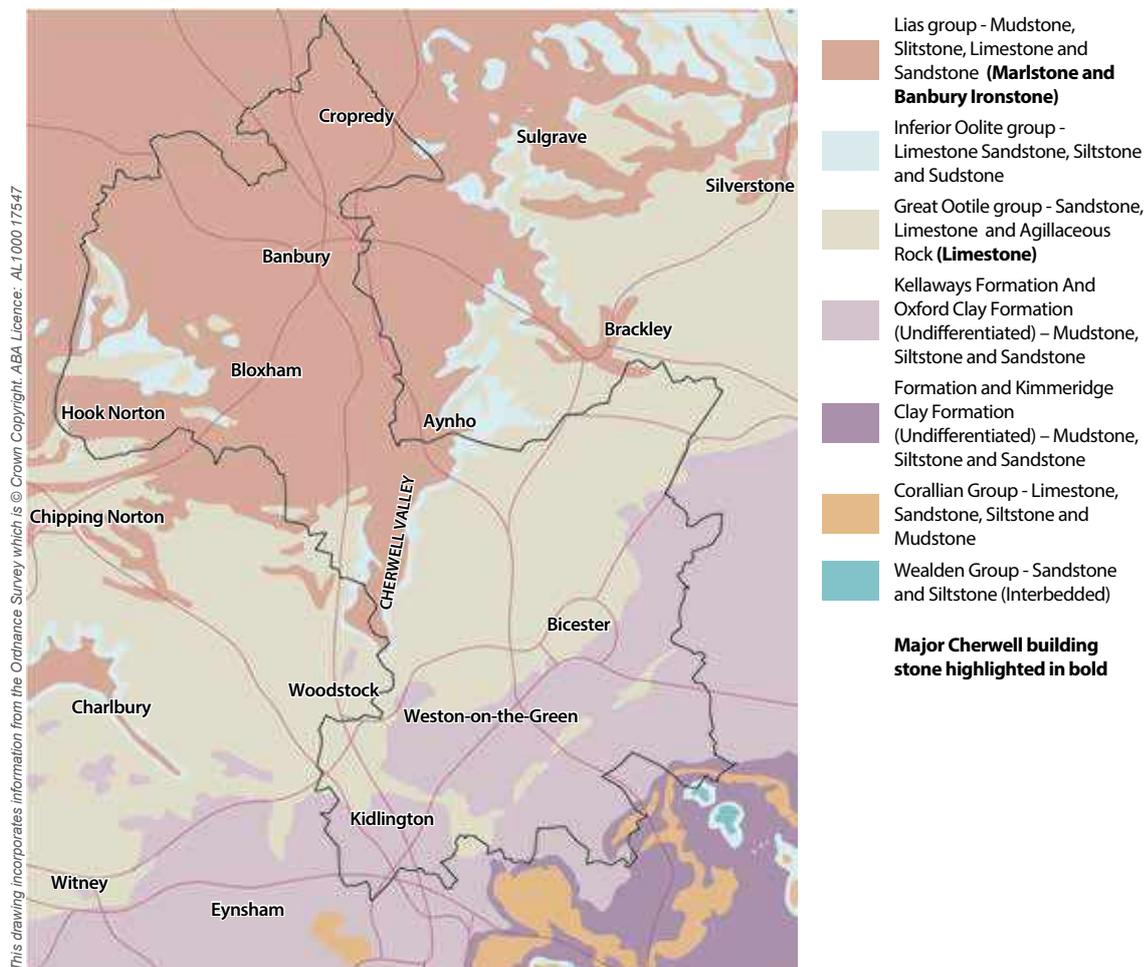


Figure 2.2 Geology map (derived from British Geological Survey mapping)

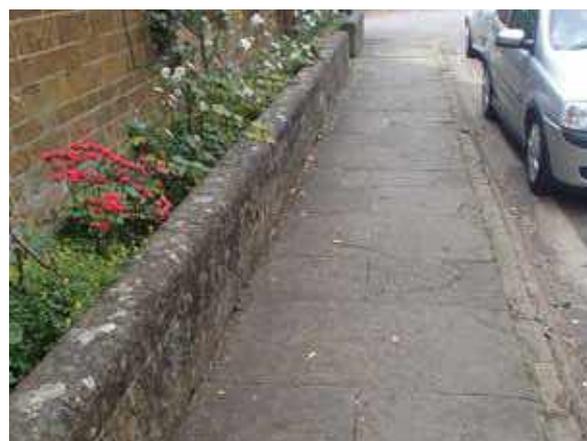
The railways and Oxford Canal had a significant influence on settlements along their routes. New development in places such as Banbury, took advantage of access to materials such as red brick and Welsh Slate.

Today, Cherwell is an area of growing contrasts. The market towns of Banbury and Bicester which grew as a focus for trade continue to be the primary settlements and have developed an urban character as a result of rapid growth in the twentieth century. The village of Kidlington, the third largest settlement in the District, does not have the status of a market town, but also experienced rapid twentieth century growth as a result of its proximity to Oxford.

The majority of the District, however, retains a rural character. Many of its 72 villages are of a small scale, with distinctive historic cores. They continue to rely on the larger villages and market towns for higher order facilities, retail and employment opportunities.

The high quality of the District's townscapes is reflected in the designation of 60 conservation areas, with over 2,300 listed buildings and dozens of scheduled ancient monuments. The designated historic and natural features of the wider countryside include registered parks and gardens, battlefields and nature reserves.

Appendix C contains a list of Conservation Areas. These are important documents and are a material consideration in planning applications.



Ironstone villages of the north - Bloxham (top) and Adderbury (bottom)



Limestone villages of the south- Islip (top) and Fringford (bottom)

Implications for new development

Where there is a strong, distinctive local character in the surrounding settlement it is expected that new development will be in keeping. Local character should be reflected in all aspects of design from the masterplan layout to building typologies, materials and detailing. This is particularly important for village development sites or small scale infill within historic urban areas. Often these areas are within Conservation Areas or their settings in which case the detailed guidance provided in Conservation Area Appraisals also applies.

Development at the edge of the larger villages and towns including Banbury, Bicester and Kidlington should reflect the distinctive characteristics of the settlement and the wider Character Area in which the settlement is located. Twentieth century housing estates of a generic character and poor design should not be taken as a precedent.

2.2 The larger settlements

2

Banbury

Banbury is a market town of around 44,000 residents, located within the ironstone north of the District. Its earliest origins date from the Saxon period. As early as the seventh century, a settlement developed at the junction of the two ancient roads of Salt Way and Banbury Lane on the west bank of the River Cherwell.

By the mid-thirteenth century the market and associated industries had begun to prosper, becoming an important centre for the wool trade. Transport links continued to support the town's prosperity with the arrival of the Oxford Canal in 1778 and railways in 1850 and it developed a strong industrial base.

Banbury's central historic core remains relatively intact with a medieval pattern of narrow streets, lanes, market squares and burgage plots. The civic buildings date from the eighteenth and nineteenth century. Early

buildings are constructed from local Hornton ironstone and other local ironstones, with locally produced red brick with a soft tone used from the mid-eighteenth century onward.

The adjoining suburbs dating from the eighteenth and nineteenth centuries, have a grid plan and consist of two or three storey terraced houses. Detached, semi-detached houses and large villas of the nineteenth and early-twentieth century are on a grander scale, with larger plots and mature trees making a valuable contribution to the streetscape.

In comparison to Bicester and Kidlington, Banbury's twentieth century expansion was more gradual and has greater coherence. In outer Banbury, the majority of the built environment was developed during the second half of the twentieth century, particularly 1950s to 1970s to house overspill population from London

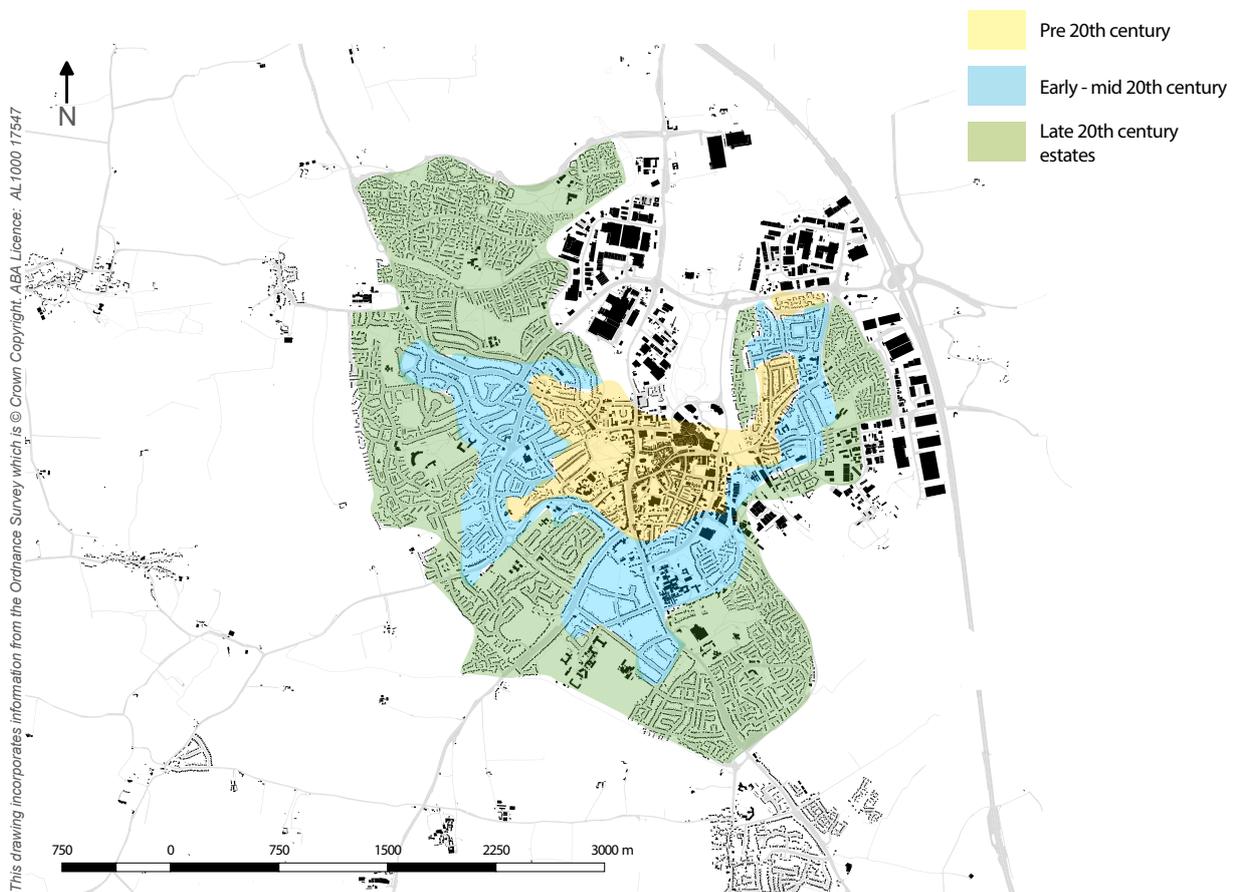


Figure 2.3 Banbury

and the West Midlands. The growth accelerated after the 1970s with the completion of the M40 which gave fast and direct access to London and Birmingham.

The Council took a strong lead in the design of the later suburbs, which follow garden suburb principles. In contrast, large estates developed on the periphery of the town offer little in terms of local distinctiveness.

The town remains both walkable and cyclable, with a clear sense of order and relationship between residential areas and the town centre. It is important that new development at the edge of town continues to relate well to the centre and reflects the building traditions of the town's more distinctive residential areas. Key characteristics include:

- A compact medieval core, defined by a clear network of streets and defined frontages. There are a wide range of building styles reflecting the development and redevelopment of the area over the centuries, but harmony is established through the consistent rhythm of the plots, scale and materials
- Victorian and Edwardian suburbs with greater consistency; typically terraced properties, constructed in local brick with a harmony of plots, scale and details
- Many of the mid 20th century suburbs also have a sense of order established along Garden Suburb principles, with tree-lined avenues and stretches of terrace or semi-detached properties set back from the street behind clearly defined thresholds
- Some late 20th century development has a weak urban form and lacks local distinctiveness



Some 20th century developments in Banbury have a weak urban form and lack local distinctiveness



Pre-20th century development in Banbury - Old Parr Road (top), King's Road (middle), South Bar Street (bottom)

Bicester

Bicester is a rural market town, located in the south east of the District. Established on a river crossing of the River Bure, an ancient route between Oxford and Buckingham, it sits at the northern edge of the Otmoor lowlands next to a band of limestone and Cornbrash. The river and a railway embankment provide variation to the otherwise flat topography. Graven Hill, located at the south east of town, is the only topographic feature of note.

Bicester's historic core is still the commercial centre and the civic heart of the town. It formed from the coalescence of three settlements: King's End, Market End and Crockwell and was influenced by the route of the River Bure. Aside from redevelopment in the centre, it changed little through the eighteenth to mid-twentieth centuries.

The bulk of the historic core consists of two or three storey vernacular buildings of limestone rubble or red brick with some re-fronted timber framed buildings along the old London Road. Building frontage in the town centre is continuous; strongly defining the public realm.

The green spaces within Bicester provide valuable relief from the densely built town centre. The contribution that mature trees make to the townscape is immensely valuable.

The shape of the town altered in the twentieth century with the establishment of the RAF station and later the Ordnance Depot. Housing estates were developed around the periphery of the historic core. These are well cared for, but poorly connected to the centre and lack local distinctiveness. From a population of 5,512 in 1961, numbers grew to an estimated 32,640 in 2011.

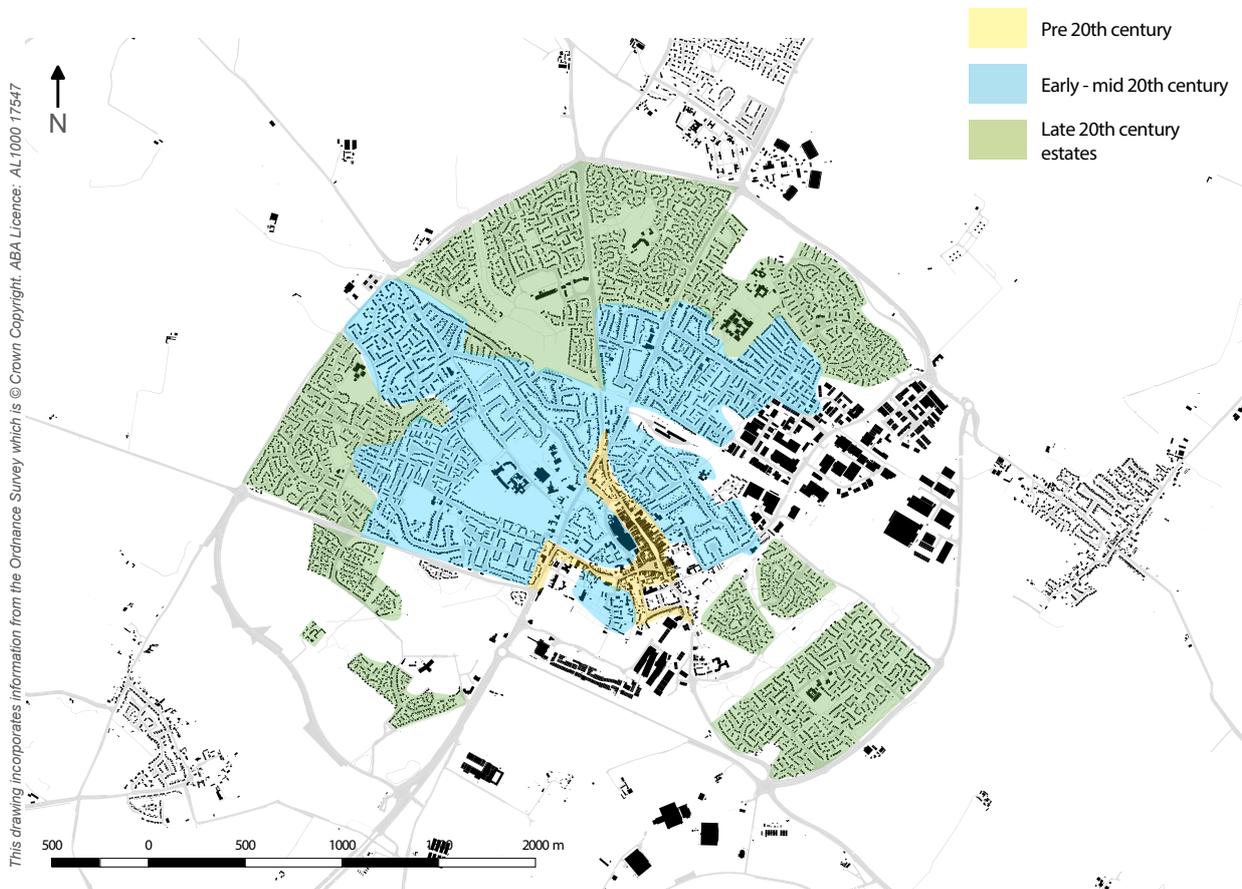


Figure 2.4 Bicester

Key characteristics include:

- A compact medieval core, defined by a clear network of streets and defined frontages. There are a wide range of building styles reflecting the development of the area over the centuries, but harmony is established through the consistent rhythm of the plots, scale and materials
- Small areas of Victorian and Edwardian expansion are typically terraced, constructed in local brick
- Much of the 20th century suburbs date from the post war era. These are frequently based on cul-de-sac structures, limiting their sense of connection with other areas. The layout and design of houses does little to reinforce local distinctiveness. These areas, while well loved by residents, are not appropriate for replication in new development

The perimeter of Bicester is undergoing transformation with significant new development planned in a series of distinctive neighbourhoods. RAF Bicester is becoming an interesting hub combining new technologies with heritage, while Graven Hill is to develop a distinctive character as a result of the council-led self-build programme. To the north-west, Bicester Eco-town is demonstrating new sustainable technologies and new urban forms. To the south-west and south-east housing growth areas are more normative in their design.

Sustainable exemplars

The town of Bicester is undergoing significant change and growth. This is reflected in its designation under a number of Government funded initiatives (Garden Town, Eco-town and Healthy New Town) which aim to provide new homes with a focus on innovative design and high levels of sustainability.

The guiding principles of good urbanism contained within this Guide must underpin all these proposals, creating well-connected, distinctive, safe and attractive places which engender civic pride and a sense of community. However, the Guide recognises that within sustainable exemplars, the development of new buildings typologies, architectural styles and materials may be appropriate. Bespoke design solutions will be agreed in consultation with the Council. Chapter 8 provides further details on innovation and sustainability.



Bicester - Priory Road (top), Church Street (middle), Elmbrook, North West Bicester (bottom)

Kidlington

Kidlington is an enlarged village, located in the Clay Vale of Otmoor, between the attractive green corridors of the River Cherwell and Oxford Canal. Kidlington emerged as a dispersed group of medieval hamlets focused on and around St Mary's Church and the Town Green in the east and Kidlington Green to the west. The remaining historic streets are built predominantly of Cotswold limestone with some later red brick buildings.

With the arrival of the canal in the eighteenth century and the railway in the nineteenth century, the settlement began to expand westwards. Rapid growth came in the twentieth century in response to Oxford's population pressure. Ribbon development of semi-detached and bungalow properties along Oxford to

Banbury Road and on large plots around the Moors was followed by the development of a 'Garden City' to the south led by the District Council and later on the growth of cul-de-sac based estates which limit east-west connectivity.

Unlike Banbury and Bicester, Kidlington does not have a medieval or Victorian civic centre. The village centre dates mainly from the late-twentieth century and relates poorly in character and scale to the pockets of remaining historic residential streets, some which are now designated as Conservation Areas.

Future development within Kidlington should look to strengthen the character of the village, and create a distinctive heart to the settlement in the village centre.

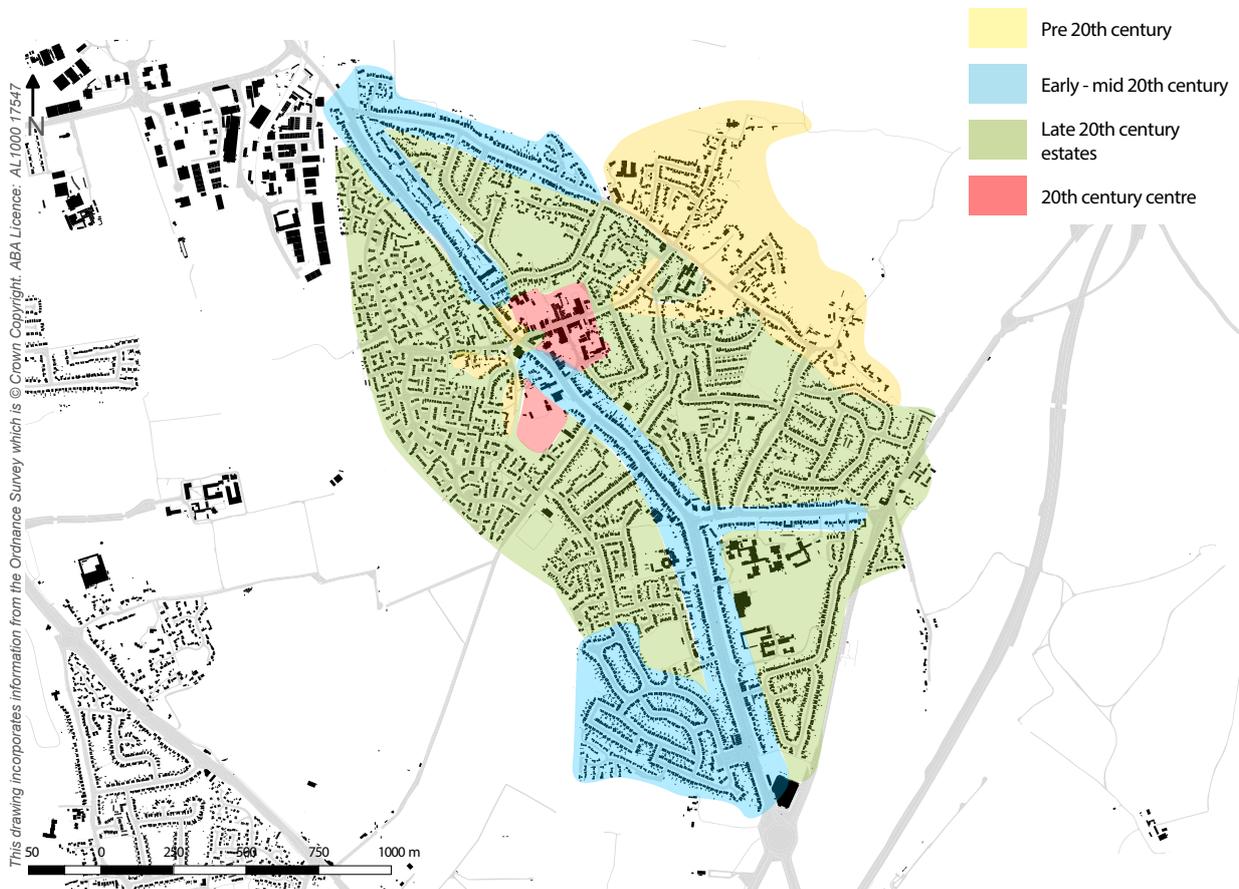


Figure 2.5 Kidlington

Key characteristics include:

- Small pockets of historic development
- 20th century centre which lacks character and consistency
- Many of the suburbs have been guided by Garden Suburb principles, with tree-lined avenue and stretches of terrace or semi-detached properties



Kidlington village centre (top), low rise ribbon development on Oxford Road (bottom)

Franklin Close (top), The Moors (middle), typical Garden City housing (bottom)

2.3 Countryside Character Areas

2

The character of the district varies from north to south, with ironstone to the north and limestone to the south. There are more subtle distinctions which are described in the Council's Countryside Design Summary, CDC (1998).

This classifies the District into four geographic character areas reflecting the influence of landscape and geology (figure 2.6):

- The Cherwell Valley
- The Iron Stone Downs
- The Ploughley Limestone Plateau
- The Clay Vale of Otmoor

A summary of the distinctive characteristics of each area is provided in table 2.1. The Countryside Design Summary notes that variation occurs at the more local level, from village to village, street to street and building to building, but each area displays an overall character which distinguishes it from the others.



Cherwell Valley



Ironstone Downs



Ploughly Limestone Plateau



Clay Vale of Otmoor



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Figure 2.6 Cherwell District countryside character areas and heritage assets

The north and central valley

2

	Cherwell Valley	Ironstone Downs
		
Location	Runs north-south across the District following the River Cherwell.	Northern half of the District to the west of the Cherwell Valley.
Landscape	<p>To the north, a wide rolling valley dissecting the Ironstone Downs with a flat floor which floods seasonally. The valley narrows south of Banbury across limestone beds then flattens out over the Clay Vale.</p> <p>The Oxford Canal, Banbury to Oxford Railway and M40 are significant features of the valley floor.</p>	<p>An upland plateau-like landscape of mixed farmland, incised by very steep and often narrow valleys in the north. The land rises to the west forming an upland ridge with extensive views. The south has steeply sided, convoluted valleys with narrow valley floors and rolling, rounded hill lines.</p> <p>The Ironstone Downs consists of marlstone rock beds overlying middle and lower lias clays.</p>
Settlement patterns	<p>Settlements are mostly located on the valley slopes and have agricultural origins. Some have been influenced by the canal and railway.</p> <p>Linear settlement form is most common reflecting growth along a main movement route. Others are nucleated around road junctions. Village streets are mainly open in character with a variety of open spaces.</p>	<p>Numerous small, closely spaced settlements of agricultural origin, with larger villages located to the south.</p> <p>Villages are positioned in valley locations either on the valley sides, at the head of the valley or on the brow of the hill. Villages are generally only visually prominent where the valleys are open and wide.</p> <p>Villages have linear or nucleated forms or enclose areas of open land.</p>
Buildings	<p>Mainly two storey terraced or detached cottages, facing the streets and close to the kerb or behind stone walls. Steeply pitched roofs.</p> <p>Front gardens are uncommon.</p>	<p>Mainly two storey terraced and detached houses, the majority of which face the street. Roof pitches are steep with brick stacks on the ridge line.</p> <p>Buildings are often located at the back of pavement or set back behind ironstone walls. Trees and hedgerows are important features of the streetscene.</p>
Materials	<p>Ironstone from Clifton northwards, limestone to the south. Some villages have a mixture. Welsh slate and engineering brick also evident.</p> <p>Dark toned plain slate and tile roofs or thatch.</p>	<p>Ironstone walling except at Duns Tew where limestone predominates. Early nineteenth century brick buildings in villages close to Banbury.</p> <p>Thatch and stone slate roofs, often replaced with plain dark grey slates, tiles and Welsh slate.</p>

The south

	Ploughley Limestone Plateau	Clay Vale of Otmoor
		
Location	Central part of the District, east of the Cherwell Valley.	Southern part of the District.
Landscape	<p>A number of exposed upland plateaux in the north and west dip gently into rolling undulations and shallow valleys to the southeast. There are extensive areas of woodland cover.</p> <p>White limestone in the north gives way to cornbrash further south, both of the great oolitic group.</p>	<p>A low lying clay vale which rises gently to the north and west, and sharply to the south to form the Oxford Heights.</p> <p>The land is waterlogged, although extensive drainage has enabled more than half of the land to become arable farmland.</p> <p>Otmoor is an important grassland habitat designated a Site of Special Scientific Interest (SSSI).</p>
Settlement patterns	<p>Most villages are small and linear in form. They are not prominent in the landscape due to landform and woodland cover.</p> <p>A few villages have a formal unity of design which suggests they are planned estate villages e.g. Kirtlington.</p>	<p>Settlements are mostly located just above the level of the floodplain often on outcrops of cornbrash.</p> <p>Villages are small and generally linear in form. Some have an open, unstructured character with properties set back behind stone walls, gardens and hedges. Others have a tighter, urban structure.</p>
Buildings	<p>A mix of mostly two storey terraced and detached properties, with fairly steeply pitched roofs and brick chimney stacks on the roofline.</p> <p>Buildings face onto streets and public spaces, but larger properties may be set back some distance behind limestone walls. Iron railings are also used.</p>	<p>Mostly two storey detached, with groups of terraces in some villages. Steeply pitched roofs with chimneys on the rooflines.</p> <p>Buildings mainly face streets. Detached properties have a variety of forms and often set back at varying depths from the road producing an irregular street frontage.</p>
Materials	<p>Limestone rubble, coursed and thinly bedded. Red brick. Red and occasionally blue bricks are used for quoins and detailing in 19th century estate cottages.</p> <p>Thatch and stone slate roofs, many now replaced by local clay tile and welsh slate.</p>	<p>Limestone in most of the area. Red brick buildings and detailing also found. Ornamental and whitewashed brickwork is more common across this area.</p> <p>Roofs were traditionally thatched, now mostly replaced with plain dark toned slates and tiles and in some areas plain, red clay tiles.</p>

Reference should also be made to the Oxfordshire Wildlife and Landscape Study. <http://owls.oxfordshire.gov.uk>. This divides the District into 19 landscape types (see figure 2.7) which sit within Natural England's National Character Areas. Landscape and biodiversity guidance is provided for each.

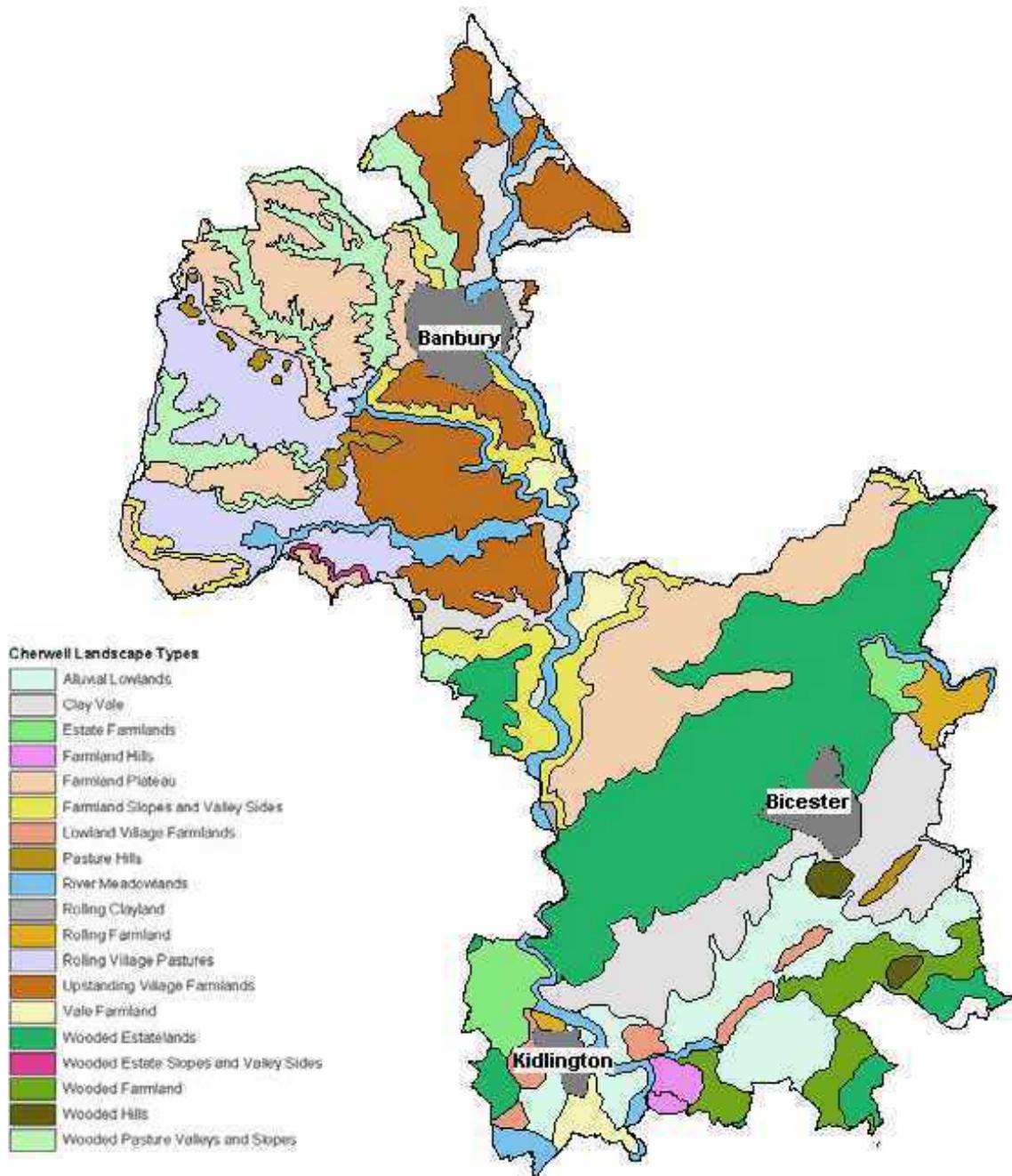


Figure 2.7 Cherwell landscape types (source: OWLS)

3 RESPONDING TO THE SITE AND ITS CONTEXT



3.1 Understanding the site and its context

3.2 Opportunities and constraints

Understanding the characteristics of a site and its wider setting are fundamental to good masterplanning and design solutions.

This chapter explains the process of information gathering, analysis and synthesis leading to a clear understanding of site constraints and opportunities. This should be undertaken in the preparation for outline, full and reserved matters planning applications.

New development in Cherwell should promote:

- Meaningful analysis which is appropriate to the stage and nature of the project and positively informs the project brief and design process
- Designs which are responsive to local conditions, which fit naturally with the landscape and settlement pattern and are distinctive to Cherwell
- Engagement with the Council and local stakeholders during the analysis process

New development should avoid:

- The creation of 'anywhere places' which do not respond to local context
- Analysis which focuses on detail and fails to consider bigger picture issues
- A lack of engagement with Council Officers in the early stages of the design process
- Responding to the wrong context, for example: taking precedent from poor quality development.
- Failure to synthesise the information gathered that leads to a design that does not respond to the issues identified

Please refer to the following chapters for supporting information:

- **Chapter 2:** For a summary of the District's distinctive characteristics and character areas
- **Chapter 4:** For details of how the site analysis should be interpreted in the masterplan and vision
- **Chapter 5-7:** For details of how site analysis should inform the detailed design of streets, plots and buildings
- **Chapter 8:** For guidance on sustainability considerations
- **Appendix A:** List of Conservation Areas within the District

Further reading:

- **Urban Design Compendium, 2007, English Partnerships:** Chapter 2 - Appreciating the Context for further detail on human, environmental and economic factors to consider in site analysis and their relationship to site feasibility testing and vision.

3.1 Understanding the site and its context

Analysis of the site and its context is a fundamental part of the design process. The aim is to understand and respond positively to the site's characteristics and the surrounding context to create a distinctive place rooted in the local environment.

Every site has a different social, economic and physical context and requires a bespoke design response. It is critical that the development context is understood at the very start of the design process to inform the design brief and commercial decisions relating to site selection. Not all sites will be appropriate for development and initial analysis and consultation with the council will be important in determining a site's suitability.

The role of analysis is to:

- Establish where you should and shouldn't build within a site and within a settlement
- Establish important points of connectivity
- Identify site features requiring protection or enhancement
- Identify local townscape and landscape characteristics so that they can be reinforced through the development
- Understand Council, local stakeholder and statutory consultee requirements for the site
- Directly inform the brief for the masterplan and the design solution

Alongside a desk based review of existing documents, the Council will expect to see evidence of site visits and primary analysis of the site and the surrounding area. It is expected that the design team will engage with technical stakeholders including Council Planning Officers to agree the scope of analysis, gather information and discuss the appropriate design response.

It is expected that a robust analysis should be set out within the Design and Access Statement to explain how design decisions have been made.

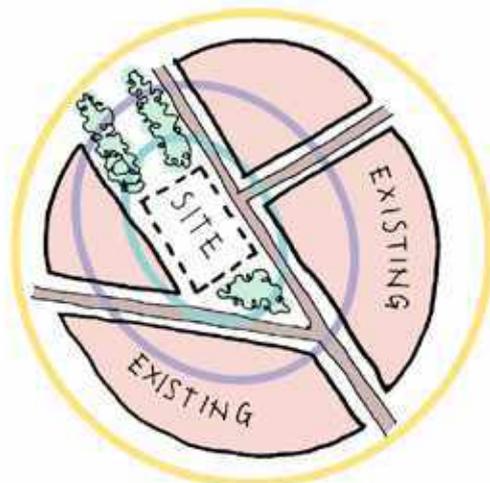
The extent and breadth of analysis should be appropriate to the size and location of the site (see figure 3.1).

Site analysis should continue throughout the design process with an increasing level of detail as a scheme moves towards implementation.

For example in relation to townscape analysis:
 Outline application: layout informed by an analysis of characteristic street patterns, block and building typologies and relationship to the street, alongside a general exploration of architectural form, character and detail.

Full or reserved matters application: detailed design informed by a detailed analysis of vernacular architecture, local building and public realm materials and details.

Small infill site



Large edge of town site

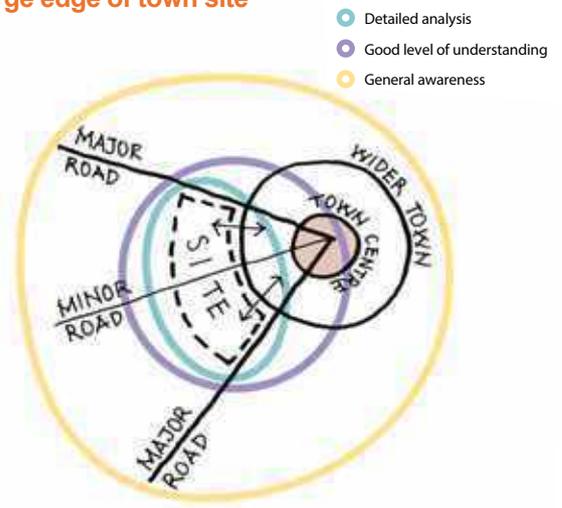


Figure 3.1 Indicative extent of analysis

The table below provides a list of typical topics which should be included in the analysis process, together with likely sources of information. This is not an exhaustive list and should be tailored to the specific site, but can be used as a starting point or aide mémoire. The list of 'Questions to address' provides guidance on how site analysis should be used to inform a synthesis of constraints and opportunities.

Questions in bold are of particular relevance to Full or Reserved Matters Applications.

Planning review and socio-economics	
Details	Planning history of the site Adjacent developments / proposals Relevant planning policy including housing, open space and other land use requirements Neighbourhood plans Demographic characteristics Access to services and facilities
Questions to address:	<ol style="list-style-type: none"> 1. Is the principle of development acceptable in planning terms / is the site allocated in the Local Plan? 2. Is the site located within a neighbourhood plan area? 3. What is the most appropriate mix of uses on the site to meet community needs? <ul style="list-style-type: none"> • housing mix? • new facilities and services e.g. education, healthcare, employment, retail? • open space? 4. Are there adjacent sites which should be considered in a joined-up way? 5. Who should be consulted during the design process and when (e.g. Parish Council, Neighbourhood Forum, adjacent landowners or statutory consultees)? 6. How were previous schemes for the site received by the Council and local community? 7. Can an appropriate scheme be developed given constraints, commercial and operational viability?
Sources of background information	CDC Office for National Statistics

Views and sightlines	
Details	Important views into and out of the site Landmarks
Questions to address:	<ol style="list-style-type: none"> 8. Where are the key views into and out of the site that the scheme should preserve / enhance? 9. Are there sensitive visual receptors e.g. adjacent properties or heritage assets and how should the scheme respond to these?
Sources of background information	Site visits Conservation Area Appraisals

Townscape character	
Details	<p>Settlement evolution and pattern Relevant District Character Area Local street and building characteristics Land use mix Site edge conditions Conservation Areas Heritage assets Archaeology</p>
Questions to address:	<p>10. What District Character Area is the site located within and what are the key characteristics of landscape and townscape? 11. Does the site or context contain designated and non designated heritage or townscape assets (e.g. Conservation Area, listed building, locally listed building designations)? How can these features be preserved and enhanced? 12. Where should development be located within the site to respect the natural limits of the settlement and its historic pattern? 13. Where is the site located within the overall hierarchy of the settlement e.g. centre, edge, standalone? 14. What are the conditions at the edge of the site and how should the scheme respond e.g. housing backing/fronting, open space, woodland, other uses? 15. How might the scheme reflect locally distinctive relationships between buildings and the public realm e.g. extent of frontage, angle of buildings to the street, boundary treatments? 16. How might the scheme reflect locally distinctive building forms, groupings, heights, rooflines and architectural details, wall and surface materials?</p>
Sources of background information	<p>Historic maps CDC Countryside Design Statement Conservation Area Appraisals OCC Historic Environment Record Historic England register of listed buildings CDC for local listings Site visits / surveys</p>

Landscape and topography	
Details	<p>Ecology and Habitat designations Mature trees, Tree Preservation Orders (TPOs) and hedgerows Treebelts and woodlands Watercourses Topography and geology Public open space provision within the settlement</p>
Questions to address:	<p>17. Does the site or context contain protected or important landscapes, habitats or species? How can these be preserved and enhanced? 18. Is there a natural limit to the settlement defined by landscape / topography? 19. How should the scheme work with and make the most of topography and existing landscape features e.g. hedgerows, green corridors, high-points, mature trees on and adjacent to the site?</p>
Sources of background information	<p>CDC Berks, Bucks and Oxon Wildlife Trust (BBOWT) MAGIC website (www.magic.gov.uk) Oxfordshire Wildlife and Landscape Study (OWLS) website Natural England British Geological Survey website Ordnance Survey maps Site ecology/ arboricultural surveys Site visits</p>

Movement network	
Details	<p>Planned transport works</p> <p>Potential access points into the site</p> <p>Distance to public facilities, shops, services and employment uses</p> <p>Existing movement routes through the site and in the surrounding settlement: streets hierarchy, footpaths, bridleways, informal and historic routes</p> <p>Future desire lines</p> <p>Public transport routes and stops</p> <p>Car parking requirements</p>
Questions to address:	<p>20. Where can access be gained?</p> <p>21. Are there capacity constraints in the local highway network which limit the quantum of development or will require new highways infrastructure?</p> <p>22. How might the scheme layout respond to existing and future desire lines e.g. to local shops, schools, open space?</p> <p>23. Are there existing movement routes (roads, footpath, cycle routes etc) which should be retained?</p> <p>24. How can the scheme connect into the surrounding street and footpath/cycleway network?</p> <p>25. How does the site relate to existing public transport routes? Is there an opportunity to route these through the site?</p> <p>26. What is the appropriate amount and arrangement of car and cycle parking within the scheme?</p>
Sources of background information	<p>CDC</p> <p>Local Transport Plan (OCC)</p> <p>Other OCC guidance e.g. parking standards</p> <p>Ordnance Survey maps</p> <p>Public transport operators websites</p> <p>Site visits</p>

Physical constraints	
Details	<p>Flooding – fluvial and surface</p> <p>Noise</p> <p>Smell</p> <p>Utilities corridors</p> <p>Contamination</p> <p>Archaeology</p> <p>Microclimate</p>
Questions to address:	<p>27. Are there existing buildings on the site?</p> <p>28. Do the site levels present any access and construction issues?</p> <p>29. Does the site have access to utilities; are there utilities constraints e.g. easements?</p> <p>30. Are there ditches, ponds and water courses running through the site?</p> <p>31. Is the site at risk of fluvial or surface water flooding?</p> <p>32. What is the appropriate sustainable drainage response to the topography / geology of the site?</p> <p>33. Does contamination within the site constrain development?</p> <p>34. Does the site suffer from noise pollution which constrains development or requires mitigation?</p> <p>35. Are there any smells / air pollution issues which need to be mitigated?</p> <p>36. Are there any earthworks / archaeological constraints that need to be investigated / surveyed?</p> <p>37. Are there any microclimate issues that need to be considered in relation to wind, overshadowing etc.?</p>
Sources of background information	<p>Environment Agency</p> <p>CDC Strategic Flood Risk Assessment</p> <p>Statutory undertakers</p> <p>Utility providers</p> <p>Site survey</p>

3.2 Opportunities and constraints

Analysis should be sifted and synthesised to draw out the key constraints and opportunities and inform the brief for the masterplan.

The site analysis process should be broad and layered, fed by multiple sources of information (see figure 3.2). Following information gathering and initial analysis, the issues and details which are important for the scheme are drawn out.

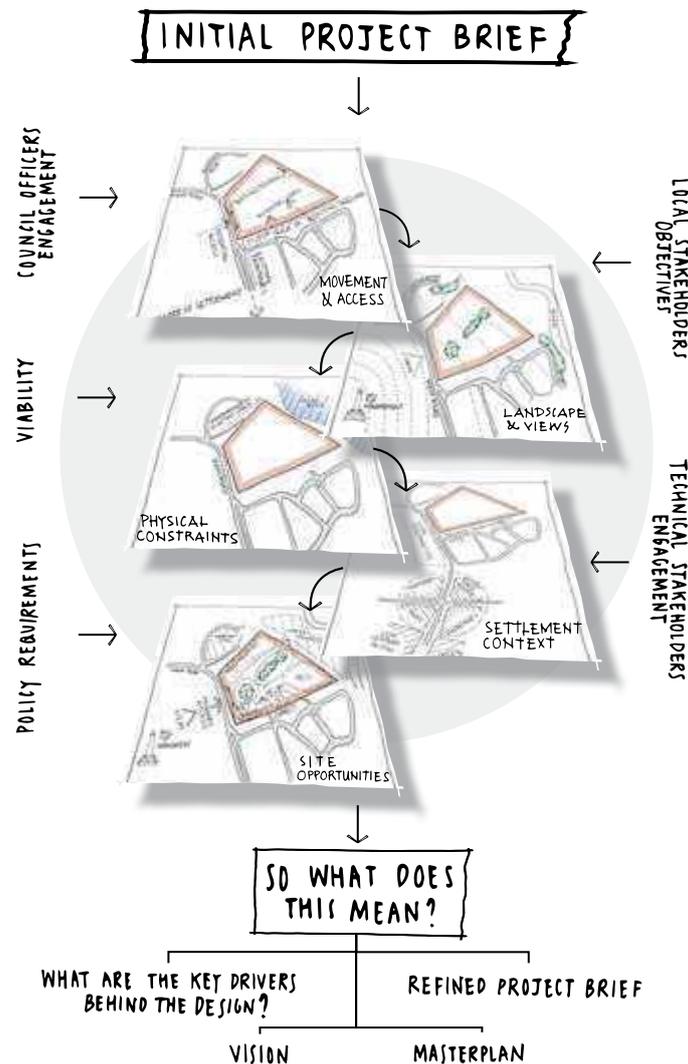
The key findings of the analysis process should be communicated in an opportunities and constraints plan.

This should:

- Overlay key physical constraints and areas unsuitable for built development
- Identify key features of the site and context
- Identify opportunities for reinforcing existing features as part of a green infrastructure strategy
- Identify site access opportunities and connections to the surrounding movement network
- Identify initial design opportunities in response to site conditions including the potential extent of development

The project brief should be refined in light of the opportunities and constraints analysis, which forms a robust foundation for the masterplan.

Figure 3.2 Site analysis process



4 ESTABLISHING THE STRUCTURING PRINCIPLES



- 4.1 The role of the masterplan
- 4.2 Flexible design briefs and viability
- 4.3 Vision and character
- 4.4 Land use mix
- 4.5 Masterplan block and street structure
- 4.6 Relationship to the existing settlement
- 4.7 Landscape structure
- 4.8 Density
- 4.9 Sustainability considerations

This chapter explains the role of the masterplan in establishing the spatial principles for the scheme considering character, landscape, land use, movement and sustainability objectives.

It is of particular relevance to the preparation of full and outline planning applications.

It should be read in conjunction with chapter 3 'Understanding the site' which explains the process of opportunities and constraints analysis. It must be clear how the masterplan has responded to this analysis.

New development in Cherwell should promote:

- A robust masterplan structure which is grounded in a solid understanding of the constraints and opportunities of the site and its setting
- A clearly articulated vision for the character of the scheme to establish a locally distinctive place which sits comfortably with its surroundings
- Connectivity between the masterplan and the surrounding settlement.
- A land use mix which provides community focus, including public buildings, that directly responds to local needs and is in line with local planning policy
- Continued engagement with the Council and local stakeholders as the masterplan is developed

New development should avoid:

- A disconnection between analysis and masterplan layout and a lack of creativity when responding to site constraints
- A lack of a clear and distinctive vision for the character of place to be created
- Layouts which fail to connect and respond to the existing settlement pattern, street network and context
- Schemes which block future settlement expansion
- Fixing the development brief before the masterplan can be objectively tested

Please refer to the following chapters for supporting information:

- **Chapter 2:** For a summary of the District's distinctive characteristics and character areas
- **Chapter 3:** For details of how site analysis should be undertaken to inform the masterplan
- **Chapter 5-7:** For guidance on detailed design relating to streets, plots and buildings. An awareness of these considerations should inform the masterplan
- **Chapter 8:** For guidance on sustainability considerations

Further reading:

- **Urban Design Compendium, 2007, English Partnerships:** Chapter 3, Creating the Urban Structure, further detailed guidance on land use mix, urban structure, density, open space typologies, sustainability, urban block size and arrangement and legibility
- **Creating Successful Masterplans, 2004, CABI:** Detailed guidance on the masterplanning process, the role of the client and project brief, different types of masterplan and their components
- **Manual for Streets, 2007, DfT/DCLG:** Chapter 4 Layout and connectivity, detailed guidance on walkable neighbourhoods, layouts and appropriate street forms
- **The SuDS Manual (C753), 2015, CIRIA www.susdrain.org:** Detailed guidance relating to the design of sustainable drainage systems
- **Site layout planning for Daylight and Sunlight: a guide to good practice, 2011, BRE:** Detailed guidance on the daylighting of buildings, public spaces and private amenity space

4.1 The role of the masterplan

The masterplan sets the structuring principles of the development and its relationship to the surrounding area. It should be clear how the site analysis has informed the masterplan.

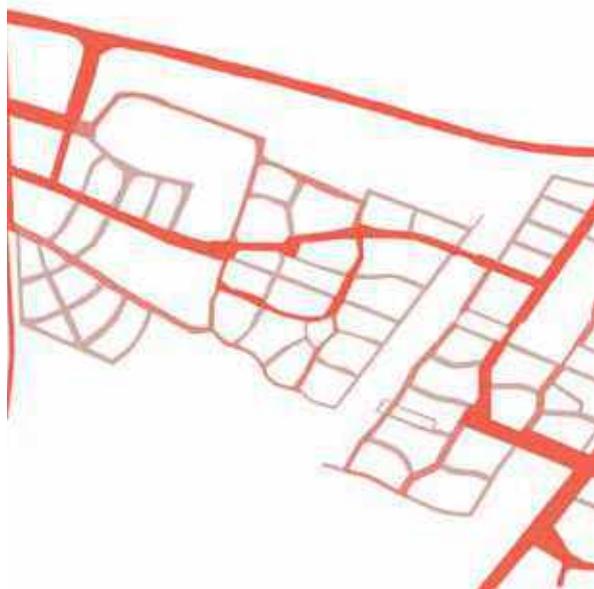
Masterplans are a critical part of the design of major and strategic sites and will be expected to form part of a planning application for all development over ten units.

The masterplan:

- Establishes the spatial principles of the scheme including movement, landscape, infrastructure and land use
- Is a response to the initial brief, the site constraints and opportunities
- Is a co-ordination tool which shows how each phase relates to the wider scheme
- Tests the development capacity of the site and supports the preparation of development appraisals, funding and implementation strategies
- Is an evolving strategy which is refined throughout the design process in response to ongoing analysis, consultation and detailed design work

The creation of a robust masterplan is an iterative process, involving testing, refinement and consultation. The Council will expect to be involved in the following stages of masterplan development which should be clearly evidenced in the planning submission:

Figure 4.1 Example of select masterplan layers (Thetford Sustainable Urban Extension, Alan Baxter Ltd)



Movement

1. Constraints and opportunities analysis.

This will reveal the key spatial considerations which the masterplan should respond to (chapter 3 provides detailed guidance on this process).

2. Concept layouts and land use options.

To arrive at an agreed masterplan, it is expected that a range of different layout and land use options will be considered and tested against:

- Planning policy requirements
- Local needs and stakeholder objectives
- Commercial viability and implementation models
- Site character, opportunities and constraints
- Local context
- Development vision (see section 4.2)

Early concept masterplans and design options should be shared with Council Officers through pre-application engagement, so that they can contribute to the development of the design and understand how the preferred scheme has been arrived at.

The Council encourages the use of collaborative design workshops as a means of engaging stakeholders and the local community in the design process at an early stage. By providing an opportunity for stakeholders to help shape the masterplan, local needs and priorities can be better understood, supporting local buy-in to the scheme.



Green infrastructure

3. Masterplan refinement.

The masterplan should be refined in response to engagement and technical testing. It should, as a minimum, describe the overarching principles of:

- The proposed movement network and street hierarchy
- The green infrastructure network
- Broad arrangement of land uses, urban blocks and density assumptions
- Character areas

The masterplan should be presented as a single drawing which establishes the development framework for the site. This will be supported by a series of drawings which present different aspects /layers of the plan. Where a site is to be delivered in phases, a phasing plan will identify the structuring elements which each phase should deliver. It is also helpful if the layout principles established in the masterplan are tested by a more detailed illustrative masterplan.

CDC expects that a series of parameter plans will be included as part of an outline planning application. The requirements should be agreed with CDC planning officers during pre-application discussions, but are likely to include information on heights, density, movement network, green infrastructure, landuse and block structure.

4. Masterplan evolution.

The masterplan will continue to evolve in response to the findings of detailed design work, consultation response and surveys, and should be periodically revisited.

Chapter 4 of publication, **Creating Successful Masterplans, CABI, 2004** provides further guidance on the masterplan design process.



Density



Illustrative plan

4.2 Flexible design briefs and viability

The design brief should evolve in response to the findings of the opportunities and constraints analysis and the development of the masterplan.

The design brief is a key driver for the masterplan and sets out the client's objectives for the site alongside local planning policy requirements including any specific site policy, SPD or development briefs. Early engagement with the Council is essential to ensure that the developer's feasibility plans are in line with Council aspirations for a site. It is important that the proposed mix of uses / housing mix are appropriate to the size of development and the development's

location within the hierarchy of settlements in the district. It is appropriate that the materials palette and material uplift is considered at this stage (see chapter 7 for details of appropriate materials in different parts of the District).

It is important that the brief is not fixed too early in the design process. Flexibility is required so that opportunities and constraints which emerge through the design process can be taken on board and factored into a site's feasibility. This will enable the masterplan to respond positively to local needs, characteristics of the site and surrounding context.



The use of locally appropriate, high quality materials must be considered early on - Ashford Close, Woodstock

4.3 Vision and character

The masterplan shall be accompanied by a vision statement, describing the intended character of the development, which will inform all future design decisions.

The Council expects a character-led approach to design, where the intended character informs all design decisions including density, architectural appearance, street arrangements, landscape design and land uses.

A clear understanding of the elements of a site's character and its existing features (landscape, townscape, surroundings, history etc.) should inform the vision and provide inspiration for the design character (refer to chapter 2 for details of the analysis process). Reference should also be made to chapter 2 to identify the Countryside Character Area within which the site falls and the appropriate design response. The Council will expect to see a palette of local materials, or a highly sustainable approach, used across the plan and this should be included for within early viability appraisals. The vision statement should consider how within the palette, variation can be used to reinforce different character areas of the plan including key public spaces and frontages.

The intended character shall be communicated in a vision statement at an early stage of the masterplanning process. The vision should avoid generic statements, using words and images to provide a strong visual picture of the development's character, form and function i.e. what it will look like, what it will feel like and how it will function.

The vision shall be discussed and agreed with the Council at an early stage. This is important in establishing consensus on the development approach. The vision should be used as a point of reference which flows through the design process at all scales. Generic statements should be avoided.

On larger sites it is appropriate to identify localised character areas which reflect proposed differences in street and land use characteristics and the role of different places within the scheme as part of the overall settlement.

The eventual development character of a place will be composed of many elements, including: building form and style, materials, trees and green spaces, land uses, views, topography and climate.



Figure 4.2 Example of a vision summary, for Loftus Garden Village, Newport, Wales, Alan Baxter Ltd.

4

Elements of character

Enclosure or openness

In many parts of the District the enclosure of streets and spaces by the scale and continuity of built form is an important feature. Detached high status buildings are less frequent and generally set back in a larger plot. Front gardens bounded by hedges, stone walls and/or railings are also important features which help enclose the public realm. High Street, Islip and High Street, Deddington are good examples of streets with a strong sense of enclosure.

In other areas, such as Duns Tew the main street has a wider, more open character, with a greater proportion of detached houses, informally arranged and often set back behind front gardens. Views out to the countryside, front walls, and landmark buildings at right angles to the street give a distinctive character and define the public/private boundary.



High Street, Deddington (enclosed character)



Main Street, Duns Tew (more open character)

Formality or informality

Formal layouts generally reflect a planned development rather than incremental growth. Various factors contribute to a sense of formality, including, repetition of building forms and plot widths, consistent building line, details and materials.

Queen's Road Banbury is an example. Here the formal arrangement of the Victorian grid system is evident, with long, straight streets and continuous building lines either at the back of the pavement or behind small front gardens.

In contrast, historic village streets generally have an informal, organic character with each building unique and built plot by plot. The alignment and width of the streets fluctuates in response to local site conditions and movement desire lines.

The North Side in Steeple Aston and Little Bridge Road in Bloxham are good examples.



Queen's Road, Banbury (formal arrangement)



Little Bridge Road, Bloxham (informal arrangement)

The importance of landscape and trees

Green spaces and squares are important elements in many of the District's settlements. Village greens and grassed verges with mature trees provide character and an important community focus as well as ecological benefits.

A regular arrangement of street trees lend a more formal character to the grander nineteenth and twentieth century streets with the addition of hedged front boundaries in the later garden suburbs. At Lower Heyford the settlement naturally gravitates towards informal square around which the church, the village pub (and historically the school) are clustered. An impressive mature oak tree forms a centrepiece to the space.



Lower Heyford



Private garden, Bloxham

4.4 Land use mix

The land use mix should reflect local needs, promote a variety of house types and tenures and integrate appropriate non-residential uses.

Housing mix

It is expected that homes in a range of sizes and typologies will be accommodated within development and arranged in a manner which reinforces the proposed character of different areas within the masterplan (see section 4.3) and reinforces the character of the settlement and the District.

The mix of property sizes should be driven by local needs set out within the Local Plan and should provide for all ages / lifestyles. The mix should be discussed with the Council at an early stage.

Non-residential uses

Non-residential uses are important to bring activity to the settlement at different times of the day. They provide opportunities for social interaction and employment, and by locating them within walking distance of residents, reduce the need to travel. They also help integrate the new development into the existing community.

The location of non-residential uses should be considered in response to the proposed character and structure of the masterplan, but also in relation to the structure of the surrounding area and existing uses (schools, shops and local centres).

Grouping uses as part of a local centre, within a ten minute walk (approximately 800m radius) of a large catchment of residents and on public transport routes will provide a heart and central focus to a plan. Local centres should contain a mix of employment, retail and community uses of a suitable scale to meet the needs of local residents, with homes or offices occupying upper storeys.

Non-residential uses are not restricted to local centres or employment zones and can be integrated into residential areas to bring vitality.

Non-residential uses include:

- Live/work facilities or support for home-workers
- Business units
- Cafe / pub or restaurant
- Crèche or school
- Sports facilities
- Healthcare
- Shop
- Library
- Community meeting place
- Place of worship



Development at Fairford Leys, Aylesbury, has provided a mix of commercial and community uses (image source: John Simpson Architects)

4.5 Masterplan block and street structure

The masterplan must be based on a connected, permeable layout of streets defining urban blocks and open spaces.

A masterplan's basic framework is comprised of streets, urban blocks and green infrastructure. All elements should be considered together to create a layout which responds to the findings of the site analysis process and local settlement patterns (see chapter 3).

The masterplan layout is fundamental to the eventual character of the development and should be developed alongside the vision. The masterplan defines the key spaces and places and the sequence in which they are experienced. Its street structure may be formal or informal and the urban block shape and size will influence the choice of building typology, garden and car parking arrangements.

Street network considerations:

- The masterplan should establish a street, cycle and footpath network which connects into existing routes to the surrounding settlement and countryside. It should consider future desire lines between different places within the plan and the wider area
- The masterplan should make it easy and attractive to walk, cycle and use public transport across the development, establishing a well connected network of streets to create a 'permeable' settlement with direct walking routes in all directions
- Cul-de-sac and private driveways serving multiple dwellings should be limited
- Different types of streets will make up the network, to form a hierarchy that reflects variations in placemaking and movement functions and aids legibility (see chapter 5 for further details)
- Local centres should be located on main routes and at junctions where they are easy to find, benefit from passing trade and can be served by public transport
- The layout of the street network should positively respond to the street pattern and layout of the local area unless adjacent area dominated by inappropriate cul-de-sac development
- The arrangement of streets should incorporate traffic calming within the design to minimise the need for formal traffic calming measures

- Streets will normally have a simple geometry and avoid a winding form unless dictated by local conditions
- Car parking numbers and arrangements should be considered at an early stage, especially in relation to how on-street parking can be successfully integrated without compromising the public realm

Chapter 5 provides further details on how the character of individual street types should be defined, and how vehicle movement can be accommodated without detriment to character and pedestrian / cycling priority. It also sets out the range of parking solutions which can be applied to different parts of the development.



Figure 4.3 Inappropriate dispersed, cul-de-sac and car-dependent layout (top) versus traditional, connected, walkable layout (bottom). Both examples from Banbury

4

Block structure considerations:

- The size of a block structure is defined by the street network and can vary, depending on the proposed uses, plot and building typologies and site conditions such as topography or landscape features
- The arrangement of blocks may take a formal or informal grid form, reflecting the existing settlement pattern and vision for the development
- The Urban Design Compendium (section 3.7.2) recommends block widths of between 80-90m reducing to 60-80m in town centres to provide flexibility for a range of different uses and typologies
- The blocks should assume a perimeter block arrangement (see section 6.3) creating a clear definition between the public realm of the street and the private realm of the blocks
- The block structure should consider where landmarks including buildings and public spaces should be located to create a memorable sequence of places and spaces
- The arrangement of the block structure should consider orientation and micro-climate in response to sustainability objectives (see section 4.9)

Reference should be made to the Urban Design Compendium chapter 3 for detailed guidance on masterplan street and block arrangements.

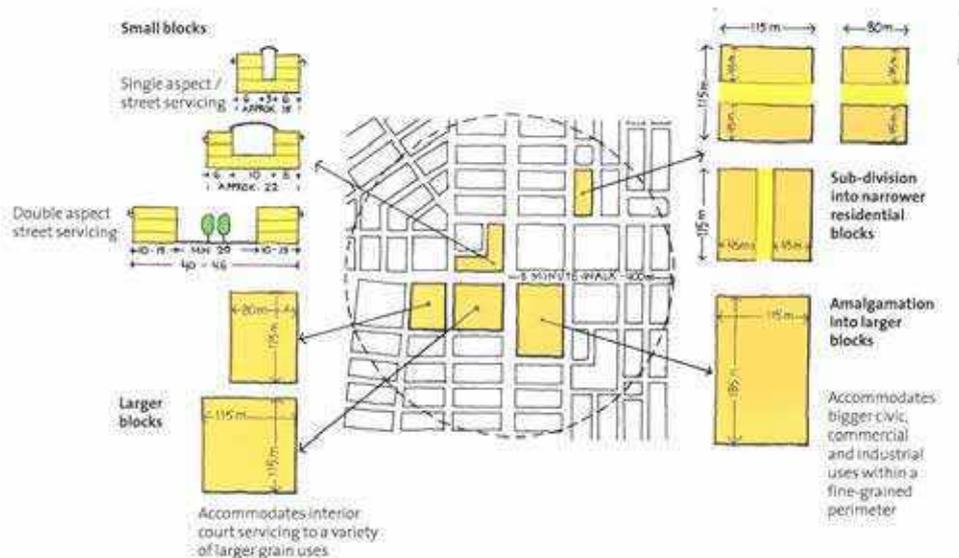


Figure 4.4 Mixed use neighbourhoods should contain a range of block sizes to promote variety (source: Urban Design Compendium p 65, adapted from Baulch, 1993)

4.6 Relationship to the existing settlement

Where development is located within or at the edge of an existing settlement, the site layout should read as a natural evolution of the settlement, have a positive relationship with the existing settlement edge and allow for future expansion.

The historic evolution of the settlement and the characteristics of the site edges should be understood as part of the site analysis process so that the masterplan structure can create appropriate visual and physical connections between new and old.

The following aspects should be considered:

Settlement pattern

New development should follow the historic pattern of settlement growth in the local area and read as a natural continuation of the settlement's evolution.

For example:

Historic growth along movement routes is evident in linear settlements, with homes fronting the street. This arrangement should be replicated in new development with new homes fronting the street.

The highway character of the street may need to be adjusted in response. For example, speed limits should be reduced to enable multiple access points. Settlement gateway features should be relocated to the edge of the development.

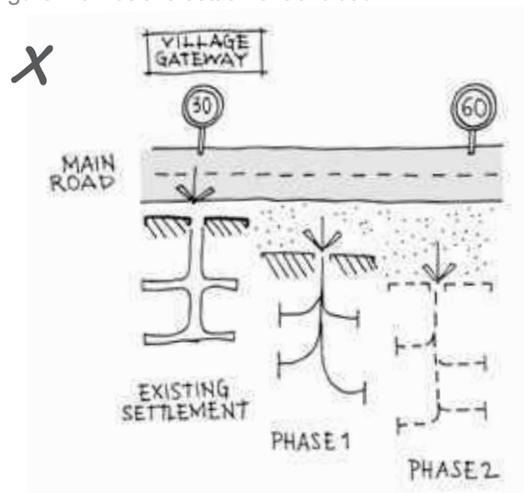
The development of individual sites as discrete housing estates, off a single main access with little lateral connectivity into the surrounding street network is to be avoided. It fails to reflect historic patterns of settlement growth, reduces the potential for community interaction and creates disconnected places with increased reliance on the car.

Connecting old and new

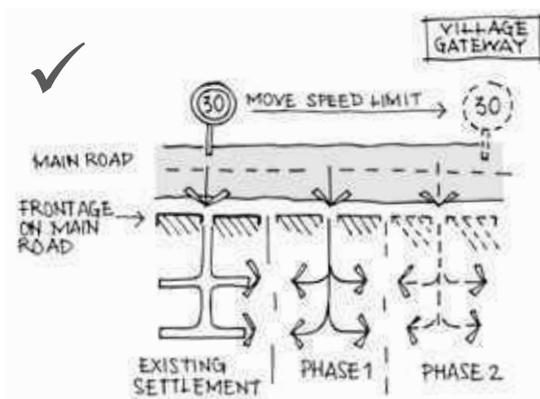
The proposed movement network within the site should connect into the existing network of streets and footpaths in the wider settlement and countryside. The alignment of historic routes (footpaths, lanes) within the proposed street network should be retained.

The masterplan layout should also consider potential expansion of the settlement in the future in a connected manner. The developer should provide evidence as to how this criteria can be met.

Figure 4.5 Positive settlement evolution



a) Disconnected parcels of development



b) Connected settlement expansion

Settlement patterns of the District

Broadly speaking, there are three main settlement patterns seen across the District:

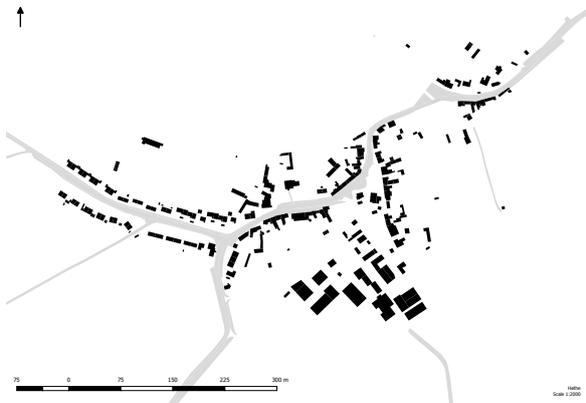
Linear settlements developed primarily along a through-route with smaller side streets branching off and are common across the District. The built form may originally be only one house deep on each side, developed gradually plot by plot. More recent development can be incongruous with the linear form, either filling in backlands or creating a small estate branching off the main road with limited frontage to the street. Examples within the District include Hethe and Bloxham.

Nucleated settlements are more compact in form and typically developed around a junction, church or manor house. They often exhibit higher densities

at the centre, dispersing towards the periphery. Wardington, Deddington and Shennington are examples of nucleated settlements, although Wardington is, in fact, bi-nucleated since it evolved from two settlements based primarily around the church and medieval manor house respectively, joining together to form one village in the twentieth century.

Dispersed settlements often have a large open space at centre, in some instances due to topography or a watercourse, or as a result of development clustering around different manors in close proximity. Fringford is an example where a large open space is located on the Main Street, whereas Steeple Aston is dispersed due to the settlement being situated either side of a small steep valley formed by a tributary of the River Cherwell.

Figure 4.6 Settlement figure ground diagrams:
Linear settlement - Hethe



Nucleated settlement - Shennington



20th century estates altered the settlement pattern (highlighted in yellow) - Bloxham



Dispersed settlement - Steeple Aston



Relationship to landscape and ecological structures

The masterplan structure must consider how existing ecological features within and adjacent to the site such as woods, hedgerows, ponds and watercourses can be protected, integrated and enhanced as part of the proposals.

Consideration must be given to their role within the ecological framework of an area and also their recreational value.

A clearly defined green infrastructure strategy is required as part of a masterplan, which considers how the existing structure can be reinforced and enhanced through SuDS and additional open space features both within and adjacent to the site (see figure 4.8).

Relationship to the topography

The extent of development and the layout of streets should reflect the unique relationship between a settlement and its topography.

For example:

A settlement should not breach the apex of a hill where it is contained within a basin or valley.

Settlements located on valley side and hill tops should use the topography to create striking views and scenic lanes that follow the contours.

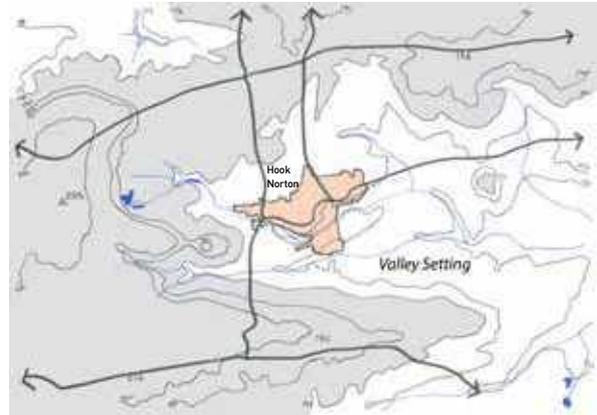


Figure 4.8 Hook Norton - topography has influenced the extent of settlement

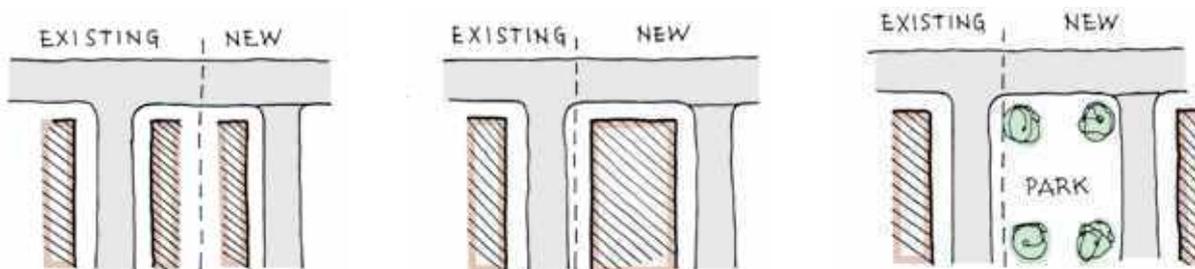
Edge relationships

The masterplan street and block structure should positively address the existing built edge of the settlement.

For example:

- Where backs of properties make up the edge of the existing settlement, new development should back onto this to secure the backs and complete the perimeter block
- Where the edge comprises buildings fronting onto a street or green space then new development should either complete the other side of the street with new frontage or be set back behind a public open space accessible by both existing and new.

Figure 4.7 Positive edge relationships



a) existing settlement edge of back gardens - new development encloses with new back gardens, creating security

b) existing settlement edge of frontage onto a road - new development completes the street with frontage on the other side of the road, creating enclosure

c) existing settlement edge of frontage onto a road - a park is created so the new development does not impose on the existing settlement and preserves mature trees

4

Creating a new edge

The masterplan should establish a positive built edge to the development, using built form and planting to frame views into the development rather than to screen it.

Development should not be hidden behind hedges, especially on key routes. It is appreciated that in some sensitive locations a strongly planted edge will be appropriate in response to local character.

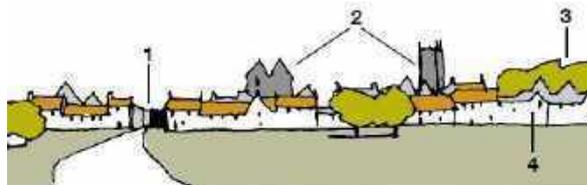
The masterplan character areas should consider the appropriate scale and form of the edge, whether it is to be open and low density, merging with the landscape or a crisp urban edge for example. This should be reflected in assumptions about density and urban form. Figure 4.9 illustrates how the image of the settlement can be positively managed.

Wider views

The layout of the masterplan should consider how the settlement will be viewed from the wider landscape. Significant views into the existing settlement, such as to a church steeple, should be preserved and enhanced by the new development and new views to gateways and landmarks established.

Figure 4.9 Creating a positive edge

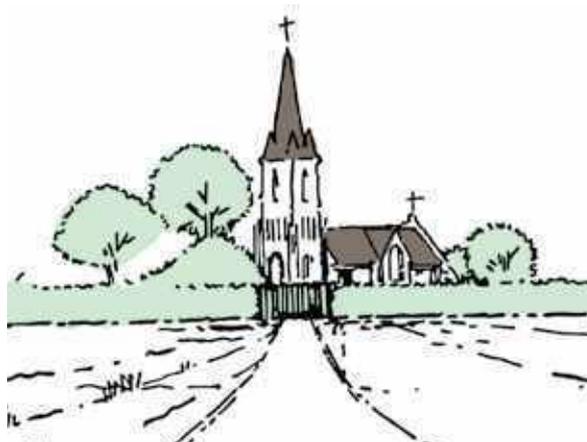
(source: Essex Design Guide, Essex County Council)



External Image

1. Clear entrance
2. Key buildings
3. Block of trees
4. Well defined urban edge

Figure 4.10 Integrating important views



The view to a church becomes framed by built frontage

4.7 Landscape structure

Existing landscape features should be incorporated positively and reflected in a green infrastructure strategy for the development.

Existing features of the landscape (e.g. hedgerows, tree belts, single large trees, watercourses and ponds, topographical features and habitat areas), should be used to create a structuring framework for the masterplan and will bring a sense of maturity to the development from day one. Often these elements have historic significance and form part of a larger ecological framework. Habitats for wildlife should be retained and enhanced as part of the development proposal.

An overall green and blue infrastructure plan should be produced identifying the proposed network and hierarchy of open spaces. These should be designed to be multi-functional, offering a range of benefits for example: habitat, movement, drainage, sports, informal recreation and food growing. These spaces should be linked to form a network of routes for wildlife and people. The features should be fully integrated, connecting new, proposed and existing habitats and public open space on and beyond the site. This should be informed by a tree and hedgerow survey and phase 1 habitat assessment.



An avenue of tree and low hedges along Whitelands Way, South West Bicester is in keeping with the formal character of the street

Open space standards

The amount, type and form of open space, sports and recreation provision within the masterplan will be determined having regard to the nature and size of development proposed and the community needs likely to be generated by it in accordance with Policies BSC 10, BSC 11 and BSC 12 of the Cherwell District Local Plan. This will be agreed with the Council as part of the land use mix together with secure arrangements for its management and maintenance.

Detailed guidance on the implementation of these policies is set out in the Council's Planning Obligations emerging SPD. The Council's Recreation SPG, 2004 (currently under review) provides best practice policy on green infrastructure, landscape and play, including guidance on the design, type and number of playspaces.



Children's play incorporated into a central green space, Clay Farm, Cambridge

Hedgerows

Hedgerows and hedgerow trees provide linear wildlife corridors which where possible should be retained uninterrupted and located in areas of public ownership where they can be protected and maintained.

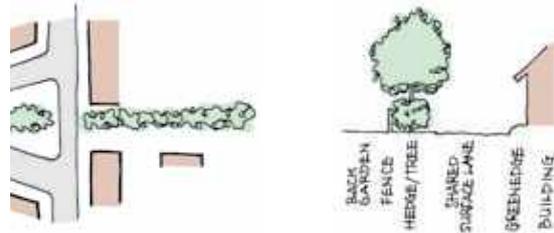
Where linear green corridors are created following a retained hedgerow, the corridor should be wide enough to accommodate other functions such as public open space, drainage, footpaths and cycleways.

The integration of hedgerows within the urban environment should be carefully considered at the masterplan stage, recognising that the ecological benefits of retention may not always outweigh the placemaking benefits of their selective removal (for example to enable a permeable street network).

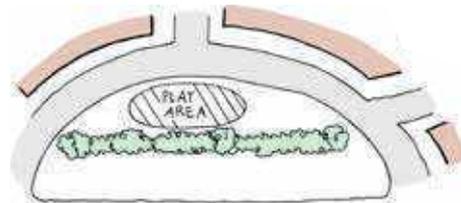
Where hedgerows separate proposed development from an existing street network, limiting the integration of the scheme, the hedgerow should be removed and additional planting provided elsewhere.

Figure 4.11 Sketch options for incorporation of an existing hedgerow into the urban fabric

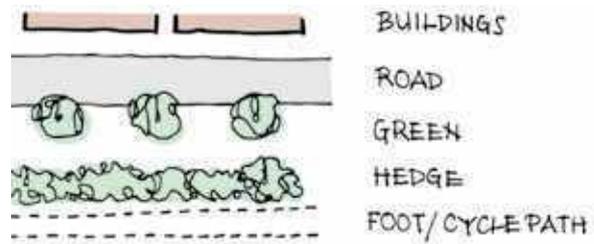
a) Hedge forms side boundary of lane



b) Hedge incorporated into park



c) Hedge incorporated in wide green/cycle corridor



Existing hedgerow and mature trees are retained to form a landscaped edge to a new development, Lower Heyford

Sustainable Drainage Systems (SuDS)

SuDS are a key piece of green infrastructure and should be considered as a structural element of the overall masterplan. They should be viewed as an opportunity to bring character to the development through their careful integration within both green spaces and streets.

In line with the Government’s Written Statement to Parliament on Sustainable Drainage Systems (18th December 2014, to come into effect 6th April 2015), SuDS for the management of run-off are to be put in place on major developments (over ten dwellings) unless demonstrated to be inappropriate.

A SuDS strategy should be prepared alongside the masterplan for the site as a whole with consideration of the surrounding context. It should be designed with the input of both a drainage engineer and landscape

architect. When considering the appropriate form of SuDS, the Sustainable Drainage System Train (see figure 4.12) should be followed, noting that the Council promotes open systems where possible, with swales and ponds preferred over crates. Refer also to the Cherwell Local Plan Part 1, 2015 Policy ESD 7: SuDS.

Clear arrangements are to be put in place for on-going maintenance of SuDS features over the lifetime of the development. In general, it is assumed that the developer will construct the SuDS and provide a maintenance plan and maintain for a minimum period prior to adoption by CDC. This is to be agreed with CDC in pre-planning. Detailed guidance on SuDS is contained within the Construction Industry Research and Information Association (CIRIA) publication, The SuDS Manual (C753), 2015. Case studies and further information is provided on the CIRIA website www.susdrain.org.



From left: attenuation pond, South West Bicester; swale, Trumpington Meadows, Cambridge; dry detention basin within parkland, Clay Farm, Cambridge.

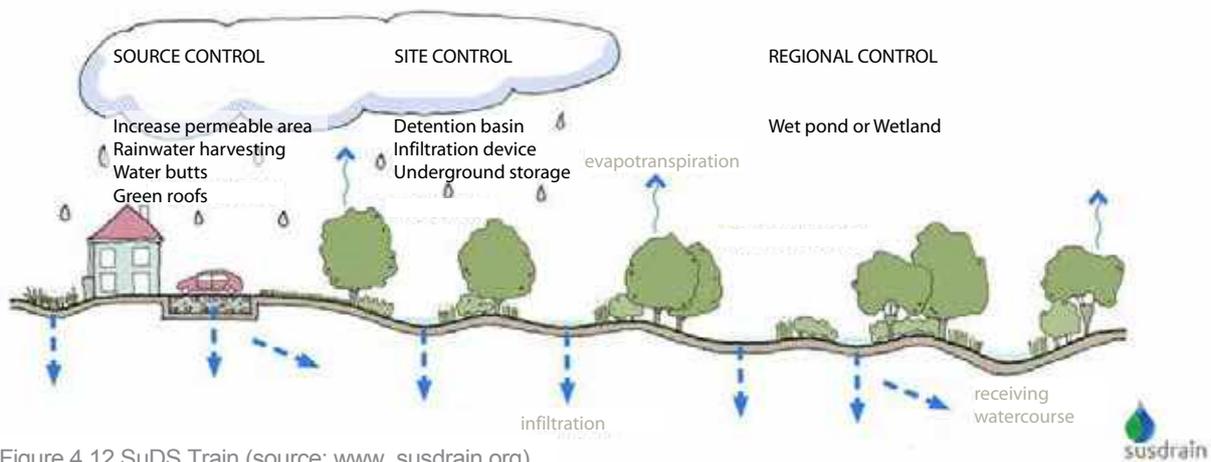


Figure 4.12 SuDS Train (source: www.susdrain.org)

4.8 Density

Density should vary across larger sites reflecting proposed variations in character, landuse and function.

Measurements of density are a useful tool to test the development capacity of a site during the early stages of the design process. However this should also be considered with the building form, typology and plot ratio. There are a number of methods for calculating development density. In Cherwell, net density should be used for planning purposes which is calculated using the former PPS3 definition i.e.

$$\frac{\text{Number of homes}}{\text{Area of residential development and associated uses (hectares)}} = \text{net density (dwellings per hectare (dph))}$$

For the full definition see **Appendix E**.

Character and density

Masterplan density assumptions should be set in response to the proposed character, landuse and role of different areas. They should reinforce the hierarchy of places within the settlement with higher density areas located around settlement centres and main streets, where residents can readily access and support local shops, services, jobs and public transport. However, the highest densities may be at the edge of the development if this is closest to an existing local centre.

Density is not in itself a reliable indicator of character. In general, density increases as plot size decreases, however there are a number of other factors which affect density and character:

- Building typology and arrangement
- Garden size
- Street widths and public realm design
- Car parking provision and arrangement
- Site conditions such as topography and development constraints
- Non-residential uses within residential areas
- The efficiency of the layout considering all of the above

Building typologies should be appropriate to plot sizes. As a result the proportion of detached and semi-detached homes will reduce as the density increases to avoid the appearance of town cramming and to ensure larger properties have appropriate amenity space (see figure 4.13).

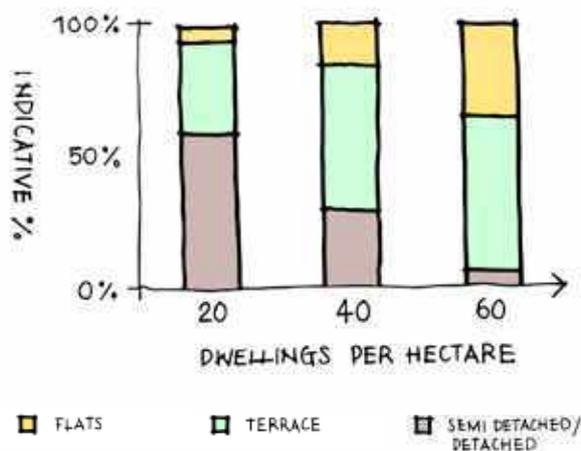


Figure 4.13 Indicative split of house typologies at different densities



Similar density...



...but very different character

Through careful design, inefficiencies in the layout can be reduced to increase densities without loss of usable space and with a positive impact on townscape. Areas where efficiency can be increased include:

- Reducing the amount of space occupied by highways (see section 5.5)
- Using a terrace form rather than small detached or semi-detached typologies
- Bespoke house types which can make best use of awkward plots
- Reducing the amount of allocated car parking (see section 5.8)
- Designing out 'leftover spaces' in the public realm

The masterplan density assumptions should be tested using character area design studies, and subsequently adjusted as the site layout is developed in detail.

Chapter 6 provides further guidance on appropriate building typologies.

Minimum density standard

To ensure that land across the district is used in an economical manner, Policy BSC 2 of the Local Plan Part 1 requires that new housing should be provided on net developable areas at a density of at least 30 dwellings per hectare (dph) unless there are justifiable planning reasons for lower density development.

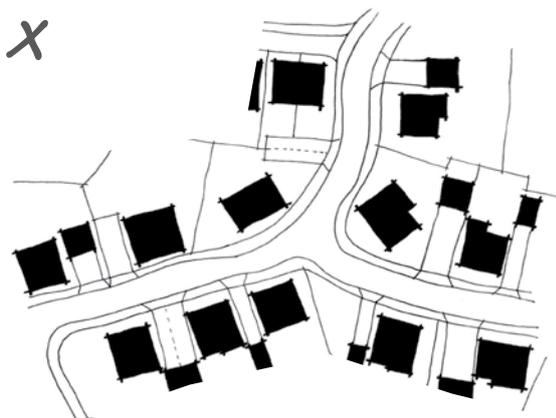
The policy is not intended to limit urban design thinking or imply a blanket character or building typology.

The Local Plan density requirement is a minimum and should be calculated as an average across the site as a whole. The Council expects to see considerable variation in densities across larger sites.

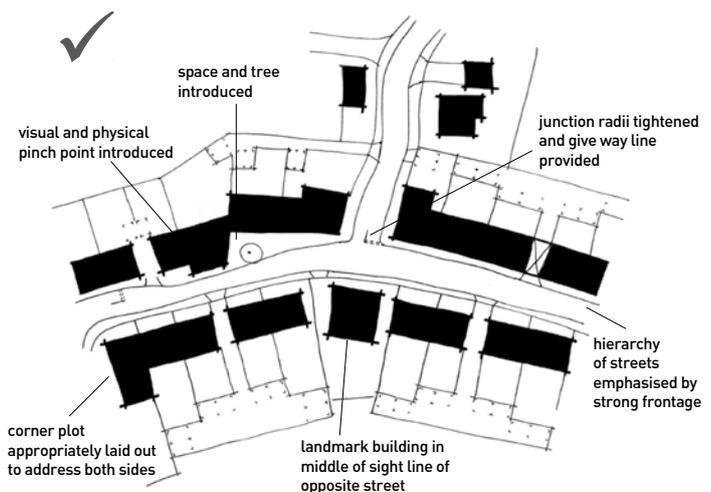
In town centre locations and around transport hubs, densities of 50 – 80 dph may be appropriate. Mid level densities of 30 – 40 dph would be expected on most strategic sites, allowing a significant reduction in development intensity in more sensitive areas.

Figure 4.14 Designing out inefficiencies

Typical inefficient estate layout with poor street enclosure and unnecessarily wide junction



Improved street frontage and tighter junction design, delivers four extra homes



4.9 Sustainability considerations

CDC will expect to see evidence that sustainability considerations have been taken into account in the design of the masterplan.

The masterplan layout has a significant impact on sustainability. This is explored in chapter 8. In summary:

- A connected, permeable layout, with a mix of uses within walking distance, will reduce the need for residents to use their cars, in turn reducing fuel consumption, improving air quality and the health and wellbeing of residents
- Higher density areas including local centres have greater potential for energy efficient district heating systems
- Terrace homes and apartments are inherently more energy efficient than detached homes.
- SuDS features and green infrastructure such as green roofs and habitat corridors need space and should be planned for at an early stage. (See section 4.7)
- The alignment of streets and urban blocks and their relationship to site topography set the parameters for building orientation. This affects the potential for natural daylighting and passive solar gain (reducing the need to artificially light and heat houses respectively). Orienting buildings broadly to the south optimises the solar potential of the site including the potential for photovoltaic panels, tending to result in an east-west street pattern. Staying within 15-20 degrees of due south maximises the potential for light and solar gain, although it is possible to move away from this and still capture a sufficient amount.
- The spacing of buildings and orientation of streets and public spaces must also be considered in relation to the wind. Wind can be a positive natural ventilator but buildings which are spaced too far apart or are much taller than their surroundings increase gusts and funnelling, and create eddies and vortices. This creates uncomfortable public spaces and results in building heat loss. By considering landscape and urban form together any potential climatic issues can be mitigated through appropriate planting creating shelter from the sun or wind
- The location of public spaces should also consider solar effects – whether a space will be too overshadowed for public use or a suntrap.

ESD 1-7 of the Cherwell Local Plan sets out the Council's policies for sustainable development.

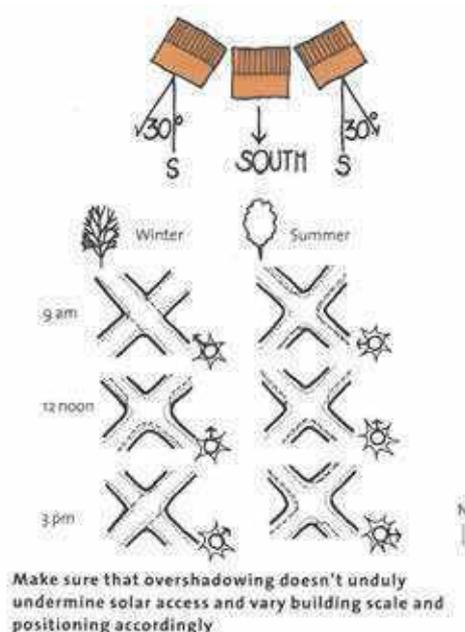
The BRE guide 'Site layout planning for Daylight and Sunlight: a guide to good practice, BRE, Sept 2011' provides further guidance on this subject.

Sustainable Exemplars

In all developments, opportunities to incorporate sustainable technologies and raise levels of energy efficiency should be taken wherever this can be successfully achieved without detriment to the urban form and placemaking objectives of the vision.

Where the vision is for a sustainable exemplar with high levels of energy efficiency, it is recognised that this will have an influence on the urban form of the masterplan and the design of individual buildings. Chapter 8 provides further information on these approaches.

Figure 4.15 Sustainable design working with the sun (source: Urban Design Compendium, p50)



5 STREETS AND SPACES



- 5.1 The importance of the street
- 5.2 Street character
- 5.3 Street proportions
- 5.4 Design for pedestrians and cyclists
- 5.5 Design Criteria for vehicles
- 5.6 Design for buses
- 5.7 Integrated traffic calming
- 5.8 Car parking
- 5.9 Avenue trees, planting, SuDS and landscape
- 5.10 Public spaces
- 5.11 Street materials
- 5.12 Utilities corridors, lighting and signs
- 5.13 Waste management

This chapter focuses on the design of the streets and spaces which make up the public realm. It explains how placemaking considerations should be prioritised over vehicle movements to encourage walking, cycling and human interaction. Guidance is provided on street types and dimensions, car parking, public transport and cycling infrastructure, utilities and landscape.

It should be read in conjunction with chapter 4 which explains how a connected, legible network of streets is established in the masterplan, and chapter 6 on the arrangement of buildings to successfully enclose and frame the street.

New development in Cherwell should promote:

- A connected and legible network of streets
- Street design responsive to hierarchy, character and location
- A movement network and street design which encourages walking and cycling over vehicle movements
- Design of the street in three dimensions creating a comfortable sense of enclosure by buildings
- Traffic calming integrated as part of the street layout and urban form
- Integrated design of all elements within the street including parking, bins, utilities, SuDS, trees and signage

New development should avoid:

- Lack of hierarchy and distinctiveness across the street network
- Disconnected, indirect, impermeable or illegible routes
- Design and consideration of streets in plan form only
- Poorly considered parking arrangements
- Over use of private routes serving multiple properties, limiting connectivity of the site
- Lack of consideration of trees, SuDS and utilities at an early stage of design
- A traffic calming strategy of artificial, regular bends without placemaking rationale
- Over-engineered street design

Please refer to the following chapters for supporting information:

- **Chapter 2:** For a summary of District's distinctive characteristics and character areas
- **Chapter 3:** For details of how site analysis should be undertaken to inform the masterplan
- **Chapter 4:** For details of the how the street network and hierarchy is established in the masterplan and Vision Statement
- **Chapters 6-7:** For guidance on detailed design relating to the private realm, including building and plot arrangements framing the street and building elevations
- **Chapter 8:** For guidance on sustainability considerations

Further reading:

- **Manual for Streets, 2007, DfT/DCLG:** Detailed guidance on street design criteria for pedestrians, cyclists, public transport and motor vehicles. Guidance on parking solutions
- **Residential Road Design Guide, 2003 Second Edition 2015, OCC:** Detailed guidance on the design of streets and parking areas applicable to Oxford County
- **Car Parking, What Works Where, 2006, English Partnerships:** Review of a large number of alternative parking solutions explored through UK case studies
- **The SuDS Manual (C753), 2015, CIRIA www.susdrain.org:** Detailed guidance relating to the design of sustainable drainage systems
- **BS 5837: 2012, Trees in relation to design, demolition and construction, 2012, BSI**
- **Trees in Hard Landscapes: A Guide for Delivery, 2014, Trees & Design Action Group**
- **BS 5906:2005, Waste management in buildings. Code of practice, 2005, BSI**
- **Parking: Demand and Provision in Private Sector Housing Developments, 1996, J Noble and M Jenks**
- **The Residential Car Parking Research, 2007, DCLG**

5.1 The importance of the street

Streets make up the greater part of the public realm, are the public face of a settlement and provide the stage for movement and daily life. Good street design which prioritises placemaking over vehicle movement is therefore critical to the overall success of a settlement.

CDC and OCC are actively working together to create successful streets which prioritise placemaking considerations over vehicle movements. In particular, designing streets which are safe and attractive places in which to walk and cycle, to encourage a shift away from car based travel. Considerable progress has been made which is reflected in a move away from the illegible cul-de-sac and loop road layouts of the late 20th century, but more can be done.

The placemaking-led approach to street design is explained in detail in Manual for Streets, (MfS), DfT 2007 which should be read alongside this Guide. MfS defines streets as:

A highway that has important public realm functions beyond the movement of traffic. Most critically streets should have a sense of place, which is mainly realised through local distinctiveness and sensitivity in design. They also provide direct access to the buildings and spaces that line them. Most highways in built-up areas can therefore be considered as streets.

Successful streets

Although streets vary widely in appearance, successful streets share certain characteristics and CDC expect these to be incorporated into the design.

Successful streets:

- Are locally distinctive, responding to local characteristics rather than standard highway design
- Have a clear hierarchy and are simply organised
- Are welcoming and safe places to walk and cycle
- Are accessible and legible to all users including the mobility impaired
- Are active places which encourage human interaction
- Are framed by buildings and landscape including trees
- Form part of a well-connected network
- Have variety and interest and make wayfinding easy and intuitive
- Are a comfortable scale, with a well-proportioned relationship between street width and building heights
- Accommodate appropriate vehicle movements and car parking without these elements dominating
- Meet functional requirements e.g. servicing, utilities and property access
- Have the flexibility to adapt to changes in the future

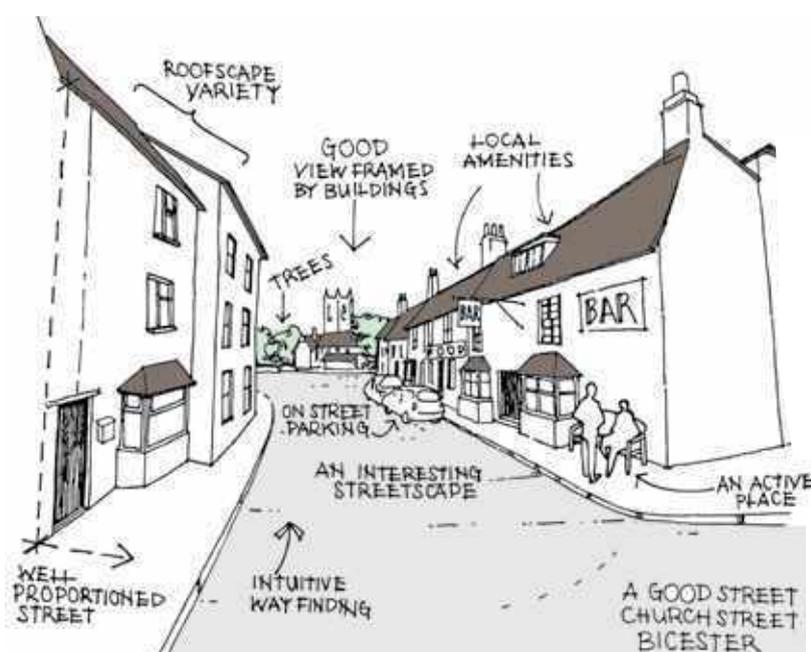


Figure 5.1 Successful streets characteristics

5.2 Street character

A character-led approach should be taken to the design of streets. Individual streets will have different characteristics reflecting their roles within the network hierarchy established in the masterplan.

The character of streets is fundamental to the character of place. There are many elements which contribute to their character which should be considered in their design:

- The dimensions of the street in cross section, defined by buildings enclosing the public realm
- The alignment of the street e.g. curving, geometric, informal or formal in its layout and its relationship to topography
- The urban form, architecture and materials of the buildings
- The trees, planting and front gardens making up the soft landscape of the street
- The hard materials of the public realm
- The surrounding land uses and spill-out activity
- Vehicle movement speed and volume
- The level of pedestrian and cycling activity
- How car parking is dealt with
- Boundary treatments

Street types

The masterplan street hierarchy should establish at a high level the character of streets across the development (see section 4.5), reflecting their roles within the overall network. Typically a larger settlement will contain a range of different street characters which fulfil different placemaking and movement functions.

The majority of streets within the settlement can be classified into the following broad character types:

- Main streets
- General residential streets
- Minor residential streets and lanes

These street types can be used as a starting point to define the specific and distinctive characteristics of individual streets, tying back to the masterplan Vision Statement.

For example:

- A formal, tree-lined main avenue, with a mix of uses on the main bus route
- A narrow, residential street with an informal character
- An informal lane at the edge of the settlement with views to the countryside



A leafy, formal avenue - Whiteland Way, South West Bicester



A shared surface street - NW Bicester



An urban mews with shared surface - Woodstock

Establishing the proposed character of individual streets early on will inform the design of all elements of street character listed above.

Figures 5.2 – 5.5 illustrate layouts for typical main, general residential and lane streets of different character. These are worked examples and are not intended necessarily to be replicated.

Main streets and high streets

Streets with high levels of activity, well connected and central, giving access to general and minor residential streets, often contain a mix of uses, accommodate public transport and local through traffic.

Figure 5.2 Indicative layout - informal main street

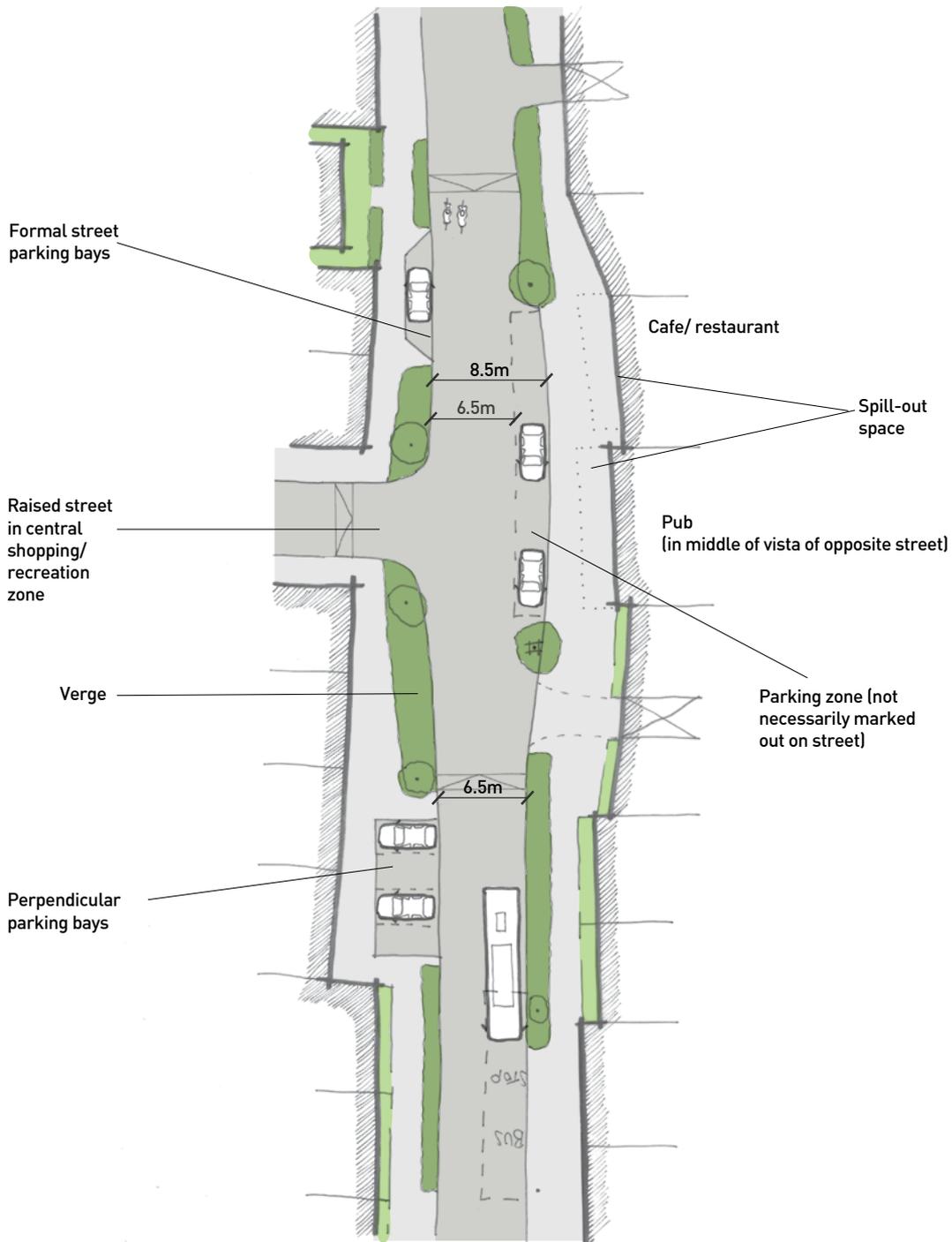
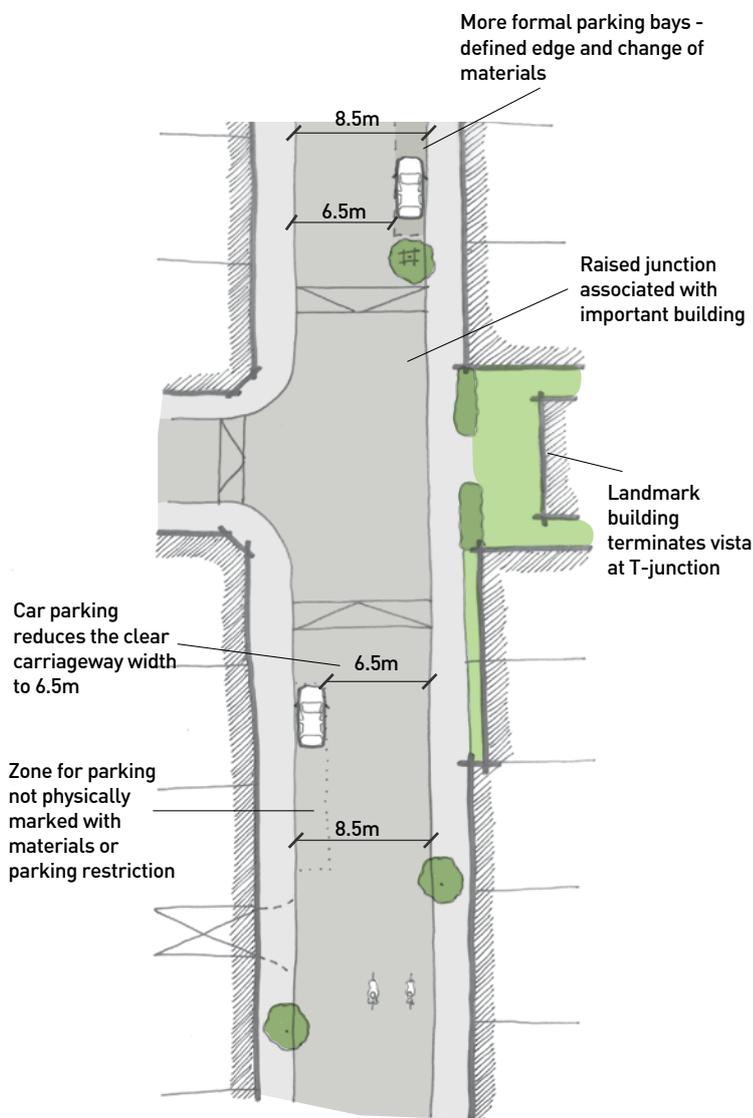


Figure 5.3 Indicative layout - formal main street



Trees and bollards demarcating parking spaces in a square, Poundbury



Tree pinch point in an informal lane, Poundbury



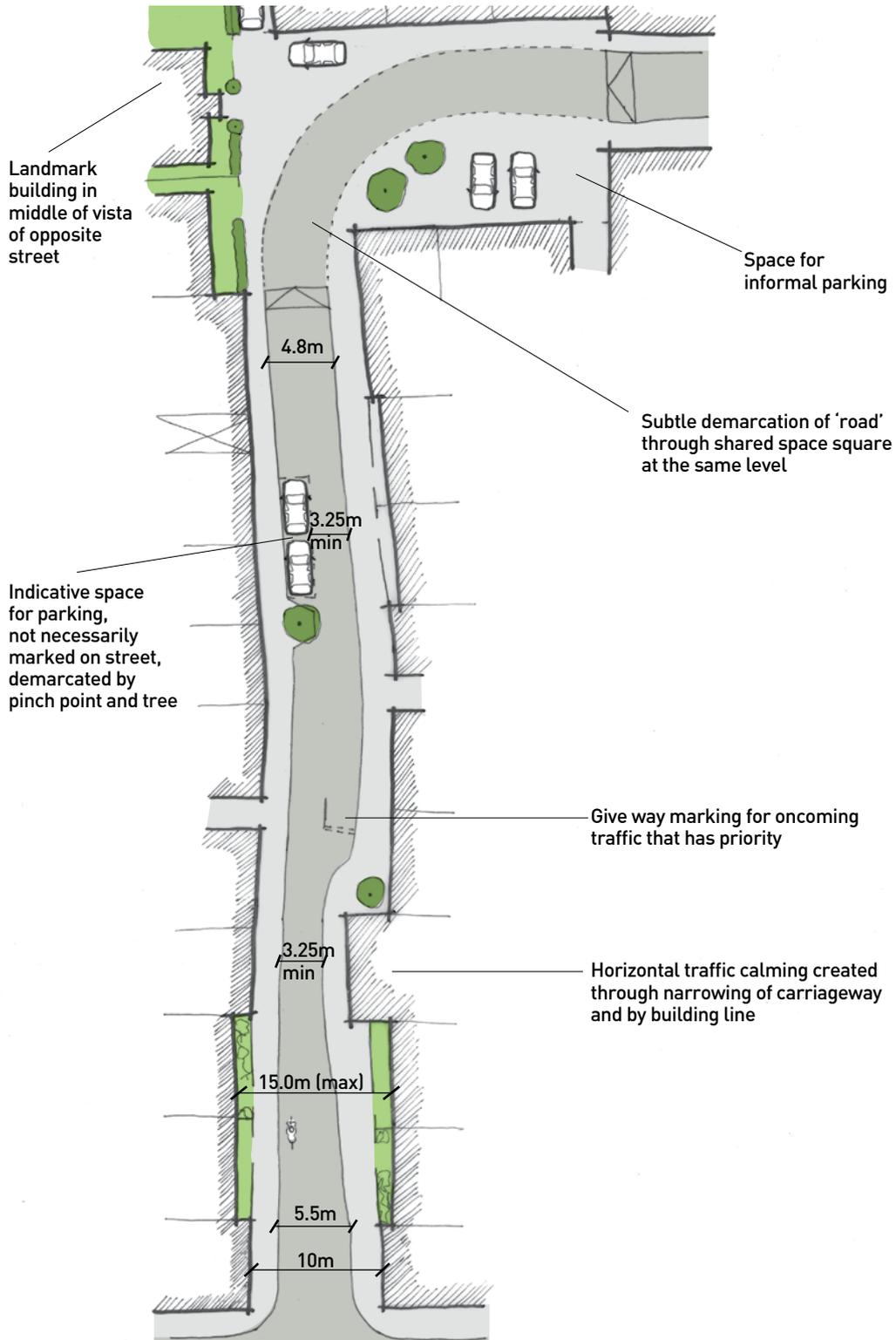
Street trees and bollards as traffic calming, Hook Norton

General residential streets

Predominantly residential, moderate levels of activity, neighbourly interaction, provide access to properties, some through traffic.

Figure 5.4 Indicative layout - general residential street

5



Minor residential streets and lanes

Quieter residential streets, with limited through traffic, with a semi-private feel.

Shared surfaces

The use of a shared surface approach where vehicles, pedestrians and cyclists occupy the same space within the street can create attractive, active streets successfully accommodating children's play, car parking and movement functions together.

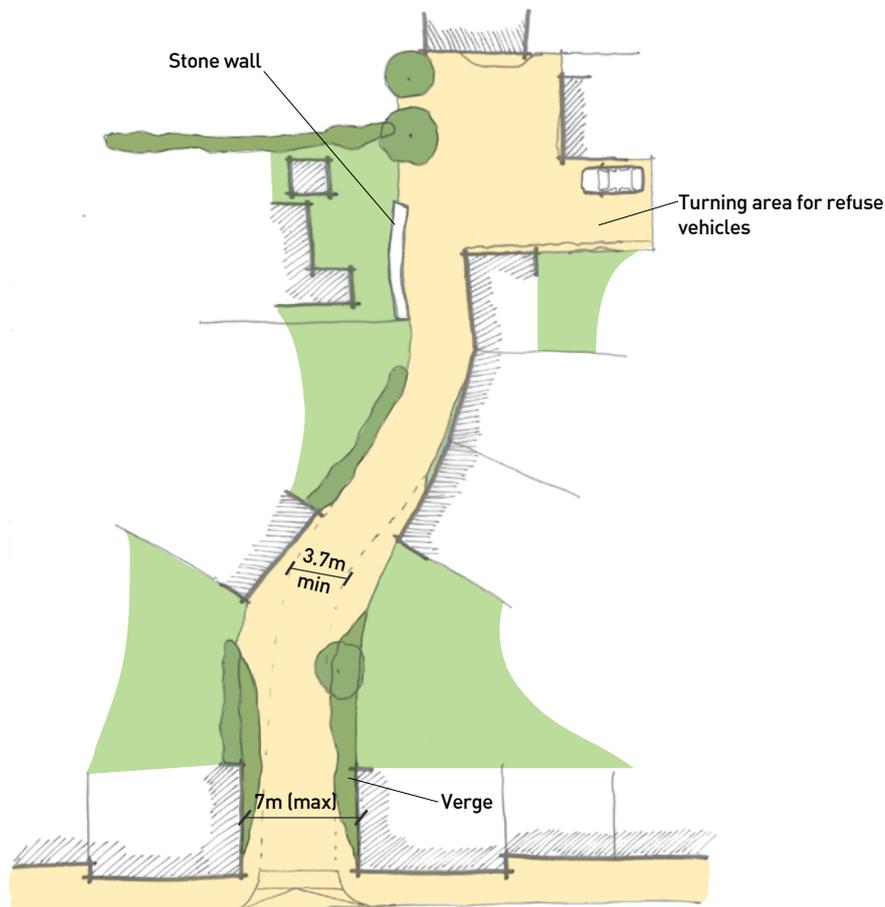
Shared surface treatments can also be used in public spaces such as squares or at junctions where the lack

of demarcation for traffic can assist with traffic calming and placemaking functions.

The use of shared surfaces should be judicious and take into account safety of users especially those with perceptual impediments. In many areas a 25mm kerb will be appropriate, except in very lightly trafficked environments such as the lane typology, in order to aid legibility for those with visual impairments.

To achieve a successful design detailed discussions will be necessary with both CDC and OCC and appropriate safety audits undertaken.

Figure 5.5 Indicative layout - informal Lane



Adoption

All streets performing a public function as part of the movement network should be designed for adoption by OCC. Un-adopted, private routes serving multiple properties should be limited, except where specifically agreed with the Council.

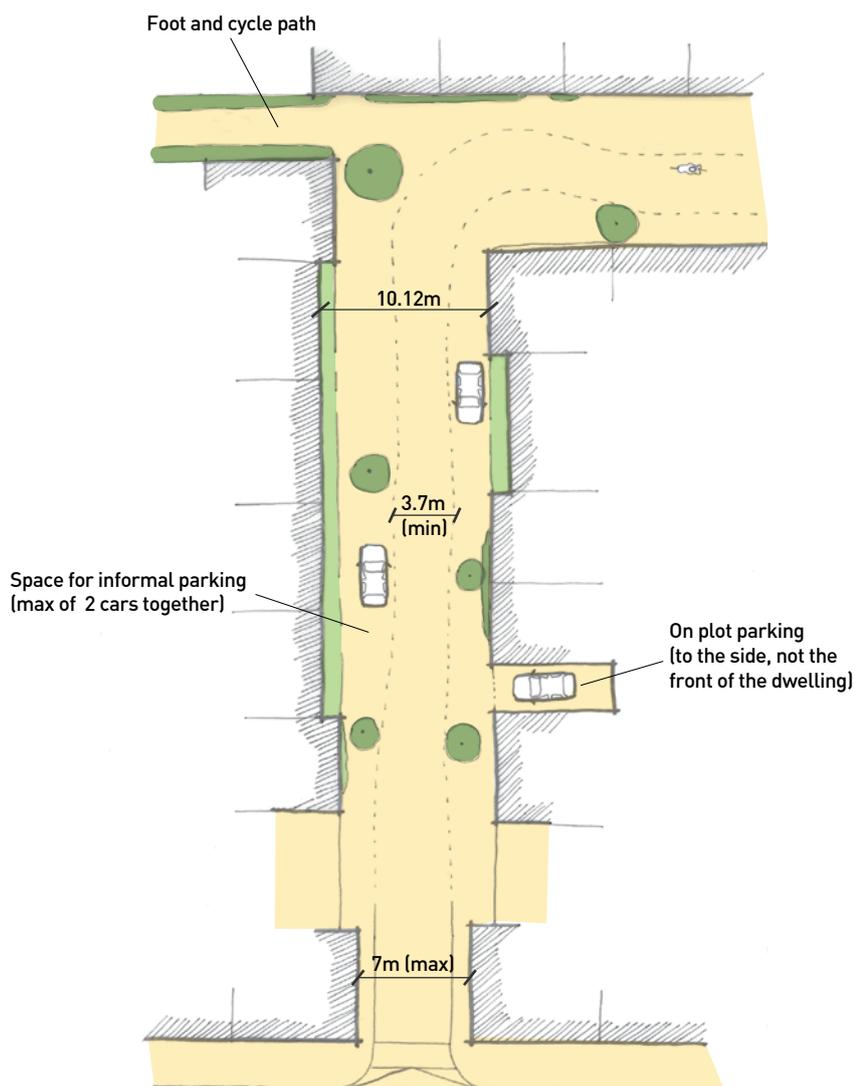
It is important to note that design of streets needs to be coordinated with both OCC and CDC, with street types established in liaison with both authorities.

5



Enclosed street incorporating on-street car parking, Hook Norton

Figure 5.6 Indicative layout - Shared surface street

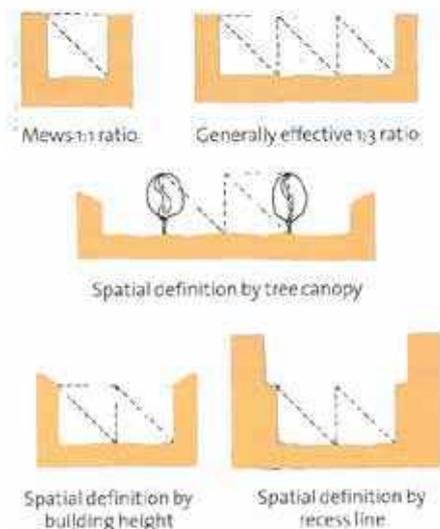


5.3 Street proportions

The overall composition of the street should create a comfortable 'human scale' and level of enclosure in keeping with the character of the District.

Buildings of an appropriate scale and form are critical in establishing well designed streets. Street cross-sections should provide a sense of enclosure through buildings, trees and planting. The Urban Design Compendium (section 5.1.3) recommends a height to width ratio for streets of between 1:1.5 and 1:3 where height is provided by buildings (generally measured to the eaves line) and width is the distance between building frontages across the street. These proportions create streets which are pleasing to the eye, feel comfortably enclosed and are not dominated by the carriageway.

Figure 5.7 Recommended height to width ratios (source: Urban Design Compendium, p88)



Street currently feels too wide in relation to the height of the buildings but enclosure is to be improved by the planting of street trees, Upper Heyford

This ratio range is typical of many of Cherwell's attractive historic streets, in contrast to more recent estate developments where the carriageway is wide and dominant. It follows, that where the street is wider, taller buildings are appropriate to maintain the ratio.

Although buildings are the primary means of providing enclosure, the canopy of street trees, front boundary walls and taller garden planting can also be effective particularly in maintaining the line of enclosure where there are small gaps between buildings.

The sense of enclosure breaks down where there are significant gaps in the built frontage. This is evident on streets which are comprised of multiple detached properties with parking to the side. Here the building frontage is not complete enough to properly frame the street, and the opportunity for boundary walls and trees is also limited by the need to give access to on-plot parking.

Where main streets lie on a bus route, the carriageway will need to be 6.5m wide. These streets would benefit from being framed by buildings of three storeys to balance the increased street width. Where not on a bus route, the width of the carriageway should be reduced. Parking can be formally arranged with bays broken up with street trees, build outs and informal crossing points for pedestrians.

On general residential streets, with predominantly two storey properties, the building to building widths should be reduced in comparison to main streets, to create an appropriate sense of enclosure. Increased ground floor ceiling heights can also improve the sense of scale / status of a building.



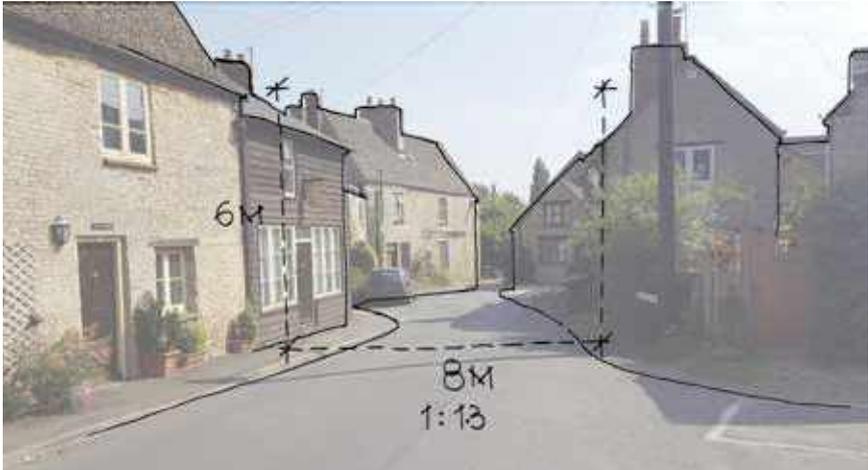
A well proportioned street, Seven Acres, Cambridge

5

Figure 5.8 Appropriate street proportions: examples from Cherwell



a) Whiteland Way, South West Bicester



b) Kings Head Lane, Islip



c) Queens Road, Banbury

5.4 Design for pedestrians and cyclists

Street design should make it as easy as possible to walk and cycle, providing safe, direct and attractive routes.

Routes for pedestrians and cyclists should be safe, direct, attractive and legible. The design criteria for accommodating pedestrians and cyclists on different types of street are detailed in the Oxfordshire County Council's Residential Road Design Guide, Second Edition, 2015, MfS chapter 6 and OCC's recently approved design guidance documents on walking and cycling.

Pedestrians

Pedestrian movement must be considered first and prioritised on all streets. Walkable neighbourhoods should be established by the masterplan creating a legible and permeable street network allowing for easy access on foot to local facilities and public transport stops (see chapter 4).

Pedestrian movement should be accommodated on footways on the street giving access to property fronts. In some instances short stretches of footpath may be appropriate to provide additional pedestrian links between streets.

These should be as short as possible with good inter-visibility between the ends, appropriately lit and be overlooked / open to view.

Footways in Cherwell tend to be fairly narrow. Although the MfS recommends pedestrian footways should generally have an unobstructed minimum width of 2m, it would be in-keeping with the character of Cherwell if they were narrower.

A minimum of 1.5m width should be used which accommodates a couple walking with a buggy. This will be sufficient for general footways, however, it may be appropriate to provide a wider footway on a higher order street of 6.5m or more width; the footway should feel in proportion with the overall street width. Footways could locally widen at particular points outside more important buildings or at corners where people are more likely to stop and chat.



Humber Street, Bloxham



Main Street, North west Bicester



Pedestrian/ cycle cut-through, South West Bicester

Cyclists

In the majority of residential streets cyclists should be accommodated on the carriageways with no dedicated cycling lanes required. Uneven surfaces such as cobbles should be avoided.

On busier streets, dedicated cycle lanes should be provided on-carriageway. Completely segregated lanes are only appropriate on higher speed / volume roads. Guidance has recently been approved by OCC which will provide further advice. The design of cycle lanes and cycling infrastructure at junctions should be discussed with OCC.

Cycle parking provision is required at both ends of the journey in accordance with OCC’s Cycle Parking Standards (see below). Covered cycle parking should be provided within the curtilage of a dwelling or other convenient location for apartments. Security and convenience are two key principles for the location of cycle parking. If cycle parking is included in front gardens it should be visually attractive. If it is placed at the side or rear of a dwelling access to the street should be direct and sufficiently wide. Garages should be designed to allow space for a car and storage of bicycles and be a minimum of 6m x 3m internally.



Bus bypass in Lewes



Hybrid cycle lane, Old Shoreham Road, Bournemouth



Foot/cycle path, South West Bicester

Cycle Parking Standards		Residential
Resident		1 bed - 1 space; 2+ beds - 2 spaces
Visitor		1 stand per 2 units where more than 4 units
Notes		
1	Garages should be designed to allow space for car plus storage of cycles in line with the District Council’s design guides where appropriate (most specify 6m x 3m)	
2	1 stand = 2 spaces: The number of stands to be provided from the calculations to be rounded upwards. The preferred stand is of the ‘Sheffield’ type	
3	All cycle facilities to be secure and located in convenient positions	
4	Residential visitor parking should be provided as communal parking at convenient and appropriate locations throughout the development	

Table 5.1 Cycle Parking Standards for residential development, (extract from Residential Road Design Guide, Second Edition 2015, OCC)

5.5 Design criteria for vehicles

The design criteria for vehicle movements should be established in response to the proposed character of the street and agreed with OCC and CDC.

Design Criteria

The overall approach to street design should be to consider buildings and spaces first, with carriageways, footways and parking designed to fit within the space created. This approach enables buildings to be laid out to provide an attractive frame to the street with carriageways, kerbs and footways helping to define and emphasise spaces.

It is also important that streets are designed with consideration for the types of vehicular movements, speed and volume of traffic. The majority of residential streets should have a design speed of 20mph or less.

MfS section 7.2 provides details of minimum carriageway dimensions to accommodate different street types and functions. Careful thought is needed as to the application of these dimensions to the different street types.

Over engineering streets to accommodate easy access for HGVs and unnecessarily high design speeds leads to wide streets and large junctions which are detrimental to character and can result in an uncomfortable environment for pedestrians and cyclists. Under these circumstances it is difficult to achieve the sense of enclosure and proportion discussed in 5.3.

It is not expected that space for HGVs to pass each other will be provided along the majority of residential streets, as this will be an occasional occurrence. However, passing places should be designed in to accommodate these movements when they do occur.

Critical dimensions

The standard width for residential street carriageways is 4.8m which allows for unimpeded two way movement of cars, or a car plus HGV and this should be viewed as a critical dimension. Main streets accommodating a bus route are required to have a minimum carriageway width of 6.5m to allow unimpeded two way bus movement, though some reduction in width over a short distance, may be permissible in certain circumstances. Reference should be made to OCC's Residential Road Design Guide and MfS for further details.

As part of a traffic calming strategy designers should consider incorporating short sections of reduced width where appropriate. This supports the traffic calming approach outlined in section 5.7.

Swept path analysis and visibility

Swept path analysis is a valuable tool that should be used to determine the space required for different vehicle types as they move along or through a space.

Consideration of forward visibility through use of stopping sight analysis should also be used, particularly in relation to building lines which in themselves can be used as an integral component of traffic calming.

Section 6.8-6.12 of OCC's Residential Street Design Guide provides details of required sightlines at junctions.

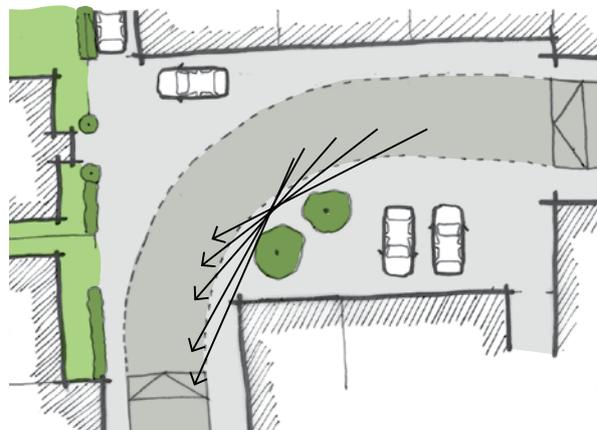


Figure 5.9 Stopping sight distance defining the geometry of the curve and placing of trees/ building lines

5.6 Design for buses

Bus routes should provide direct, convenient journeys for all new houses

All new residential development will be expected to make an appropriate contribution to the development of the countywide bus network, both through the physical infrastructure – e.g. highway measures and bus stop infrastructure – and through service provision.

(Residential Road Design Guide, OCC)

OCC requires all developments of more than 50 dwellings to be served by at least an hourly bus service and for homes to be within a 400m walkable distance of a bus stop. Appropriate provision for buses should be designed in at the outset in discussion with OCC's Public Transport Development Team.

Bus stops should be located in relation to pedestrian desire lines and close to facilities which serve a wider catchment. They should be served by safe and convenient pedestrian crossing places. Consideration should be given to proximity to domestic property and any nuisance issues in relation to the placing of bus stops.

Further advice on the siting and requirements of bus stops can be found on p73 of Manual for Streets and in OCC's residential design guide.



Bus stop, South West Bicester

5.7 Integrated traffic calming

Traffic calming should be designed as part of the street layout in a manner appropriate to the proposed character.

Traffic calming should be inherent within the street layout and can include:

- A sense of enclosure created by building lines or street tree planting which restrict forward visibility
- Changes in direction and tight corner radii
- Change in materials
- Crossing points, either raised or flush with the carriageway with build-outs/narrowings
- A change of character such as widening out into public spaces
- Frequent side road junctions and direct access points to properties

Horizontal and vertical deflection features to reduce speed of vehicles should be designed to read as inherent elements of the street rather than a piece of highways infrastructure e.g. a raised table forms part of a public square or the setting to an important building, a build-out is associated with tree planting or a crossing point.

Informal streets

Variation in carriageway width, footway width and building line is characteristic of traditional informal streets across the District. This creates streets with visual interest, but also enables parking, servicing, small areas of green and trees to be accommodated while maintaining a strong sense of enclosure and appropriate height to width ratio.

These faceted streets have a natural traffic calming effect, as drivers intuitively slow down on the approach to pinch points and junctions or where the street widens into a public space.

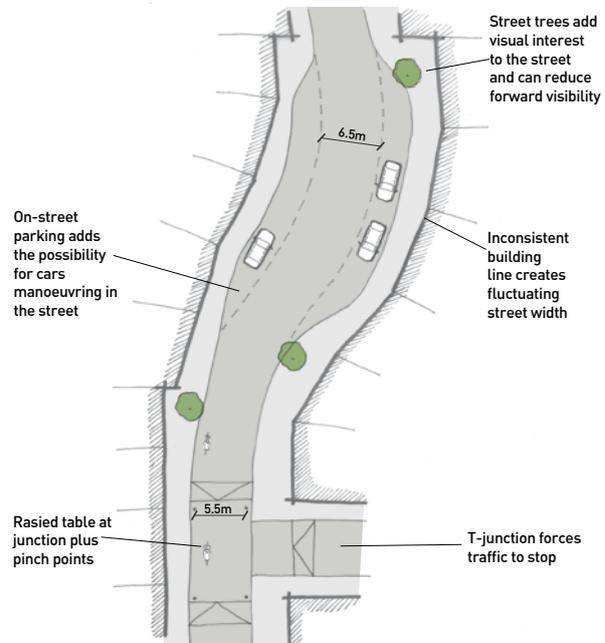
Formal streets

Formal streets, although generally more regular in width than informal streets, can accommodate pinch points at street entrances and widening related to public squares or gardens. The regular junctions of a grid layout have a natural traffic calming effect.

To be avoided

Artificial traffic calming features which have a detrimental impact on legibility and townscape should be avoided, for example: a standard width street with a winding geometry creating an indirect route.

Figure 5.10 Traffic calming measures along a street



Bad example - artificial winding street with no relation to urban form



Good example - deflection of road using landscaping and a pedestrian cut-through, Hook Norton

5.8 Car parking

A range of different parking solutions should be used. The choice of parking solution should be appropriate to the character of the street and the building typology.

Amount of car parking

The Council intends to review parking standards in the forthcoming Local Plan Part 2. In the interim the approach set out in Oxfordshire County Council's Residential Street Design Guide (2015) applies. This includes recommended parking standards (refer to **Appendix F**), which should be used as guidance only for larger developments. Actual parking levels will be expected to be justified, as laid out in supporting documentation with planning applications such as Design and Access Statements, Transport Statements and Transport Assessments.

The parking standards recommend the inclusion of unallocated spaces, alongside allocated spaces to maximise flexibility and economy of land use. In some circumstances, parking can be accommodated entirely without allocated spaces. Work led by Phil Jones Associates for Oxfordshire County Council, reported in 'The Residential Car Parking Research', 2007, DCLG, has shown that the provision of more flexible parking solutions, such as unallocated on street parking supports an overall reduction in parking provision, by supporting flexibility of different householder needs.

Please refer to Section 7 of OCC's document for details on the application of the parking standards.



X

Bad example - too much space for parking creating a large gap on the street



X

Bad example - cars parking on kerbs due to lack of parking spaces or spaces which are inconvenient (image source: Space to Park)



✓

Good example - avenue street parking, Newhall, Harlow



✓

Good example - Informal homezone parking, Hanwell Fields, Banbury

Parking design

Designing an appropriate parking arrangement is critical to the success of any scheme. Where parking has not been well thought through it can be visually detrimental to the character of the street and can be a source of frustration for residents.

The Council will expect to see a range of parking solutions. The number of parked cars in any one area should be limited so that individual streets and spaces do not take on the appearance of a car park. Trees should be accommodated within streets and parking courts to reduce the visual impact of parked cars.

Parking should be functional, convenient and safe. People like to park as close to their house as possible, ideally where they can see their car from inside their house. If parking is placed in a position far away from a dwelling and obstructed from view, people will not park there and instead try to park informally on the street outside their house.

'Car Parking: What Works Where', English Partnerships (2006), provides a comprehensive toolkit for designers highlighting the most appropriate car parking approach according to density of development and housing typology and should be referred to alongside this Guide.

Car parking: golden rules for all locations

- Look to maximise the quality of the street and public realm
- A combination of on plot, off plot and on street should be considered according to the street design, location and housing typology
- On street parking should be promoted as the primary parking option and incorporated in the design – people understand how it works, it's efficient and it increases the activity and safety of the street
- Do not park in the back of the block until on street and frontage parking permutations have been exhausted. Use of the mews or rear courtyards should support on street provision, not replace it
- The proportion of allocated spaces should be limited. Research by Noble and Jenks shows that the more spaces you allocate, the more you have to provide.
- Don't forget Secured by Design principles

(Adapted from 'Car Parking: What Works Where')

Parking typologies

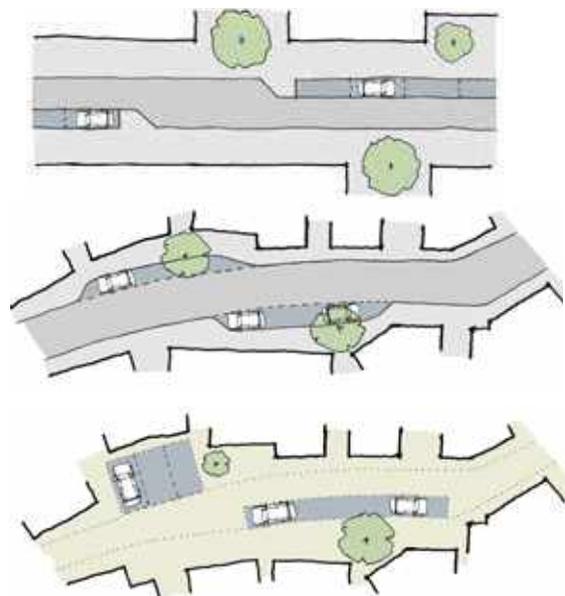
In general, the potential locations for parking are on-street, on-plot and in small parking courtyards. The allocation of car parking spaces (on-plot or in communal areas) reduces flexibility and is less efficient in meeting overall car parking needs.

On-street parking

The Council advocates the use of unallocated on-street parking wherever possible. Maximising the number of unallocated spaces will result in lower numbers of parking spaces overall as it provides an enduring, functional and land efficient arrangement (see Appendix B of OCC's parking standards). It can take a variety of forms including parking around a central reservation, kerbside parking parallel, perpendicular or angled to the pavement. Parking solutions should be an integral part of the street design, with clearly defined or demarcated bays. For both parallel and perpendicular solutions, a maximum of four bays should sit together, before being broken up by street tree planting or a public realm solution.

Terrace buildings work well with on-street parking, as the strong enclosure balances the necessary increase in carriageway width. Street trees should be used to soften the visual impact of parked cars and provide further enclosure to the street. Narrower streets can widen at certain points to accommodate smaller areas of on street parking.

Figure 5.11 On street parking examples from top: formal on-street; informal on-street (off line); parking in shared surface area



On plot parking

On plot parking to the rear or side of homes, on driveways or within garages, is by its nature allocated to a particular home. It limits flexibility and can be detrimental to street character when it is visually dominant. It is generally only appropriate for larger semi-detached or detached homes on larger plots.

Parking on-plot in driveways should, as far as possible, be designed to limit the gaps in the street frontage (for example through the use of shared driveways) and should be configured to ensure that the maximum parking standards are not breached i.e. through excessively long driveways.

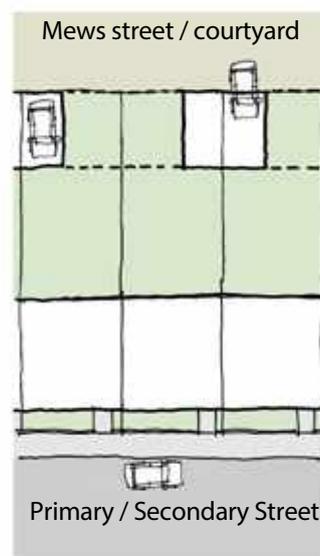
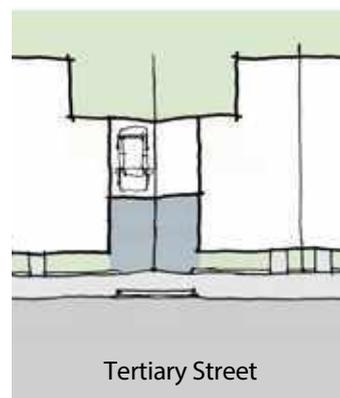
Allocated on plot parking can also be provided to the rear or within gardens accessed from a rear lane. This is an alternative to the communal parking court.

In general, the Council seeks to limit the use of garages as they are often used for storage rather than parking, pushing parking demand elsewhere. Where garages are provided they should have a minimum internal area of 3m by 6m and the use of double garages should be limited.

The architecture and materials of the garage should be in keeping with the main house and have a pitched roof and wherever possible should be attached to the property.

Where two single garages are proposed together they should be attached where their use supports a better design solution. They should only be used on wide fronted properties where a front door and ground floor habitable room can also be provided. Double integral garages are not appropriate.

Figure 5.12 garage and driveway parking examples:
garage to the rear of the property (top)
garages accessed from mews/court to the rear (bottom)



On-plot screened with vegetation, Manor Road, Fringford

Rear courtyard parking

Communal parking areas or parking lanes to the rear of properties are the least preferred solution. Although rear parking reduces the visual impact of cars on the street frontage it also reduces human activity on the street and large rear courtyards can be bleak spaces.

Where used, courts must be well-overlooked by the properties they serve, ideally with direct access to individual dwellings/gardens. They should service no more than six properties and a maximum of 12 parking spaces. Unallocated /visitor parking is not appropriate in these areas and should be provided within the street. Landscape and tree planting should be an integral part of the design.

Access to courts should be by a shared driveway between properties, via a lane to the rear, or through narrow carriage arches, to maintain a continuous frontage at first floor level. Where carriage arches are used these should incorporate first floor accommodation. Lanes may also give access to a number of properties.

Sustainability

The Council supports the use of sustainable technologies and systems designed to reduce the impact of private vehicles including:

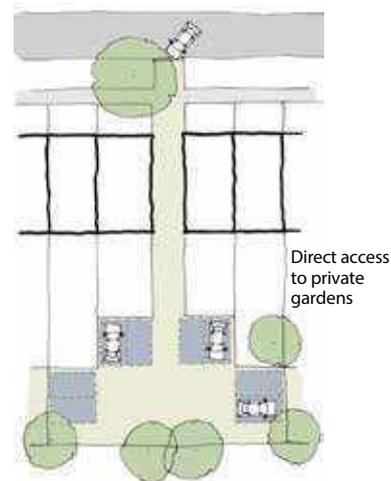
Electric charging points

Every home should have access to at least one electric charging point and 20% of spaces in public car parks should have electric charging points.

Car clubs

The Council supports car clubs particular in low car developments. Car club vehicles are generally made available to residents on a pay as you go basis and are particularly suited to central and higher density areas where car use is only necessary for occasional trips. Discussion with the Council is required to resolve practical issues relating to implementation.

Figure 5.13 Example of private rear parking court



5



Well landscaped rear court parking, Clay Farm, Cambridge



Rear parking accessed through carriage arch, High Street, Adderbury

5.9 Avenue trees, planting, SuDS and landscape

Trees and soft landscape are important to the character of Cherwell's streets and should be incorporated in all street character types.

Many of Cherwell's historic streets have a strong building frontage, softened with by trees and landscape planting. Individual and groups of trees, grass verges and public green spaces contribute to making distinctive and attractive places.

Soft landscape, especially trees, should be incorporated into every street to support the proposed character. For example, a formal street may suit an avenue of trees and small front gardens, whereas an informal lane may be appropriate for soft verges and occasional individual or small groups of trees.

The requirement for Sustainable Drainage Systems (SuDS) is an opportunity to bring character to streets, through integrated landscape and drainage design. By considering SuDs at an early stage they can be incorporated successfully alongside street trees, utilities and car parking. See section 4.7 for further guidance in relation to SuDs.

The choice of tree species and location of trees in relation to built elements should be in accordance with the minimum distances established in BS 5837: 2012, Trees in relation to design, demolition and construction. Further detailed design guidance relating to tree planting including their relationship with utilities corridors and SuDS is contained within the Trees and Design Action Group publication 'Trees in Hard Landscapes, A Guide for Delivery', 2014.

The following principles should be considered:

- Street tree planting should be integral to the public realm design
- Street tree planting should be a minimum of a semi mature standard size in a location of sufficient size for the long term survival / health of the trees
- The species selection should consider their functional and space making qualities and native species are preferred

The maintenance and management responsibilities for landscape areas should be defined within the planning process. The design should avoid small (often narrow) planted areas which are hard to maintain.



Soft landscape reduces the impact of parking, Trumpington Meadows, Cambridge



Built frontage softened by trees and grass verges, Banbury



Incorporating existing trees and hedgerows into a new development



Incorporating SuDS along kerbside, Trumpington Meadows, Cambridge

5.10 Public spaces

Squares and greens provide important breathing space within the street network, should be framed by buildings and be located to encourage community interaction.

The widening out of the street network to accommodate village greens, squares and market places are characteristic of many of Cherwell's settlements. These spaces are framed by buildings, contain significant trees and are often located centrally adjacent to public buildings where they form a 'heart' to the settlement.

Developments should incorporate public spaces which sit with the character of the overall settlement structure and the site masterplan. Public spaces perform a number of important roles:

- They are focal points for the community, often surrounded by civic or community uses
- They create variety in the townscape and are important for wayfinding and legibility
- They can create a positive, usable space in an awkward corner
- They are an intrinsic traffic calming feature and can be of a shared surface design (see section 5.7)

Public spaces can take a variety of forms including formal hard landscaped public squares, village greens and smaller incidental spaces either hard or soft. OCC's residential road guidance includes 'social spaces' which are smaller areas where the footway might widen out to incorporate some benches, perhaps with shade from a tree. In all cases, public spaces should be framed and overlooked by buildings and designed to encourage their use – for example, through the provision of children's play or seating areas.

The size of the space should be appropriate to the scale of buildings which surround and enclose it. This should be tested in three dimensions. Trees should be used to create a sense of enclosure to larger spaces. Spaces which are too small to have any useful public function (i.e. 'leftover space') should be designed out.



Hard-landscaped incidental square with trees and seating, North West Bicester



Informal green space with trees and seating, Bloxham



Central green space, The Triangle, Swindon

5.11 Street materials

The materials of the public realm should coordinate with the palette of materials used for the buildings and should reinforce the proposed character of the street or public space. This will vary depending on the location of the scheme within the District. Details of locally appropriate building materials are provided in section 7.3.

In general:

- Pavements and main street surfaces will be tarmac, with special consideration given to edge areas, gullies and kerb details where natural stone should be used
- Shared surface areas should use block paving with setts used for drainage gulleys and careful use of high quality edge details to help define the space
- Squares and other areas of public realm should use natural stone, dependent on the character of the settlement

Large areas of concrete block paving are generally not acceptable as they are visually intrusive. Where block paving is used, the colour should be in keeping with the wider palette of building materials.

Investment in high quality materials will be expected at sensitive and prominent locations for example: within the setting of heritage assets, to define the entrance of the development, at important crossing places and public spaces and for shared surface treatments.



Tarmac with subtly coloured block paving indicating informal pedestrian crossings, South West Bicester

5.12 Utilities corridors, lighting and signs

Utilities corridors, lighting and signage should be considered early on and grouped to minimise impact on the character of the street.

Utilities

The design of utilities corridors should follow the recommendations of the National Joint Utility Group (NJUG) publications, and include liaison with service providers at an early stage.

The use of shared utility enclosures or grouped service strips should be used to reduce the service corridor width and limit impact on street design including the location of street trees. Protective and preventative measures should be adopted to avoid tree root intrusions into service corridors.

Where routing through the pavement will have a detrimental effect on the character of the street, alternatives include routing down a back street or through communal areas.

Further guidance is provided in section 3.4 of 'Trees in Hard Landscapes', Trees & Design Action Group, 2014 and Sewers for Adoption, 7th edition, WRc plc, 2012.

External lighting

Lighting should be an integral part of the street design process as there is a risk that landscape, parking and other elements are undermined when this is considered retrospectively. In particular the lighting and tree planting strategy should be considered together at an early stage.

OCC must be consulted at an early stage to agree the design brief for street lighting. OCC can provide street light design for a fee which removes the need for approval. Refer to Appendix A2 of their Residential Road Design Guide, 2015 for details.

Signage

Signage is important for wayfinding but should be minimised to avoid visual clutter. Street names and other signs should be fixed to buildings, boundary walls or lamp-posts to avoid additional columns on the street.

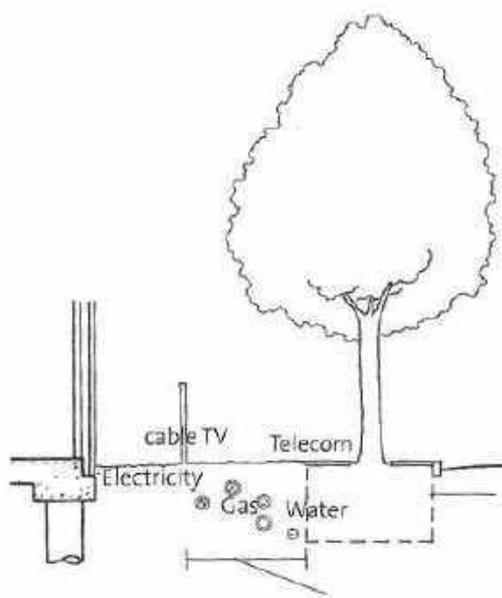


Figure 5.14 Grouped service strips help minimise maintenance disruption and avoid features such as trees (source: Urban Design Compendium, p82)



Road name and signage mounted on boundary wall and lamp-post respectively, Adderbury

5.13 Waste management

Suitable provision for the storage and collection of waste should be integrated into the street layout building and plot design.

Agreement is required on the way waste is to be managed and in particular:

- The method for storing, segregating and collecting waste
- The amount of waste storage required, based on collection frequency, and the volume and nature of the waste generated by the development, and
- The size of anticipated collection vehicles

Collection points must be no further than 20 metres from the refuse vehicle access point. As a result, a connected network of streets will enable easier movement of refuse vehicles, avoiding the need for reversing or multi-point turning manoeuvres. It is expected that the principles outlined in section 5.3 will be followed to minimise the necessary street width. BS 5906:2005 provides guidance and recommendations on good practice.

At the time of writing, the majority of dwellings in Cherwell are allocated three wheelie bins. Bins should be accommodated within the curtilage of buildings, within appropriate ventilated bin stores/enclosures in front gardens, integrated within the building, or at the side or backs of dwellings where there is sufficient access for residents to wheel bins to the front of the property on collection days. If bin stores are visible from the street, these should be of a simple design screened by vegetation or enclosed by walls of the same material as the property.



Example of an attractively designed bin store (source: West Oxfordshire Design Guide)



Side passage to enable bins to be brought out, Bletchington

6 BUILDING AND PLOT ARRANGEMENTS



- 6.1 Layout and urban form
- 6.2 Establishing character
- 6.3 Perimeter blocks and active frontages
- 6.4 Scale
- 6.5 Building typologies
- 6.6 Landmarks, vista stoppers and corner turners
- 6.7 Amenity space
- 6.8 Materials

Chapter 4 explains how the masterplan establishes the overall urban block pattern, street hierarchy and proposed character areas.

This chapter deals with the next level of detail, considering how building forms should be arranged to create a pleasing overall townscape which frames the public realm and reinforces the proposed character areas. The way buildings sit together is one of the most important drivers of character.

Chapter 7 provides further detail on the design of the buildings themselves.

New development in Cherwell should promote:

- An harmonious composition of buildings that contributes to the overall legibility and character of the place and its role within the wider masterplan
- Traditional settlement form and character
- Three dimensional form as a starting point for design
- The use of building types which reflect local traditions and can be successfully grouped together
- The use of bespoke house types to address important, sensitive and tricky conditions including landmark locations and corner plots
- The use of terrace house types, which should be the predominant form in most developments, especially along principles routes, mixed use areas and adjacent to public open space. Limited use of detached and semi-detached houses.
- Design solutions that minimise the opportunities for crime and antisocial behaviours through the clear definition of the public / private boundaries and creation of active frontages

New development should avoid:

- A lack of three dimensional design thinking
- Estates with a homogenous, 'could be anywhere' character
- Architectural focus on individual buildings rather than the overall street composition.
- The use of inflexible, standard house types which cannot be grouped effectively
- The use of detached houses on small plots when a terraced form is more appropriate

Please refer to the following chapters for supporting information:

- **Chapter 2:** For a summary of the District's distinctive characteristics and character areas
- **Chapter 4:** For details of how a scheme's character is established through the vision and structuring principles of the masterplan and block structure
- **Chapter 5:** For details of how the character of individual streets will be established in the public realm
- **Chapter 7:** For detailed guidance on the design of individual buildings
- **Chapter 8:** For guidance on sustainability considerations
- **Appendix A:** List of Conservation Areas within the District

Further reading:

- **Conservation Area Appraisals, CDC:** Provides detailed character analysis and guidance for each of the District's conservation areas
- **Responsive Environments, A Manual For Designers, 1985, Bentley, Alcock, Murrain, McGlynn, Smith:** Provides detail on the composition of the street, contextual clues for built character and external surface design

6.1 Layout and urban form

Detailed layout design should focus on the composition and arrangement of buildings across the street as a whole, rather than the design of individual buildings in isolation.

The way in which buildings are grouped together to create the urban form of the street has a strong influence on character and should be a direct response to the proposed vision for the development (see section 4.3 for details). This should be clearly articulated in the planning application Design and Access Statement.

It is expected that urban form will vary from street to street reflecting its role within the masterplan hierarchy and in response to localised conditions e.g. a change in level or street orientation. This will support the legibility of the settlement.

Individual buildings should be designed to relate well to their neighbours, creating a harmonious overall composition and work with site conditions. The use of inflexible standard house types should be avoided as it severely limits the potential for cohesive and responsive design.



Consistent street frontage, Bicester

New development should:

- Create a pleasing rhythm, variety and articulation to the street, through the use of different building forms, landmark features and the design of the façade and roofscape (see chapter 7)
- Respond to overarching character objectives e.g. informal or formal (see 6.4)
- Create bespoke design solutions for sensitive locations e.g. landmark locations, at corners and where views are terminated (see section 6.8)
- Consider the way buildings relate to other elements eg. car parking arrangements, front gardens, pavement widths
- Design out crime through the creation of active frontages and perimeter blocks (see sections 6.3 and 6.4)
- Make the settlement easy to navigate by creating a series of memorable spaces, landmarks and views
- Encourage natural traffic calming through the careful arrangement of buildings in relation to the carriageway (see section 5.7)

The Council will expect to see evidence of design thinking in three dimensions, including the use of simple physical or computer models, sections and perspective drawings encapsulated within the Design and Access Statement and used as a design tool to assess the form of the layout, including the roofscape.



Strong vertical rhythm with simple variation in design, Banbury



Corner solution, where building addresses both streets, Banbury



Corner of building juts out into the road, creating a natural pinch point forcing cars to give way to oncoming traffic, Islip

6.2 Establishing character

Urban form is an important element in defining the character of a place.

The proposed character of individual streets and blocks will be established in broad terms as part of the site wide masterplan and vision; this is explored in section 4.3.

An important element of character is the degree of formality in the layout and urban form. In historic settlements this is a reflection of the extent to which a settlement was planned (formal) or developed incrementally and organically (informal).

In designing new places, designers should draw from both approaches to establish variety and reinforce the overall hierarchy of streets and spaces within the masterplan.

Formal Streets

Greater formality will be appropriate in some areas of the masterplan, for example to emphasise the civic character of a public space or to front an important movement route. Formal streets should be laid out in a regular, rectilinear pattern.

Characteristics of the urban form of formal streets include:

- Consistency and unity across the majority of elements of the urban form i.e. plot and building size, roof lines, eaves lines, building line, materials and façade design
- Buildings at the middle or ends of the street may be taller, brought forward, or have increased ornamentation to provide emphasis and visual interest
- Classically proportioned building facades (see section 7.2)
- Detached homes should have a wide frontage, narrow plan; semi-detached, in a villa form; and either plan form used for terrace properties (see section 6.5)
- Windows and doors will be regularly spaced, with a repetitive pattern established for the street as a whole. Changes in the pattern can be used to emphasise key buildings or locations
- Formally arranged street trees creating an avenue and regularly sized front gardens

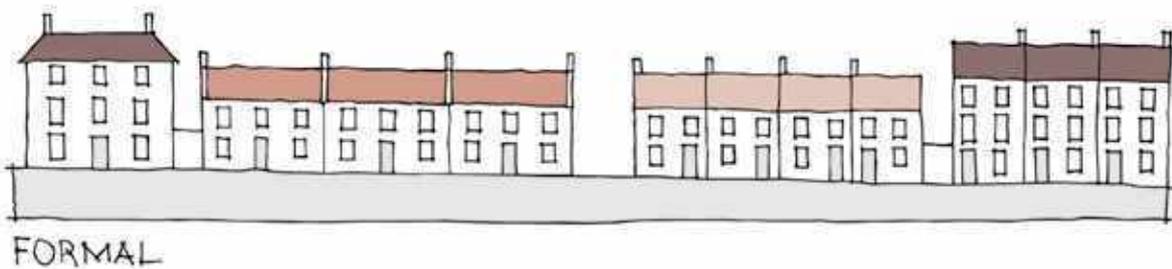


Figure 6.1 Formal street



Formally arranged terrace, Bicester



Formal repetition of semi-detached homes, Banbury



Formal modern terrace - repetition of materials, regularly spaced windows, doors and trees, North West Bicester

Enclosure and openness

In both formal and informal layouts, the majority of buildings should be arranged in a terraced form to create a near continuous built frontage to the street, in line with the principles for perimeter blocks set out in section 6.3.

However, in some character areas a more open arrangement may be appropriate for example to allow views out to the wider landscape or to meet a particular need for larger semi-detached or detached properties. In these locations, the gaps between buildings should be clearly defined by boundary walls, fences or hedges. On plot parking should be arranged so as not to dominate the street frontage (see section 5.8).

Informal Streets

Where an organic, village character is proposed, streets should have an informal layout, with a simple geometry, varying to reflect topographic and natural features. Particular care is required to create overall visual coherence and harmony. The right balance can be achieved by varying one or two elements of the urban form, but not all.

Characteristics of the urban form of informal streets include:

- Groupings of buildings with continuity of building line and materials, which provides coherence in a street scene, while other elements, such as plot width, building height and fenestration vary
- A range of plot and house sizes on a street to reflect traditional patterns
- Variety in the character of individual buildings. Within the street there should be a mix of wide and narrow frontage properties (see section 6.5), typically with consistency in the building line and materials
- Informally arranged windows and doors
- Subtle variation in roofscape reflecting variations between neighbouring building heights
- Street trees located individually or in small groups to form a focal point where the street widens or in public squares and green spaces.
- Front gardens which vary in size reflecting changes in street and plot alignments. Planted and grassed verges may also be present, where development is set back from the street



Figure 6.2 Informal street



Continuous building line but wide variety in heights and sizes, Banbury



Continuous building line but wide variety in design and height, Bicester



Variation in set-back moderated by front garden boundaries, Duns Tew

6.3 Perimeter blocks and active frontages

A general principle for the arrangement of building plots is 'public fronts, private backs' to ensure clarity between public and private spaces.

The elevation of buildings fronting the public realm should be 'active', to encourage human interaction and passive surveillance of the public realm.

This arrangement creates a 'perimeter block' with buildings fronting and providing a frame to streets and open spaces. The perimeter block arrangement is an effective means of designing out crime in that it provides a defensible front boundary with good surveillance from the street and a secure rear property boundary.

Layouts which confuse the relationship between fronts and backs or emphasise property access from the rear should be avoided.

Buildings face the street...

... and form a secure perimeter block

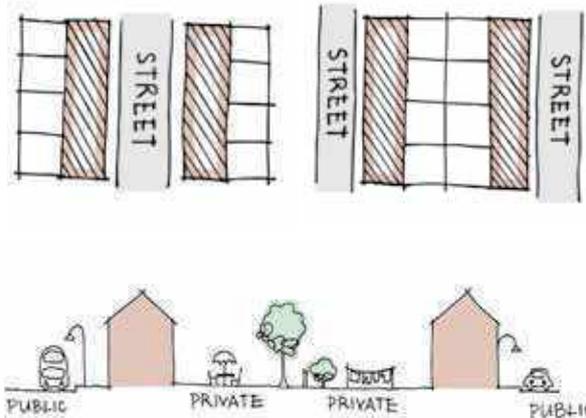


Figure 6.3 Front and back relationships



Mixed use urban square, Poundbury

Principles for perimeter blocks:

- Orientation for solar gain, wind patterns and microclimate must be considered in the form and structure of the block and frontages (see section 4.9)
- The boundary between the public realm and the private realm must be clearly defined by either the building line or garden boundary
- The principal frontage and main entrance to the property must face the main street (not the side street). This applies to all house types including apartment buildings
- The principal frontage must include front doors and larger windows
- Internally, living spaces and habitable rooms must be located on the principal façade overlooking the public realm
- Bathrooms and cloakrooms and the use of obscure glazing must be avoided facing onto the public realm and / or principal elevations. Kitchens are only permissible in this area where windows can be appropriately proportioned and detailed
- Elements which deaden the street such as blank building facades, garages and integral parking, and bin stores are not appropriate in the public realm
- Elements of non-residential uses which help to 'activate' the frontage to the public realm such as cafes or shops should be encouraged to spill out onto the street

Chapter 7 provides further guidance relating to the design of active facades.



Figure 6.4 Active frontage encourages human interaction

6.4 Scale

Building scale should respond to local context and proposed character.

Scale should be considered in relation to the enclosure of the street and the public realm, to give a comfortable height to width relationship and relate to the structure of the masterplan. This is explained in section 5.2. Perception of building scale is not only influenced by the number of storeys, but also by the form of the roof, the eaves height and internal floor to ceiling heights and local architectural character should inform the building height and form.

Principles for scale:

- In the majority of areas, building heights of two or three storeys are appropriate. Additional accommodation may be included in the roof space and/or in a semi-basement. Rooms in the roof space are encouraged
- Taller buildings may be appropriate in town centre locations, but individual buildings should be designed to fit comfortably with the general urban form
- A steeply pitched roof is an important component of the traditional Cherwell form. Shallow pitched and hipped roofs with a suburban character should be avoided (see chapter 7)
- For an informal area the eaves and ridge height can vary (minimum 200mm) from building to building to create an varied roofscape
- In formal streets, the eaves line and roof ridge should be consistent between neighbouring buildings
- Grander buildings, with higher floor-ceiling heights can be a positive addition



Two to three storey buildings, Adderbury



Two storey buildings some with rooms in the roof, Islip

6.5 Building typologies

Building forms should be simple and reflect the character and traditions of the local area.

Simple, traditional building forms based on a rectangular plan should be used. These forms can be easily grouped together to form a continuous street frontage accommodating a range of different building sizes. In most cases buildings should be designed to be in a terrace form.

There are two basic plan forms:

1. Wide frontage, narrow plan

- Simple facade with either symmetrical, classical proportions (up to three storeys) or cottage vernacular proportions (up to two storeys), with occasional half storeys
- Can be linked to form a terrace or be detached or in pairs
- Rectangular rear extensions can be used to create an L-shaped plan, if this is appropriately detailed. This will typically be setback from the building line, but may in prominent building locations form an integral part of the design

2. Narrow frontage, deep plan

- Simple facade with classical proportions (two-three storeys) or occasionally cottage vernacular proportions (up to two storeys), with occasional half storeys
- Should be linked to form a terrace or occasionally 'handed' to form a symmetrical semi-detached pair
- This form is generally not appropriate for detached houses
- Care should be taken to ensure that where wide gables occur, they are not visible from the public realm

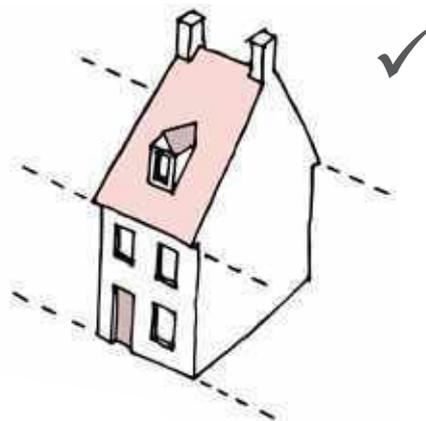
Figure 6.5 Basic typologies



Wide frontage, narrow plan terrace



Wide frontage detached



Narrow frontage, deep plan terrace

In both cases:

- The front façade of the property should be kept flat, apart from simple porches
- Roofs should be a simple pitch with ridgelines aligned parallel to the street and chimneys located on the ridgeline
- On occasion, a narrow frontage property may be arranged with its gable end to the road (see chapter 7 for guidance on building facades, roofs and chimney details). However, care should be taken to ensure that the gable proportions are well balanced
- The frontage of individual buildings or the terrace can be faceted or curved to respond to a change in street alignment, with adjustments to the internal building plan
- Garages and other outbuildings should relate well to the form of the main building
- Projecting bay windows should only be used occasionally
- Dormers can be used occasionally, when arranged in proportion with the property and neighbours, but overuse can disrupt the roofline

Figure 6.6 Examples of typical typologies



Wide fronted terrace, Adderbury



Narrow fronted 3 storey terrace, Banbury



Wide fronted, detached behind a garden, Bloxham



Narrow fronted, semi-detached, Islip

The following should be avoided:

- Projecting front gables (uncommon in Cherwell vernacular)
- Deep or square plan forms
- Hipped or pyramid shaped-roofs (overtly suburban character and difficult to group)
- Exposed wide gable ends (uncommon in Cherwell vernacular)
- Narrow fronted, detached houses (results in a gappy frontage)

Relationship between building size, form and plot

There is no limit on the size of property which can be successful accommodated in a terrace form, with examples ranging from workers cottages to mansion townhouses. A detached form should only be used for larger properties (a net floor area of over 100 sqm).

To avoid the appearance of ‘cramming’, detached properties should only be sited on larger plots which have sufficient generosity to balance internal and external space requirements effectively and accommodate car parking without garages and driveways dominating the street frontage.

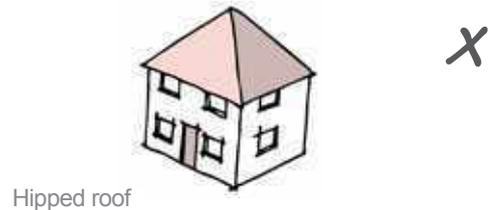
Chapter 4 provides further guidance on the relationship between building typologies and density.

Apartment buildings.

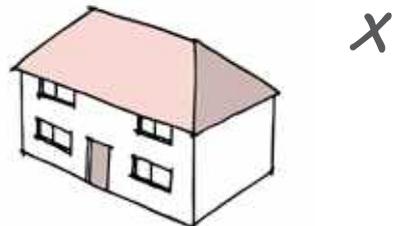
In general, apartment buildings should be designed to be indistinguishable from individual houses and subtly integrated into the street e.g. taking the form of a wide frontage, detached house.

In local centres or at transport hubs, a higher density and greater proportion of apartments may be appropriate. In these locations bespoke solutions for larger apartment buildings should be developed with Cherwell District Council.

Figure 6.6 Typologies to be avoided



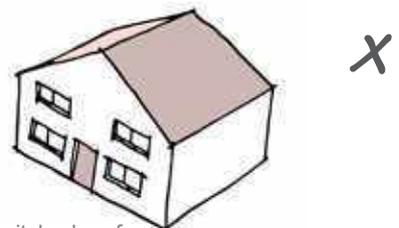
Hipped roof



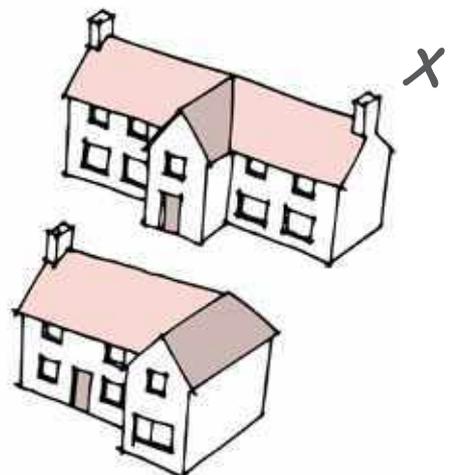
Square plan with pyramid roof



Shallow pitched gable end



Shallow pitched roof



Inappropriate projecting gables

6.6 Landmarks, vista stoppers and corner turners

Bespoke design solutions are required for important and sensitive locations including landmarks, corners and to terminate vistas.

These buildings lead the eye onwards and play an important role in helping people to understand and find their way around the settlement. While focal buildings are important, it is equally important that they work in context with those adjacent. The location of landmark buildings should be considered in the context of the masterplan and hierarchy of streets and places.

Landmarks

Landmarks should be located in prominent positions to help people navigate and remember the organisation of streets and places. They should be designed to draw attention, add interest and focus. They can be an individual building or a group or even a landscape feature. A landmark might include some of the following characteristics:

- Greater scale than its neighbours
- Grander proportions to its facade
- Increased ornamentation
- Distinctive architectural style or form e.g. a detached, classically proportioned house in an otherwise informal, terraced street
- Variation in materials

Vista stoppers

Vista stoppers are required to spatially enclose and frame views e.g. at the end of a street. Vista stoppers are not necessarily landmarks, but should be well proportioned and attractive building frontages or a public space framed by buildings. A vista stopper may also give sense of direction e.g. a curving group of buildings which lead the eye onwards.

- Where a building is used to terminate a formal street vista it should be arranged centrally to the view to give a sense of symmetry
- 'Dead' frontages such as blank facades or fences, garages or parking areas must not be used as vista stoppers

6



House at end of a street, South West Bicester



Landmark view, Bloxham



Prominently positioned house, Lower Heyford

Turning the corner

Corner sites are visually prominent. Where two streets form a junction, a bespoke design solution is required for the corner plot. This should respond to the hierarchy of each street.

- The corner should typically be turned by a group of buildings, especially on principal and high order streets and places
- A single building with two active fronts in (as shown in figure 6.7) may be acceptable along lower order streets
- Both frontages should be 'active'
- Greatest emphasis should be given to the principal street frontage in the overall hierarchy, with front doors and principal windows

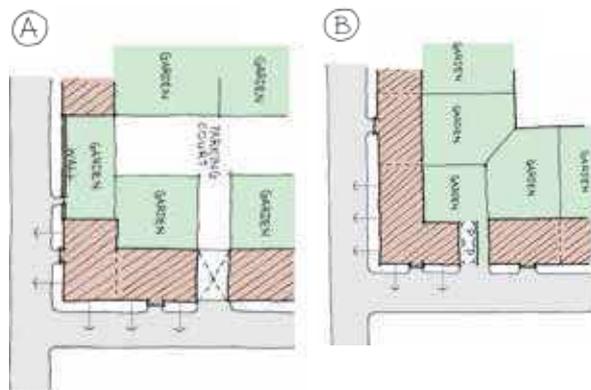


Figure 6.7 Plans of corner buildings

- The continuous frontage of a terrace could curve with the street. The plan of individual properties will need to be splayed to accommodate this
- If the corner is also to form a landmark, additional emphasis can be given to doorways and windows or the height can be raised subtly above the surrounding buildings, or a non-residential use incorporated at the ground floor

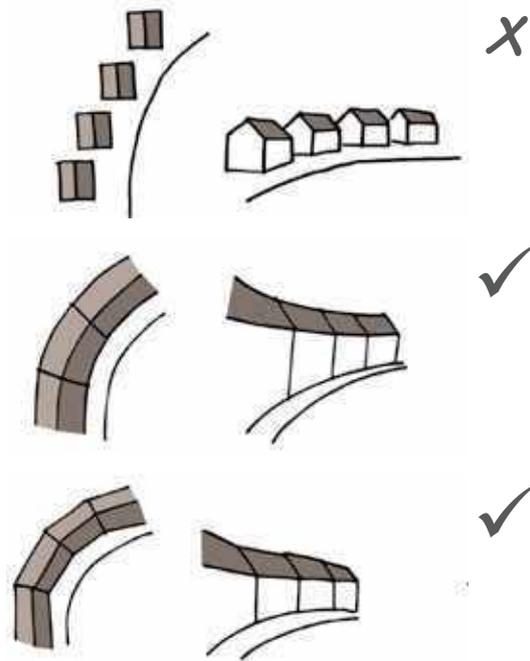


Figure 6.8 Diagram of continuous frontage (adapted from Essex Design Guide, Essex County Council)



Single corner building, Bloxham



Corner terrace in new development, Adderbury

6.7 Amenity space

Outdoor amenity space should be provided in the form of rear private gardens for houses and balconies, roof gardens or shared gardens for flats.

The amount of gardens and outdoor space should be appropriate to the size of the property, with an expectation that larger properties will be located within larger plots with larger garden, reflecting the likely needs of larger families.

Principles for amenity space

- Amenity space must be usable and receive sunlight for the majority of the year. Building heights, orientation and access to light must be considered to prevent overshadowing, particularly in north facing gardens
- Areas must not be overlooked, lack suitable privacy, or have other primary functions e.g. car parking, refuse storage and footpaths are not amenity space
- A minimum distance of 22m back to back, between properties must be maintained
- A minimum of 14m distance is required from rear elevation to two storey side gable
- First floor habitable room windows must not be within 7m of neighbouring property

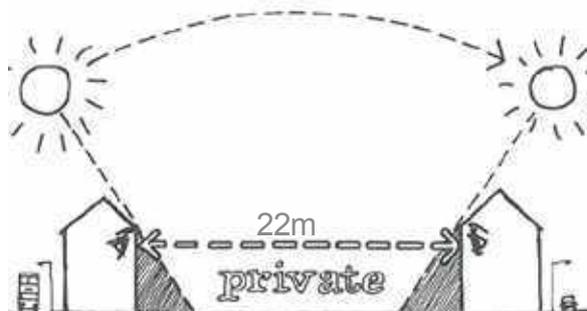


Figure 6.9 Amenity space and sunliting (source: Responsive Environments, Bentley et al. p15)



Existing mature tree incorporated within private garden space, Upper Heyford.



Mews street, approximately 7m wide, Trumpington Meadows, Cambridge

Boundary definition

There should be a clear definition between the public realm and private amenity space, through enclosure by walls, fences, hedges and other threshold features. This is important in establishing a sense of ownership. Boundaries often form important features in the public realm and contribute to the character of an area.

In general the boundaries to front and rear gardens should be as follows:

- Front garden walls (between the public realm and private front gardens) should be approximately 90cm high and in the same material as the front wall of the house, unless this is render, in which case the coping should be brick or stone. Gates in these front garden walls may be in painted metal or wood or stained wood, and should be the same height as the front garden walls.
- Metal railings are also appropriate, either on top of a low wall or as a stand-alone feature, especially on formal streets
- Rear and side garden walls separating the public realm from private spaces and including the boundaries to parking courtyards should be at least 1.5m high and should be in the same material as the front external wall of the relevant house
- Fences should not be used where visible from the public realm
- Gates within these garden walls should be in painted vertical timber boarding and should match the height of the relevant walls



Traditional boundary treatments

6.8 Materials

The choice of materials should vary across the masterplan in response to the proposed local character.

Materials are an integral part of the character of streets and places and should be used to reinforce the character of different places. The majority of the development should have a simple palette of high quality materials. Natural local stone and slate will be expected in key and sensitive locations, for example, on prominent frontages, key entrances into the site and in areas adjacent to public rights of way and the open countryside (see chapter 7).

The choice of material should create visual harmony across the street as a whole, with a limited palette of materials. An indiscriminate pepper potting approach should be avoided.

Section 7.3 provides details of appropriate materials in different parts of the District.



Simple palette of materials, Barford Road Bloxham



Use of local stone, Woodstock



A simple palette combining modern materials and local stone applied across buildings and the street, Radstone Fields Brackley



7 BUILDING ELEVATIONS AND DETAILS



7.1 Sustainability considerations

7.2 Façade proportions

7.3 Building materials

7.4 Detailed guidance

7.4.1 Windows

7.4.2 Roofs

7.4.3 Doors and porches

7.4.4 Decoration

7.4.5 External boxes

Building proportions, details and materials contribute to making a home functional and liveable. Of equal importance is the impact that the detailed design of individual buildings has on the character and visual coherence of the street as a whole. This chapter considers how the character and composition of places should be articulated and reinforced through the detailed design of building elevations.

The guidance contained in this chapter is more detailed and prescriptive than earlier chapters, setting out simple rules on proportional relationships, materials and detailing.

The vernacular architecture of Cherwell has a simple form and use of details and it is this simple pared back architecture that gives the area its distinctive character. The detailed design of buildings including the choice of materials is important in reinforcing the character of the scheme which is established through the masterplan.

Buildings should be designed as part of an overall street composition rather than designing individual buildings in isolation. Details are also important in providing living environments which are functional and comfortable. The vernacular architecture of Cherwell is very simple and care should be taken to ensure that a limited palette of materials and details are considered.

CDC promotes innovative and sustainable architecture and are happy to consider modern architectural solutions, where they are of exemplary design and in the right context. Further information is set out in chapter 8.

Where a more traditional approach to building design is being taken, it is important that this does not follow a generic 'traditional' style, which has little relationship with Cherwell. The guidance set out in this chapter promotes an approach to architectural design and materials that reinforces the area's character.

New development in Cherwell should promote:

- Well proportioned, simple facades in keeping with the character of the District
- Details which perform a functional role, protecting the building from water ingress etc. and which are designed to be long lasting and low maintenance
- Details which reinforce the role of each building in creating a visually coherent scheme
- Bespoke house types which integrate locally appropriate details as part of their construction. The Council will expect to see bespoke design solutions reflecting local character for elements including windows, doors, porches, bay windows, dormers, roofs and chimneys. Careful attention should also be paid to the finer details such as eaves, verges, quoins, plinths which must be in keeping with local tradition (see detailed guidance in section 7.4)
- The use of high quality, locally appropriate materials across the scheme
- Affordable housing which is indistinguishable from market sale homes
- Careful location of windows and doors within the facade which:
 - informs the overall organisation of a building and the character of individual rooms. For example: larger windows and greater floor/ceiling heights bring a sense of space and light
 - has an impact on the energy efficiency of the building (see section 7.1) and the need for artificial light and heat

New development should avoid:

- A focus on the design of individual buildings rather than the overall street composition
- A scatter-gun approach to detailing and the use of materials, creating a visually incoherent scheme
- Use of inflexible, standard house types and detailing which are not reflective of local character
- Poorly proportioned facades
- The use of stick-on or skin deep elements to add 'character'
- Poor quality materials and poorly designed details which bring problems of repair and maintenance

Cherwell promotes well detailed simple form, using high quality materials and robust construction techniques. We expect details which are an integral part of the building design and the street composition. The use of 'stick-on' details to add character is not acceptable, neither is a scatter-gun approach to the detailing of individual houses with no consideration of the overall composition of the street.

The use of high quality, locally appropriate materials and details should be factored into the scheme cost analysis from the outset.

Please refer to the following chapters for supporting information:

- **Chapter 2:** For a summary of District's distinctive characteristics and character areas
- **Chapter 4:** For details of how the scheme's character is established through the vision and structuring principles of the masterplan and block structure
- **Chapter 5-6:** For details of how the character of individual streets and places will be established in the public realm and the composition of buildings
- **Chapter 8:** For further details on sustainability considerations
- **Appendix A:** List of Conservation Areas within the District

Further reading:

- **Conservation Area Appraisals, CDC**
- **Windows and Doors in Historic Buildings - Planning Guide 1, 2007, CDC**
- **Colour Palettes: Banbury, Bicester, Kidlington, 1996, Roger Evans Associates for CDC**

7.1 Sustainability considerations

Buildings should be designed to provide good, practical and economic natural lighting, ventilation and thermal insulation.

Across the District, new development should seek to increase standards of sustainable design, the principles of which should be established through the masterplan layout and block structure. In particular, the orientation of development blocks has a significant impact on the potential to reduce the need for heating through passive solar gain and the potential for successful PV and solar water heating. Section 4.9 and chapter 8 provide further details on this issue.

CDC is planning to produce a Sustainable Building Supplementary Planning Document which will provide guidance on a range of measures, such as reducing energy and water use in the design of new buildings. This approach should be applied in an integrated way which is complementary to the wider character-led objectives of this Guide i.e. the use of locally appropriate building forms, materials and details.

Opportunities to consider include:

- Window design in response to passive solar gain and building orientation
- High standards of insulation including glazing
- Thermal mass of building materials
- Natural/passive ventilation or efficient mechanical ventilation
- Low temperature heating systems such as underfloor heating
- Solar water heating
- Photovoltaic panels
- Ground sourced heat pumps
- Heat exchangers
- Low embodied carbon materials

Chapter 8 provides further details.

The Local Plan sets out in policy ESD 3 guidance on sustainable construction. In addition, the detailed design of buildings and the public realm should support increased levels of sustainability in broader terms for example:

- The inclusion of bat and bird boxes, and hedgehog fence holes to support biodiversity
- Encouraging recycling through appropriate storage and easy access (see chapter 6)
- Easy access to bicycle storage and provision of electric car charging points to encourage sustainable movement choices (see chapter 5)

Sustainability exemplar

Sustainable building is an integral part of all development. We promote exemplary standards of sustainability and innovation in architecture and further information on this is set out in chapter 8.



Photovoltaic panels, Trumpington Meadows, Cambridge

7.2 Façade proportions

The traditional arrangement of windows, doors and other elements varies from building to building, but can generally be described on a spectrum from the formal, classically arranged facades, to the more informal, with a cottagey character found in less grand properties particularly in the villages.

Formal vs informal

The choice of whether to apply a more formal or informal arrangement should be a response to the proposed character of the building, the street as a whole and its relationship to the wider context.

In determining whether a façade has good proportions the following rules of thumb should be applied (although innovative, modern architecture styles often breaks these rules successfully).

For all buildings:

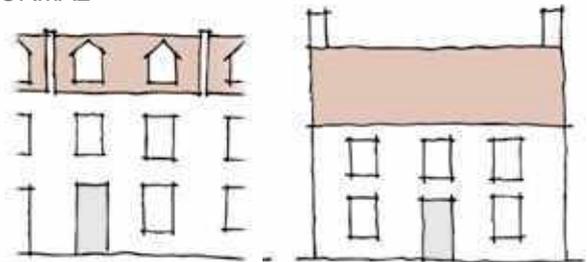
- Window openings should normally diminish in height as the building rises, so ground floor windows should be taller than first or second floor windows
- The arrangement of windows should consider the balance and proportion of the overall street façade
- Horizontal strips of windows should always be avoided

Formal / classical:

- Generally appropriate for townhouse, detached and semi-detached properties
- More symmetrical arrangement of windows often around a central front door, with windows aligned both vertically and horizontally and regularly spaced
- Windows typically have a strong vertical emphasis and may utilise the golden section (1: 1.618) or 1:2 width to height ratio
- Window generally occupy between 25-35% of the principal elevation
- Windows should be sash, with a symmetrical pattern
- Where dormers are used, they should be lined up with the windows below

Figure 7.1 Simple formal and informal facades

FORMAL



INFORMAL

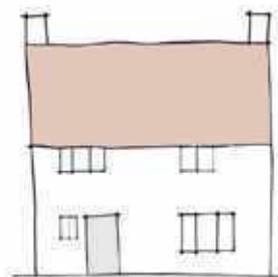


Figure 7.2 Unsuccessful facades



Informal / cottage style:

- Generally appropriate for smaller properties with lower floor to ceiling heights
- Less symmetrical arrangement of windows and front door, with varying window to wall relationships
- Windows generally occupy between 15-25% of the elevation
- Casement windows which are taller than they are wide should be divided by timber or stone mullions to give a horizontal emphasis
- Upper windows are often positioned very close to the eaves
- The use of dormers should be occasional and where used should be small scale
- Single casement windows are not appropriate

Figure 7.1 illustrates simple formal and informal arrangements. Figure 7.2 illustrates for comparison, an unsuccessful arrangement which is not quite symmetrical, has mean windows on the ground floor and an oversized dormer.

Apartment buildings

As discussed in chapter 6, apartment buildings should generally be designed to resemble a larger detached or townhouse property following the formal façade arrangement outline above.

In higher density locations, larger apartment buildings may be appropriate. The Council will expect to see a carefully articulated elevation, which has appropriate proportional arrangements and a level of variation in keeping with the overall character of the street.



Bloxham



Islip



Woodstock



Lower Heyford



Adderbury

↑ Formal

↓ Informal

7.3 Building Materials

A simple palette of locally appropriate materials should be used to bring visual coherence to the scheme as a whole. The palette should co-ordinate materials across buildings, boundary treatments and the public realm.

The use of a simple, consistent palette of walling materials is one of the most distinctive characteristics of Cherwell’s historic towns and villages. The North of the district is dominated by golden-yellow ironstone while paler limestone is used in the South. Red brick is also used, particularly in Banbury and Bicester. Chapter 2 provides further details on the distribution of materials across the District.

New development is expected to continue this tradition, through the use of locally characteristic materials for the construction of all new homes across the District. Tables 7.1 and 7.2 provides details of acceptable building materials and detailing.

Principles for use of building materials:

- Where stone is used it should be natural stone (not reconstituted or artificial stone)
- Brick should match local Banbury or Bicester brick
- The Council expect the proportions of natural stone , slate to be used:
 - 80% conservation areas
 - 60% village locations
 - 40% elsewhere
- Wood cladding, concrete and plastic substitutes for natural materials are not acceptable

- Variation in the use of materials between buildings or groups of buildings may be used as a means of reinforcing the character of key spaces or landmarks, but should generally be minimised so that the building line reads as a single element framing the public realm
- A building must be constructed in one walling material and a mix of materials is not acceptable. For example, ground floor brick and upper floor render. Where stone is used the same material should be used below the damp proof cause level. Exposed brick or other material will not be acceptable
- Garages and out buildings must be constructed in the same material as the main property
- Expansion joints should be avoided onto the public realm. Where required they should be discreetly located behind rainwater goods (i.e. gutters and downpipes)
- Soldier courses or other ornamentation is not normally appropriate
- The materials palette should be discussed and agreed with the Council at an early stage. The palette should include walling, roofing and boundary treatment/threshold materials. The palette should co-ordinate across buildings, thresholds details and elements of the public realm such as paving
- The colours of the palette should be informed by the Roger Evans Associates report ‘Colour Palettes: Banbury, Bicester, Kidlington’ produced for the Council

Table 7.1 Appropriate use of local stone

	Character Area					
	Bicester	Banbury	Ironstone Downs	Cherwell Valley	Ploughley Limestone Plateau	Clay Vale of Otmoor (including Kidlington)
Ironstone		Y	Y	Y (North)		
Limestone	Y		Y (south)	Y	Y	Y

Y = appropriate in this location
 O = occasional use only

Table 7.2 Materials and detailing

Walls (external walls and thresholds)

Material	Details
Ironstone	 <ul style="list-style-type: none"> Local ironstone with dark honey tones. Lime mortar Coursing Ashlar / finish Expansion joints (where necessary) should be out of sight e.g. located behind rainwater goods
Limestone	 <ul style="list-style-type: none"> Cotswold limestone (pale, oolitic limestone) Lime mortar Coursing Ashlar / finish Expansion joints (where necessary) should be out of sight e.g. located behind rainwater goods
Brick	 <ul style="list-style-type: none"> Colour: Soft toned red brick, reflecting local historic brick Beige bricks are inappropriate Variation in batch Texture Mortar Brick bonding should be stretcher, English or Flemish bond Garden wall bond should be used for garden walls
Render	 <ul style="list-style-type: none"> Self-coloured render or painted to reference brickwork or weathered stone, but in most cases should not be the main material (refer to Colour Palettes report, Roger Evans for colour details) Robustness and maintenance should be considered
Wood	 <ul style="list-style-type: none"> Only appropriate on barns, outbuildings etc.

<p>Railings / hedging</p>		<ul style="list-style-type: none"> • Painted black metal railings. • Full height or on top of brick / stone wall with coping • Hedges can be used to create a softer edge and can be used in combination with railings. • Black railings • No timber fencing onto public realm
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Roofs

Material	Details
<p>Clay tile</p>	 <ul style="list-style-type: none"> • Red plain clay tiles • Blue clay tiles on northern edge of district • No concrete or profiled duo imitation tiles.
<p>Slate</p>	 <ul style="list-style-type: none"> • Blue / black welsh slate • Stone slate • No imitation slates.
<p>Chimneys</p>	 <ul style="list-style-type: none"> • Chimneys throughout the District should be constructed of brick. • Clay chimney pots • •
<p>Rainwater goods</p>	 <ul style="list-style-type: none"> • Gutters and downpipes should be in painted metal (normally black)

7.4 Detailed guidance

The design of individual elements of the building façade including the windows, doors and the building's roof play a significant part in defining the character of a building and the wider settlement.

This section provides a set of simple rules for the detailed design of windows, dormers, roofs, doors and porches, decoration and external boxes. These apply to all new homes across the District.

7.4.1 Windows

General

Windows make a fundamental contribution to the character and appearance of buildings and settlements more widely. Guidance on the general arrangement and proportions of windows within the façade (solid / void relationships) is contained in section 7.2 and relates to the character of the building, whether formal/classical or informal/cottage style.

- The design of individual windows should be a response to building character
- Window details must match / be consistent on all elevations
- Slim line double glazing should be used
- There should be no frosted glass on any principal elevation
- Glazing bars should be structural and no ornamental plastic strips will be accepted

Casement:

- Casement windows should be side-hung, flush fitting and balanced casement widths
- The height of individual windows should always be the same or greater than their width
- Window openings wider than 450mm should be divided vertically and equally, by stone or timber mullions
- The frame on the hinge side should normally be fixed to a wall or a substantial vertical framing member/ mullion
- Windows frames should be timber or metal in Conservation Areas and other sensitive locations
- Single casement windows should not be used



Consistent window details, Upper Heyford



Casement window flush with wall, Bletchingdon

Sash:

- Sash windows must be vertical sliding with the upper and lower sash equal, and together filling the whole opening height
- Windows heights should be greater than their widths, with proportions in line with the Golden Section i.e. a ratio of approximately 1:1.618
- Windows frames should be painted timber in Conservation Areas and other sensitive locations

Recesses, cills, lintels and arches:

- Window recesses should normally be about 100mm.
- To achieve good visual contact between buildings and streets, window cill heights should not normally be more than:
 - 600mm above floor level in ground floor areas or living/dining areas at first floor level
 - 800mm above floor level in upper floor areas
- Flush cills are required (double cills are not acceptable)
- Stone and timber lintels are preferred (timber for casement windows in vernacular buildings), but brick faced lintels may also be used
- Where timber lintels are used they should be integral to the building (they should be a minimum of 150mm deep and have a 215mm margin at the edge of the window)
- Brick gauged flat arch or stretcher soldier arch are acceptable. On end brick lintels are not acceptable, neither are arched headers unless they are traditionally detailed
- Stone drip moulding may be used on stone lintels, where traditionally detailed



Sash window, Woodstock



Sash window, Bloxham

Dormer windows:

- Well-proportioned slim profile dormers should be used and be of a smaller scale than the lower windows of the elevation. Their construction must be integral with the main roofs
- Dormers should be located in one of three positions on the roofs:
 - at or below half-way up the roof slope (packed off one of the purlins), with the ridge of the dormer well below the main ridge of the house
 - at the eaves, aligned to the internal wall
 - at the eaves, aligned to the external wall face
- Gabled dormer roofs are preferred. Pitched roofs must be at least 40° to the horizontal. The facing material of the pitch should match the main roof of the relevant building. The cheeks and gable (if gabled) should be of roughcast render or lead
- The dormer cheeks should slim
- The windows themselves should be flush fitting, side-hung timber, two-light casements
- Flashing should be minimised and well detailed to ensure water runoff
- No glass reinforced plastic (GRP) to be used

Figure 7.3 Dormer window locations

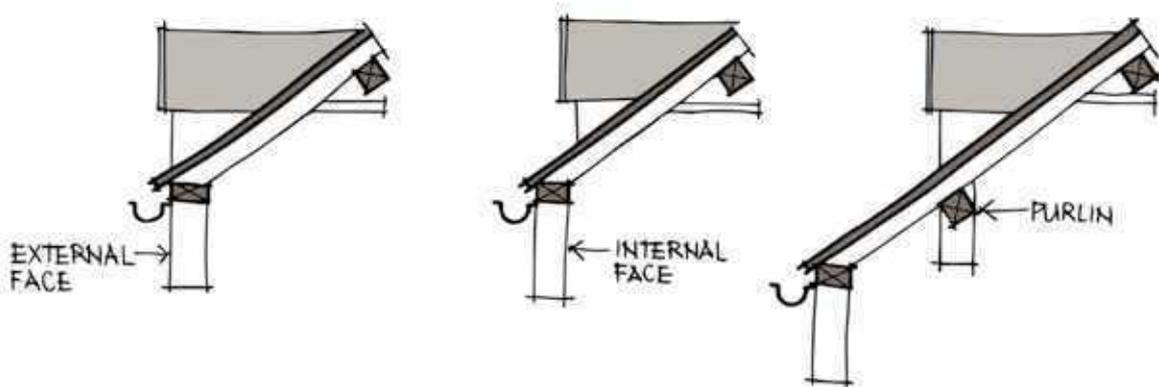
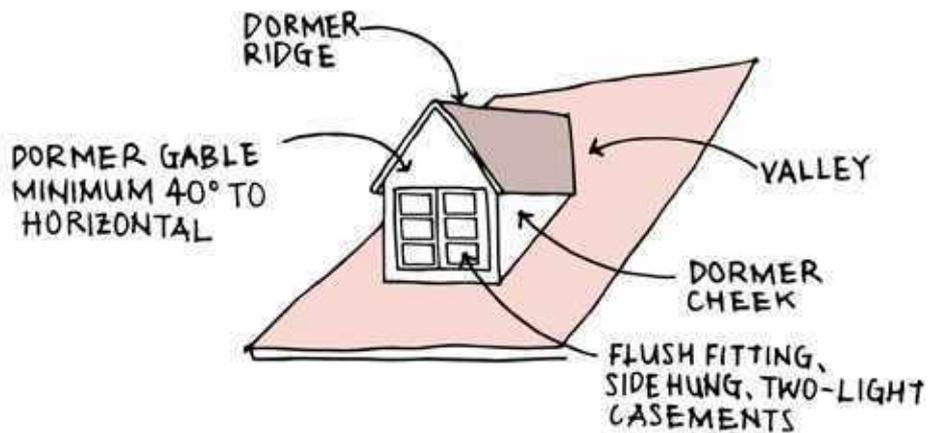


Figure 7.4 Annotated diagram of a dormer window



Rooflights:

- Rooflights are not acceptable on the front or principal elevation
- They should be flush between rafters
- Where used they should be parallel to the roof surface, with a vertical emphasis and modest in size (not normally more than 900mm in either dimension). They should be fully surrounded by roof tiles or slates
- Rooflights should be framed in wood or metal



Good examples of modern dormer windows, pitched roofs, slate tiles and brick chimneys, Woodstock



Small rooflights on rear elevation, South West Bicester

Sustainability exemplar

The size, type and arrangement of windows in relation to the path of the sun and prevailing winds can have a significant impact on the need for heating and lighting. Where appropriate to the character of the building and street, habitable rooms and larger windows should be located on south east, south west or south facing elevations. The northern side of the building is more suitable for service and storage areas, with smaller windows to reduce heat loss.

In sustainability exemplars, to maximise the potential for passive solar gain, the arrangement of rooms and building form may need to shift away from the traditional arrangement.

Chapter 8 provides further information on these aspects.

7.4.2 Roofs

Roof pitch angles and arrangements:

- Roofs must be pitched at least 40° to the horizontal with the ridgeline generally running parallel to the principal elevation
- Gables should have a narrow form where visible from the public realm
- Hipped roofs are generally not acceptable
- In the case of very deep buildings where there is substantial usable accommodation within the roof space, the central part of the roof (at least 4.5m back from the gutters) may be virtually flat – with only enough slope to allow rainwater to drain
- Garages and other outbuildings should have pitched roofs wherever possible
- Projecting gables can be used occasionally. They must be narrow in profile

Roof materials:

- Roofs should be of clay tiles or grey roof slates. Thatch and stone slates are also locally characteristic
- Profiled concrete tiles are not acceptable
- Tile hanging and timber boarding is not appropriate on gables.
- Photovoltaic panels and tiles will be appropriate in many locations. See Chapter 8 for further information

Roof verge and eaves treatments:

- Roof verges should be kept very simple, with a mortared edge and no overhang. No fascias or bargeboards should be used
- Eaves should be 'clipped' i.e. simply pointed with mortar, with minimal or no overhang and no soffits or fascias. Gutters should be as tight as possible to the wall face
- Occasional copings / parapet walls can be found in the district
- Gutters and downpipes should be in painted metal (usually black)
- No upvc clip edges on verges or gables



Steeply pitched roof with no overhang, Bletchington



Inappropriate use of upvc clip edges, and fascias to gable



Guttering, South West Bicester

Chimneys and their locations:

- Chimneys are an important feature because they punctuate the skyline, articulate the roofline and therefore form an important component in the character of streets
- They should be of brick masonry construction and integral to the building (both in terms of construction and location)
- Working chimneys are preferred either providing a route for smoke or effluent from open fires or boilers or for mechanical ventilation, or acting as a termination of soil vent pipes
- They should be rectangular in form, located at the edge of the ridgeline and central to the gable
- They should project a minimum height of 1m above the ridgeline, with proportions relating to the overall scale of the host building and adjacent structures
- Windows or doors should not be located below a chimney
- Clay chimney posts should be used



Rectangular brick chimney at edge of ridgeline and central to gable, Bloxham



Rectangular brick chimney at edge of mid-terrace dwelling, central to gable, Adderbury

7.4.3 Doors and porches

Doors:

- All external doors should be in painted timber with a simple, well-proportioned design appropriate to the type and character of the property. For buildings of a formal character either four or six panelled design is appropriate, while timber ledge, braced or boarded designs are in keeping with a more informal, cottage style
- Large glass panels and mock fan-lights should be avoided
- Doors should be recessed into the wall by at least 50mm
- Door furniture should be simple, functional and in keeping with the character of the building
- Side lights to doors are discouraged



Flat porch, Adderbury

Porches:

- Porches should be in proportion with the building façade. Wide porches which cover an area larger than the front door itself will in most cases be unacceptable
- They should be open to the front and sides so that they are effectively just a canopy
- Simple porches should comprise a hood with a gabled or flat form projecting over the door, supported by timber brackets
- Larger porches should be supported by posts, but be in keeping with the size of building and context
- The height of porch roof eaves should line up with the top of the relevant door frame
- Blind walls to the street with entry to the side are not acceptable
- Pitched porch roof materials must match the main roof material
- No fibreglass, plastic or glass reinforced plastic to be used



Simple gabled porch, Chesterton



Unsuccessful example of plastic faux-tile porch, Banbury

7.4.4 Decoration

- Decoration is generally not acceptable on most buildings and is not characteristic of the simple vernacular architecture of the District
- Where decoration is used it must be traditionally detailed, functional and have a clear purpose
- Where decorative features are used on key buildings to emphasise their importance, these should take their design cues from the surrounding area

7.4.5 Services

- The visual impact of boxes, vents and flues should be considered at a layout stage to ensure these features do not negatively impact on the public realm
- Vents and flues should not be located on the front facade
- Electric and gas meters should, wherever possible, be located as close to the ground as possible on side or secondary elevations where they are not visible from the public realm. For terrace properties where this is not possible, boxes should be installed at a low level, preferably behind a wall or planting
- The choice of box colour should consider the walling material and location. It is not possible to subtly match the colours, black should be the default



Subtle brick decoration



Simple hood mould decoration



Localised brick detail around doorways

8 INNOVATION AND SUSTAINABILITY



- 8.1 Sustainability and urban form**
- 8.2 Layout considerations**
- 8.3 Sustainable design and construction**
- 8.4 Sustainable technology**

CDC is a forward thinking Council which encourages innovations in design and construction to deliver higher levels of sustainability. The district has been leading the field in sustainability through the eco-town exemplar project at North West Bicester and is promoting the UK's largest self-build project at Graven Hill.

'Cherwell – safe, green, clean' is a priority of the Cherwell Business Plan 2017-18. There is a need to cut carbon, and since buildings make up 40% of carbon use, it is essential to use sustainable sources of energy and building technologies. New homes also need to be built to withstand less predictable and more extreme climatic conditions in the future. Other important considerations include water management, ecology, resource consumption and pollution, together with the wider social and economic aspects of sustainability.

Theme Three: Policies for Ensuring for Sustainable Development of the Cherwell Local Plan Part 1 2015 sets out the Council's strategy for ensuring that the impact of development on the District's environment is reduced, including taking steps to progressively reduce reliance on meeting energy needs from fossil fuels. Policies ESD 1 – ESD 17 deal with the Council's response to climate change including renewable energy and decentralised energy provision, sustainable construction, sustainable flood risk management and green infrastructure. Policy ESD 3: Sustainable Construction expects:

'All new residential development...to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy.'

This chapter provides further information on these topics but does not set out specific guidelines as to how you develop homes with higher levels of sustainability; this is a rapidly changing field and the principles vary depending on the type of development. Rather, this chapter provides overarching principles and inspiration, setting out key issues which must be considered by all developments in the District. It forms a precursor to the planned Sustainable Buildings in Cherwell Supplementary Planning Document.

New development in Cherwell should:

- Consider sustainability objectives at the masterplan, plot and building scale
- Incorporate innovation in a manner which reinforces the principles of good urban design
- Create robust places which can adapt to future changes in the way we live and use technology
- Create healthy buildings which provide a safe and comfortable environment for their inhabitants

New development should avoid:

- Incorporating innovations without fully considering the wider impacts on masterplan layout and character of place
- Ostentatious architecture that does not sit comfortably with its context
- Weakening the fundamentals of good urban design for the sake of innovation

Please refer to the following chapter for supporting information:

- **Chapter 2:** For a summary of the District's distinctive characteristics and character areas
- **Chapter 3:** For details of how site analysis should be undertaken to inform the masterplan
- **Chapter 4:** For details of how a robust masterplan structure should be established
- **Chapter 5-6:** For the fundamental urban design principles for street and plot design.

Further reading:

- **The Environmental Design Pocketbook (2nd Edition), 2016, Sofie Pelsmakers**
- **The Sustainable Building Bible: An Insiders' Guide to eco-renovation & Newbuilding, 2011, Tim Pullen**
- **Climate Change and Adaption Report – NW Bicester, 2012, R Gupta, H Du and M Gregg (Oxford Brookes University)**
- **www.greenspec.co.uk** – independent online resource promoting sustainable building products, materials and construction techniques.
- **www.bre.co.uk** – for details of BREEAM assessment criteria and best practice examples

8.1 Sustainability and urban form

Consideration of sustainability is integral to good masterplanning and architectural design. The fundamental principles of sustainability should be embedded in all build programmes in the District.

To deliver Local Plan policy objectives, it is expected that sustainability will be considered at all stages of the design process from masterplanning to detailing. Sections 8.2 – 8.4 summarise the key issues to be considered.

The majority of development schemes will be expected to closely follow the guidance of chapters 4-7 reflecting the vernacular tradition of Cherwell. Sustainable building technologies should be incorporated in a sensitive manner without detriment to the architecture or street scene.

CDC actively promotes schemes which deliver exemplary levels of sustainability as at Bicester Eco-town. CDC recognises that innovative, non-traditional architecture and street typologies may be an appropriate design response in these circumstances.

Where innovation leads to deviation from chapters 4-7 of the Design Guide, CDC will agree bespoke design solutions with scheme promoters which are nonetheless compatible with the wider character of the district and are of an exceptional urban, landscape and architectural design standard. Additional time and investment will be required to develop the design in consultation with the Council.

Non-traditional architecture should have a sense of belonging to Cherwell and should draw on the key characteristics of traditional streets and buildings in the district, such as:

- the use of a simple palette of local building materials
- simple, non-fussy architecture and building typologies
- the arrangement of buildings in a terrace providing a strong frame to the street

Modern architecture does not have to be ostentatious. While it is appropriate for landmark buildings and others which make a significant contribution to the fabric of a place to stand out, the majority of buildings should be polite and sit comfortably together. In all schemes, the core principles of good urban design must still apply. For example, CDC will expect layouts to follow the principles of the perimeter block (see section 6.3) with buildings fronting onto streets and spaces and a clear definition of public/private boundaries, regardless of the architectural character or street orientation.

Sustainable exemplars therefore can be more expensive to deliver both in terms of time spent developing the design in consultation with the council and the use of high quality materials and detailing creating a more expensive build cost. However, there are many long term benefits from this approach including increased fuel efficiency, balancing these costs over the life-cycle of a building.



Zero carbon terrace, Upton, Northampton

8.2 Layout considerations

The masterplan layout has a fundamental impact on the sustainability of the scheme.

Site location

A sustainable approach to site allocation is embodied in the policies of the Local Plan and tested through the Sustainability Appraisal process.

Environmental and climate factors such as flood risk, and the potential impact of development on biodiversity and landscape assets are assessed together with social and economic sustainability considerations.

The location of development has a significant impact on how a place will function in the future and the impact of development on the environment.

- Locating development in proximity to existing community facilities, town centres and employment areas assists in reducing the need to travel by vehicle for day to day activities, as does the creation of new places with sufficient scale and diversity to generate the need for new local centres and services
- Tying into existing public transport routes, walking and cycling networks also supports a shift towards more sustainable modes of travel and reduced energy consumption



Multi-functional green corridor.

Masterplan

Chapter 4 explains how the structuring principles of the masterplan should be established, following robust urban design principles to deliver new places which have long lasting sustainability. These principles should be followed by all new developments.

Where the vision is for a sustainable exemplar with high levels of energy efficiency, it is recognised that this will have an influence on the urban form of the masterplan and the design of individual buildings.

The key considerations for sustainability include:

Land use mix

- Providing a mix of different sizes and tenures of homes, and non-residential uses within walking distance to encourage social interaction and community cohesion, and to reduce the need to travel for daily essentials (see section 4.3)
- Avoiding urban sprawl by making efficient use of the site. Higher density schemes generate demand for public transport and local facilities. Terrace homes and apartments are inherently more energy efficient than detached homes. (see section 4.8)
- Creating flexibility within the masterplan for uses to change and places to adapt over time
- Considering the potential to use modern methods of construction to reduce waste arising from construction and improve the energy performance of homes. Implications should be considered at the masterplan stage, for example: modular construction may limit the available building typologies and their arrangement
- Considering the incorporation of sustainable energy strategies such as Combined Heat and Power and ground source heat pumps and the implications these technologies have on density and land use mix

Movement

- Creating a connected, permeable street layout which encourages walking, cycling and the use of public transport rather than use of private cars (see section 4.4-4.5)
- Connecting new places into the existing movement network of the surrounding area (see section 4.6)
- Providing appropriate levels of cycle parking and safe and convenient cycling routes to encourage cycling for medium length journeys (see section 5.4)

- Incorporating infrastructure for electric vehicles. Every home should have access to at least one electric charging point and 20% of spaces in public car parks should have electric charging points (see section 5.8) unless a car free development is proposed
- Considering the potential for low car or car free developments and the impact of these on street typologies and car parking arrangements including the use of car clubs
- Considering the implications of emerging transport technologies such as autonomous vehicles on street design and the provision of car parking



Electric vehicle charging point.



Green roof

Green infrastructure

- Retaining and incorporating existing hedgerows, trees and other landscape features as part of a connected blue-green infrastructure network across the site (see section 4.7)
- Planning sustainable drainage features early-on, to allow sufficient space within the masterplan and considering the implications for street design and character. For example: street swales will increase the width of the street and may need to be balanced by taller building to create an appropriate sense of enclosure (see section 4.7)
- Using sustainable methods to manage landscape features for example: using greywater collection for irrigation and solar energy for irrigation pumps

Microclimate - wind

- Avoiding exposure to strong north or north westerly winds or the creation of wind tunnels by careful consideration of street alignment and avoiding localised strong winds created by individual buildings which are much taller than their neighbours
- Using existing landscape features such as tree belts and hedges or the planting of street trees, tree belts, shrubs and grassland to provide shelter from strong winds and to moderate extremes of temperature through evaporative cooling

Microclimate - sun

- Considering the impact of street orientation and street proportions on the natural day lighting/shading and temperature of buildings, gardens and public spaces. Streets with a 1:1.5 to 1:3 height to width ratio allow for good natural daylighting and pleasing proportions (see section 5.3)
- Planting deciduous tree species to offer shading to buildings and public spaces in summer and allow sunlight in during the winter
- Considering the impact of street and building orientation on the potential to harness solar energy using photovoltaic panels. Orientating roofs within 15-20 degrees of due south maximises the potential for light and solar gain (see section 4.9). In sustainable exemplars this may be a key driver for the masterplan street layout
- Considering future changes in temperature and the impact this will have on choice of planting and materials within the public realm

8.3 Sustainable design and construction

Policy ESD 2: Energy Hierarchy and Allowable Solutions of the Cherwell Local Plan Part 1, 2015 sets out an ‘energy hierarchy’ to achieve carbon emissions reductions. At the top of the hierarchy is the need to reduce energy use, in particular by the use of sustainable design and construction measures.

Building form

The building typology and layout of homes has a significant impact on their performance, for example:

- Apartment and terrace buildings have a greater thermal mass than detached buildings and have reduced external walls area to floor area, which help to moderate temperatures fluctuations and minimise heat loss
- All homes should be designed to allow natural cross ventilation and cooling in summer, for example: dual aspect apartments with opening windows on front and rear elevations; higher floor to ceiling heights and the use of high level vents to allow hot air to rise and be expelled and cool air to be drawn in at low level
- The arrangement of rooms and windows should consider the path of the sun and prevailing winds to reduce the need for artificial lighting, heating and cooling, for example by locating living rooms

and larger windows on the warmer southern aspects, and minimising windows on cooler/ exposed aspects

- Windows should be double or triple glazed and incorporate shutters or louvres to regulate solar gain and provide additional insulation
- Green roofs and walls should be incorporated where appropriate to provide insulation, water management and biodiversity benefits

Passivhaus

All schemes should consider the potential to deliver Passivhaus buildings. A Passivhaus is a super-insulated and airtight building, which does not need heating other than from solar gains, people using the building and appliances. It is fitted with a Mechanical Ventilation Heat Recovery unit (MVHR), which ensures there is always fresh air at room temperature. The MVHR can be fitted with an electric heater for top-up heat. Passivhaus use only 10% of the heating energy compared to conventional new builds. Windows can be opened and the buildings are known for high room comfort and good air quality.

Further information on Passivhaus specification and certification is available from the Passivhaus Trust at <http://www.passivhaustrust.org.uk/>.



Larch House, Ebbw Vale is the UK's first zero carbon (code 6), low cost, Certified Passivhaus.

Building fabric

The concept of embodied energy (or more specifically embodied carbon) considers the greenhouse gas emissions which are created during the life cycle of a material for example during extraction, manufacturing, transportation, installation and demolition.

In choosing building materials, embodied carbon should be considered (together with pollution impacts) alongside the carbon savings arising from the performance of the material in the home.

Considerations include:

- Re-using and refurbishing existing buildings, rather than demolition and new build
- The use of recycled and reused materials including locally reclaimed bricks, reclaimed roof slates and tiles, and recycling or reusing waste products arising from demolition and construction on site
- The use of locally sourced materials to reduce the energy expended in transporting materials, to support the local economy and to maintain the traditions of building in Cherwell (see section 7.3 for guidance on appropriate local materials)
- The use of cement substitutes in the manufacture of concrete blocks such as ground granulated blast furnace slag (GGBS) and recycled aggregate (RA) and recycled concrete aggregates (RCA) to replace quarried aggregate, or alternatives to concrete such as Ziegler clay blockwork to reduce embodied carbon
- The use of Modern Methods of Construction (MMCR) where elements (panels or 3D volumes) of the building fabric are manufactured off site in controlled factory conditions. The potential benefits include increased build efficiency, high energy performance products and quality assurance, reduced construction waste, construction time and impacts on site. MMCR covers a range of construction types including timber frame and Structural Insulated Panels (SIPS) which are lightweight but deliver high thermal performance
- Ensuring all timber used is from PEFC or FSC certified sources, ensuring responsible management of the world's forests



Modular construction factory, Ashford
(image courtesy of Brooke Homes)



Murray Street, London (source: Andrew Farrar, AJ Buildings Library)

8.4 Sustainable technology

The use of digital apps allowing users to control home heating while out of the home, and smart energy and water meters gives householders greater understanding and control over their daily energy and water consumption.

This smarter use of resources should be combined with the provision of energy in efficient and renewable forms, to deliver comfortable, low cost living environments.

CDC's energy hierarchy promotes the following strategies in the order listed below:

- Supplying energy efficiently and giving priority to decentralised energy supply
- Making use of renewable energy
- Making use of allowable solutions (further details of this are to be set out in the Sustainable Buildings in Cherwell SPD and Local Plan Part 2)

Decentralised energy

Local Plan Policy ESD 4 provides details of the use of decentralised energy systems either District Heating (DH) or combined heat and power (CHP) systems, to increase the efficiency of energy distribution. Scheme promoters should refer to The Renewable Energy and

Local Carbon Map, Local Plan Part 1 Appendix 5 for locations with potential for decentralised heat supply in the district.

Combined Heat and Power (CHP)

CHP systems utilise the waste heat produced when fuel is burnt to generate electricity, to heat homes and water. In conventional power generation large quantities of energy in the form of heat are wasted. By using this technique, the total energy conversion efficiency can reach 90%.

CHP can use renewable fuel sources such as biomass (energy crop or organic waste product) or be gas-fired (non-renewable).

Traditionally CHP has been used at the district or community scale, and most effective in relatively dense, mixed use developments. Micro-CHP serving individual homes is now becoming a commercially viable alternative to the traditional gas central heating boiler, while also providing electricity.

In the longer term fuel cell technology which generates electricity and heat directly through the combining of hydrogen and oxygen, could be used for micro-CHP.



Solar energy capture on homes of traditional and modern design, Villers Road, London (source: Architects Journal)

Renewable energy sources

Alongside biomass CHP, solar, wind and ground source heat pumps should be considered as potential sources of renewable energy.

Solar

Solar energy is captured using PV cells or solar water heating panels and require a south facing, unshaded roof.

- Photovoltaic (PV) cells use light to generate electricity and often directly feed electricity into the building. With the latest PV technology, cells can also be integrated into the roof tiles themselves, minimising visual impact. The cells can be grid connected, off-grid or hybrid and groups of solar PV cells can be added together to provide increasing levels of power
- Solar water heating panels uses the radiation from the sun to heat water which can supply that heat either as hot water or into a central heating system. If the system has been sized correctly, it can provide at least 40-60% of all household hot water requirements throughout the year. Unfortunately the demands on the central heating system are at their highest when the sun is weakest so a solar heating system will only contribute to part of a household's heating energy requirements

Wind

Wind turbines may be appropriate to generate electricity for individual or small numbers of dwellings in rural areas, subject to appropriate siting of the turbine away from dwellings and careful consideration of wider visual impact. In urban areas, they are unlikely to offer a viable form of energy generation.

Ground and Air source heat pumps

Ground source heat pumps utilise the constant below ground temperate and transfer heat from below the frost line into the building. They are effective in combination with low energy heating systems such as underfloor heating.

Air source heat pumps use the same principle but extract the heat from the air, rather than the ground. Their installation is much simpler and cheaper but the available heat is not constant and limited in winter months.

These systems require electricity to drive them, but in an efficient system where the heat gained is significant, one kilowatt of energy can generate three kilowatts of heat. The pumps have fewer mechanical parts than conventional heating systems, making them durable and more reliable. They also do not require external venting as fossil fuel systems do, so they do not pollute the air.

Water management

Use of water in the home from the mains should be minimised in all developments utilising approaches including:

- The fitting of low flow water goods
- Retention of roof water, for example through green roof systems and water butts
- Rainwater harvesting from roofs and grey water recycling which can be used for irrigation and toilet flushing, amongst other things
- Recycling of grey water through dual plumbing systems
- Recycling of black water is also an option through biological solutions



Street and roof orientation optimised for PV effectiveness, NW Bicester.

APPENDICES



Appendix A: Reading list

Appendix B: Local Plan Part 1, Policy ESD 15

Appendix C: List of Conservation Areas (2017)

Appendix D: Countryside Character Areas, settlement classification

Appendix E: Net density calculation

Appendix F: Residential Road Design Guide, OCC, Appendix A6

Parking standards for the City & Districts

Appendix G: Cherwell Design Initiative

Appendix A: Reading List

Building Research Establishment, www.bre.co.uk

Berks, Bucks and Oxon Wildlife Trust, <http://www.bbowl.org.uk/>

British Geological Survey, <http://www.bgs.ac.uk/>

BS 5837:2012, Trees in relation to design, demolition and construction, 2012, BSI

BS 5906:2005, Waste management in buildings. Code of practice, 2005, BSI

Building for Life 12, Design for Homes, 2012, Design Council

Car Parking, What Works Where, 2006, English Partnerships

Cherwell District Council Strategic Flood Risk Assessment, 2009, Cherwell District Council, <http://www.cherwell.gov.uk/index.cfm?articleid=4356>

Cherwell District Local Plan 2011-2031 Part 1, 2015, Cherwell District Council

Climate Change and Adaption Report – NW Bicester, 2012, R Gupta, H Du and M Gregg (Oxford Brookes University)

Countryside Design Summary, 1998, Cherwell District Council

Colour Palettes: Banbury, Bicester, Kidlington, 1996, Roger Evans Associates for CDC

Creating Successful Masterplans, 2004, CABE

Environment Agency, <https://www.gov.uk/government/organisations/environment-agency>

Essex Design Guide, 2005, Essex County Council

Greenspec, www.greenspec.co.uk

Historic Environment Record <https://www.oxfordshire.gov.uk/cms/content/historic-environment-record>, Oxfordshire County Council

Listed Buildings Register <https://www.historicengland.org.uk/listing/the-list>, Historic England

MAGIC www.magic.gov.uk

Manual for Streets, 2007, DfT/DCLG

Manual for Streets 2, 2010, DfT

National Planning Policy Framework, 2012, DCLG

Natural England, <https://www.gov.uk/government/organisations/natural-england>

Office for National Statistics, <https://www.ons.gov.uk/>

Oxfordshire Wildlife and Landscape Study (OWLS), <http://owls.oxfordshire.gov.uk/wps/wcm/connect/occ/OWLS/Home>

Parking: Demand and Provision in Private Sector Housing Developments, 1996, J Noble and M Jenks

Planning Policy Statement 3: Housing, 2010, CLG <http://webarchive.nationalarchives.gov.uk/+http://www.communities.gov.uk/planningandbuilding/planning/planningpolicyguidance/planningpolicystatements/planningpolicystatements/pp3/>

- Responsive Environments, A Manual For Designers**, 1985, Bentley, Alcock, Murrain, McGlynn, Smith
- Residential Road Design Guide**, 2nd Edition 2015, Oxfordshire County Council
- Sewers for Adoption**, 7th edition 2012, WRc plc
- Site layout planning for Daylight and Sunlight: a guide to good practice**, 2011, BRE
- Susdrain**, <http://www.susdrain.org/> CIRIA
- Sustainable Design and Construction SPD**, 2016, Barnet Borough Council
- The Environmental Design Pocketbook (2nd Edition)**, Sofie Pelsmakers, 2016
- The Residential Car Parking Research**, 2007, DCLG
- The SuDS Manual (C753)**, 2015, CIRIA, www.susdrain.org
- The Sustainable Building Bible: An Insiders' Guide to eco-renovation & Newbuilding**, Tim Pullen, 2011
- Traditional Dormer Windows - Design Guide**, 2003, Cotswold District Council
- Trees in Hard Landscapes: A Guide for Delivery**, 2014, Trees & Design Action Group
- Urban Design Compendium**, 2nd Edition 2007, English Partnerships
- Urban Design Compendium 2**, 2007, English Partnerships
- West Oxfordshire Design Guide**, 2016, West Oxfordshire District Council
- Written Statement to Parliament - Sustainable Drainage Systems**, 2014, DCLG <https://www.gov.uk/government/speeches/sustainable-drainage-systems>

Appendix B: Local Plan Part 1, Policy ESD 15

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting. Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged (see chapter 3/ Conservation Area Appraisals)
- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation (see chapter 3/ Conservation Area Appraisals)
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages
- Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context

- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.
- The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.
- The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

Appendix C: List of Conservation Areas (2017)

Adderbury	Rousham (includes Lower and Upper Heyford)
Ardley	Shenington with Alkerton
Balscote	Sibford Ferris
Banbury	Sibford Gower and Burdrop
Banbury Grimsbury	Somerton
Barford St John	Souldern
Barford St Michael	South Newington
Begbroke	Steeple Aston
Bicester	Stratton Audley
Bletchinghamdon	Swalcliffe
Bloxham	Tadmarton
Bodicote	Wardington
Charlon-on-Otmoor	Weston on the Green
Chesterton	Wigginton
Cottisford	Williamscot
Cropredy	Wroxton
Deddington	
Drayton	
Duns Tew	
Fewcott	
Fritwell	
Hampton Gay, Shipton on Cherwell & Thrupp	
Hampton Poyle	
Hanwell	
Hethe	
Hook Norton	
Horley	
Hornton	
Islip	
Juniper Hill	
Kidlington: Church Street, High Street, The Rookery, Crown Road, Langford Lane Wharf	
Kirtlington	
Milton	
Mixbury	
Mollington	
North Aston	
North Newington	
Oxford Canal	
RAF Bicester	
RAF Upper Heyford	

Appendix D: Countryside Character Areas, settlement classification

Cherwell Valley

Claydon, Clifton, Cropredy, Great Bourton, Little Bourton, Lower Heyford, Middle Aston, Nethercote, North Aston, Northbrook, Somerton, Steeple Aston, Upper Heyford, Wardington, Willamscot.

Ironstone Downs

Adderbury, Alkerton, Balscote, Barford St John, Barford St Michael, Bloxham, Bodicote, Broughton, Burdrop, Deddington, Drayton, Duns Tew, Epwell, Hanwell, Hook Norton, Horley, Hornton, Lower Tadmarton, Milcombe, Milton, Mollington, North Newington, Shenington, Shutford, Sibford Ferris, Sibford Gower, South Newington, Swalcliffe, Upper Tadmarton, Wigginton, Wroxton.#

Ploughley Limestone Plateau

Ardley, Bainton, Bletchingdon, Bucknell, Caulcott, Caversfield, Chesterton, Cottisford, Fewcott, Finmere, Fringford, Fritwell, Godington, Hardwick, Hethe, Juniper Hill, Kirtlington, Little Chesterton, Middleton Stoney, Mixbury, Newton Purcell, Souldern, Stoke Lyne, Stratton Audley.

Clay Vale of Otmoor

Ambrosden, Arncott, Begbroke, Blackthorn, Bunkers Hill, Charlton-on-Otmoor, Enslow, Fencott, Gosford, Hampton Gay, Hampton Poyle, Horton-cum-Studley, Islip, Launton, Merton, Murcott, Noke, Oddington, Piddington, Shipton-on-Cherwell, Thrupp, Wendlebury, Weston-on-the-Green, Yarnton.

Appendix E: Net density calculation

Net density is calculated by including only those site areas which will be developed for housing and directly associated uses.

This would normally include the following uses:

- Access roads within the site
- Private garden space
- Car parking areas
- Incidental open space and landscape
- Children's play areas (where these are to be provided)

Net density normally excludes:

- Major distributor roads
- Primary schools
- Open spaces serving a wider area
- Significant landscape buffer strips

Appendix F: Residential Road Design Guide, OCC, Appendix A6 Parking standards for the City & Districts

A6.B – Cherwell Urban Areas Parking Standards

The parishes, which define the urban areas in Cherwell are:

- i. Banbury,
- ii. Bicester,
- iii. Kidlington,
- iv. Bloxham,
- v. Bodicote,
- vi. Adderbury,
- vii. Yarnton
- viii. Gosford & Water Eaton.

The car parking provision in new developments for the urban areas in Cherwell area are set out in Table A6.B1.

Number of bedrooms per dwelling	Number of allocated spaces	Number of spaces when 2 allocated spaces per dwelling are provided		Number of spaces when 1 allocated spaces per dwelling are provided		Number of unallocated spaces when no allocated spaces are provided
		Allocated spaces	Unallocated spaces	Allocated spaces	Unallocated spaces	
1	1	N/A	N/A	1	0.4	1.2
2	2	2	0.3	1	0.6	1.4
2/3	2	2	0.3	1	0.7	1.5
3	2	2	0.3	1	0.8	1.7
3/4	2	2	0.4	1	1.0	1.9
4+	2	2	0.5	1	1.3	2.2

Note 1: The rows in the table for 2/3 bedrooms and 3/4 bedrooms can be used when there are additional rooms in the dwelling which are not shown as bedrooms but where there is a high chance that they could be used as bedrooms.

Note 2: The Council will consider North West Bicester Ecotown as a special case provided that certain minimum criteria are met. If there is a full range of every day services provided within easy walking or cycling distance of the dwelling and convenient access to an efficient public transport system accessing a wider range of services including employment, one allocated car parking space per dwelling will be required, regardless of dwelling size or tenure. This may be on plot or off plot. Off plot provision may be grouped in a parking court provided the courts are small, close by, secure and conveniently accessed. Additional unallocated off plot car parking may also be provided according to the principles of this document up to a maximum of one space per dwelling. A lower standard of parking may be acceptable dependent upon the layout and accessibility to services and to other modes of transport in agreement with the Highway Authority.

A6.C – Parking Recommendations for all Other Areas in Oxfordshire (Other than Oxford and Cherwell Urban Areas)

Car parking provision recommendations for all other areas of Oxfordshire (other than Oxford and Cherwell Urban Areas) are set out in Table A6.C1.

Table A6.C1 Car parking Provision in New Developments for all Areas of Oxfordshire (Other than Oxford and Cherwell Urban areas)						
Number of bedrooms per dwelling	Number of allocated spaces	Number of spaces when 2 allocated spaces per dwelling are provided		Number of spaces when 1 allocated spaces per dwelling are provided		Number of unallocated spaces when no allocated spaces are provided
		Allocated spaces	Unallocated spaces	Allocated spaces	Unallocated spaces	
1	1	N/A	N/A	1	0.4	1.2
2	2	2	0.3	1	0.6	1.4
2/3	2	2	0.3	1	0.8	1.6
3	2	2	0.4	1	0.9	1.8
3/4	2	2	0.5	1	1.1	2.1
4+	2	2	0.6	1	1.5	2.4

Note: The rows in the table for 2/3 bedrooms and 3/4 bedrooms can be used when there are additional rooms in the dwelling which are not shown as bedrooms but where there is a high chance that they could be used as bedrooms.

Appendix G: Cherwell Design Initiative

The Design Guide is an important document in establishing a positive design agenda across the District. It cannot in isolation secure high quality design across the district, but needs to work in combination with other programmes if good quality design is to be secured. This includes:

- i. Design Training
- ii. Development Audit
- iii. Use of Design Review Panels
- iv. Use of Design Coding
- v. Use of Developers Briefs

i. Design Training of Planners and Elected Members

Equipping planners and members of the planning committee with the skills to confidently comment and negotiate on planning applications in the planning process is critical to the success of the Guide. Regular training will be provided to planners and elected members on key issues to ensure the optimal use of the Design Guide.

ii. Development Audit

The Guide has been written to promote high quality design principles, but also to reflect the development challenges that CDC face as a Local Planning Authority. A development audit will take place every two years to review the quality of development and consider whether changes to the Guide are required.

iii. Design Review

The use of Design Review Panels provides a forum where the design principles, masterplans and design details can be tested with a range of independent experts. Design review can help to achieve high standards, by testing the design principles that are embedded within the scheme, to ensure that these are fit for purpose and that the development is in the right place and responds well to its surroundings. Design review is referred to in paragraph 62 of the National Planning Policy Framework. This says that local authorities should have local design review arrangements and that they should give weight to the findings of design review panels.

Design review:

- Makes it easier to resolve design issues in the planning process
- Can help to improve the design of a project; identifying ways to make it function better and be more user-friendly
- Helps to achieve consensus around design objectives, and offers ways of engaging with interested parties e.g. highways officers, politicians and communities
- Offers a fresh perspective, providing solutions to seemingly intractable design issues
- Can help to address the viability question. In some cases projects can be simplified through more efficient design solutions or improved design can unlock higher sale or rental values

At CDC we have promoted the use of design review Panels on many schemes and the feedback has been positively received by developers, members and planners. One of its main benefits is its independence, supporting a dialogue which is isolated from the on-going negotiation between Officers and Developers. It helps all parties stand back from the development process to take stock. It has been a useful tool to help applicants and planners to promote good design and identify poor design.

There are three design panels that we use:

- BOB MK: small scale local residential schemes
- Design South East: strategic local plan schemes
- CABE: regionally important sites, such as exemplar and town centre regeneration schemes

We are currently investigating the option for a Bicester Design Panel, which will provide specific guidance relevant to the Bicester Garden Town Agenda.

In all cases, panel members are drawn from a variety of fields, including urban designers, town planners, architects, landscape architects, developers, engineers and chaired by an experienced practitioner who ensures that the review remains focused at all times and that everyone is given the appropriate opportunity to participate.

Timing

The point in the design process when design review should be undertaken will vary according to the scale and nature of the project. For the majority of developments this will be part way through the design process, when the strategic design approach has been established, but before the detail has been fully resolved.

This approach provides time for the review to become a constructive part of the design process and allow for any issues raised by the panel to be thoughtfully integrated before a formal planning application is submitted. With the smaller scale projects such as the public buildings and private houses it might be more appropriate to use design review at the later stages of the design process.

Strategic projects - Outline:

- Design workshop as part of pre-app process
- Design review of application when it is validated
- Design review of final scheme, where significant changes were required to proposals

Strategic projects – Full / Reserve Matters:

- Design workshop as part of pre-app process
- Design review of application when it is validated
- Design review of final scheme, where significant changes were required to proposals

Major Sites:

- Design review when application is validated

Other Sites:

- Rural exception sites
- On a case-by case basis

iv. Design Codes

The objective of design codes is to provide a clear framework for development that is supported by all parties. This is particularly important on sites with multiple land holdings or where the site is likely to be constructed by several developers / house builders over the life of the scheme.

Design codes are particularly relevant to strategic development sites (over 300 units) where the requirement for design codes is conditioned in the approval of the Outline Application. For sites identified in the Cherwell Local Plan, this requirement is set out within site specific policies in the Cherwell Local Plan.

The Council see design codes as being important to:

- Establish a long term vision and design led framework for the site
- Build upon the work established by the outline planning application and the design and access statement for the area
- Ensure overall coordination and consistency between development sites
- Provide a level of certainty to the Landowner, Council, Developer and the community
- Provide a clear guide for developers working on individual plots and sets the context for more detailed design work.

It will be important that the codes establish the design principles in five areas:

- Vision and development framework
- Streets / movement network
- Public realm
- Urban form and morphology
- Materials and details.

Establishing the level of prescription for the codes will be important and clear performance criteria should be established for each development area, setting out the level of prescription alongside desired and mandatory requirements.

Design codes need to convey a lot of information and can often be complicated and difficult to understand to a third party. It is important that the format of the codes is clearly thought through at an initial stage and that early pages set out how the codes should be used / navigated. Good design codes make extensive use of plans, sections and 3D illustrations to set out the objectives for each area. Simple illustrations can often explain much more than words and photos.

Stages of design code production:

1) Establishing a Vision and Development Framework

The first stage should build upon the work already undertaken for the site such as the Illustrative Masterplan and Design and Access Statement. Many of the key principles such as the movement network, building heights and density will have already been set out by the Design and Access Statement for the site.

The key aspects to focus on at this stage are:

- Define the character areas
- Define special conditions within character areas
- Define what the features / areas are that provide continuity through the site (e.g. Streets / public realm / landscape)
- Define the character cues which will differentiate the character areas. These should build upon the character of the existing site and it is anticipated that the cues will generally reflect the 20th and 21st century rather than traditional villages.

2) Streets / Movement Network

Streets and public realm form will be important in establishing a broad character for the site. Streets and open spaces will cross different character areas and will be important in providing continuity across the site. Streets should be designed as key aspects of the public space. The nature and form of the streets will vary according to their connectivity. The design of open spaces will vary depending on their location on site and their function.

The key aspects are likely to be:

- Scale and setting of the street
- The movement network should be designed to be pedestrian and cyclist friendly to maximise sustainable forms of transport. This relates both to the overall street hierarchy down to design and detail
- Parking should be carefully considered and is likely to vary depending upon the site location, density and housing typology
- SUDS and drainage
- Materials and details (with emphasis on materials which support a public realm approach)

3) Public Realm

The character of the public realm form will help to establish a broad character for the site that crosses different character areas. The design of open spaces will vary depending on their location on site and their function.

The key aspects are likely to be:

- Scale and character of open space. Some spaces, especially near the school and local centre are likely to be formal in character while other spaces, such as areas dominated by SUDS and ecological features are likely to have a less formal character
- Landscape and planting
- Front threshold detail
- Private gardens.

4) Urban form and morphology

The way that buildings relate to one another is one of the most important aspects that can be used to define an areas character. The proportion, massing, shape and layout of buildings will be important elements of character. Other cues such as defining building lines, eaves heights, ridge heights, alongside the rhythm / spacing between buildings will be important in establishing formal or informal character cues.

The key aspects are likely to be:

- Urban form (relationship of buildings to one another)
- Building typology (terrace, detached etc.)
- Density
- Building lines (consistent or varied)
- Height / enclosure
- Roofscape (Roof form, consistent or varied eaves / ridge heights)
- Scale and proportion and the buildings and its fenestration (important for both urban form and detail).

5) Building Material and Detail

The materials and details are likely to vary in different areas of the site. We would expect a simple palette of materials to be established that will vary according to the character area and condition. The Council would support innovative construction approaches that further a sustainable approach to the development.

- Building detail (window arrangement and proportions, balconies etc)
- Building materials (for roof and main building fabric. This can also include materials that will not be acceptable)
- Scale and proportion and the buildings and its fenestration (important for both urban form and detail).

v. Planning Briefs

Planning briefs aim to assist in the redevelopment of sites by acting as a 'stepping stone' between the matters that will need to be addressed in any application for planning permission and the local policies contained in the Cherwell Local Plan. These documents are used to set out the council's vision and requirements for the development of a site /collection of sites. Planning briefs vary according to factors such as: the nature of the site; the location; the ownership of the site; and the political context.

A planning brief is generally produced for strategic, complicated and sensitive sites which require more detailed planning guidance. It is anticipated that these documents will provide consistent, quality guidance to developers, and thus improve the planning process and the quality of the final development.

Planning briefs are used in Cherwell to:

- Provide site specific guidance for the development of strategically important sites
- Set out the vision for development of an area
- Improving the quality of development.
- Improve the efficiency of the planning and development process; and
- Help promote the development of a difficult site, with complicated constraints and / or land ownership patterns

A planning brief provides more detail of development options and issues than Local Plan Policies, but does not alter policies in the local plan. A good planning brief should help to provide clarity in the development process; making it clear what is likely to be acceptable and what is unacceptable; where there is flexibility and where requirements are firm.

At Cherwell, planning briefs typically contain information on:

Site constraints

- Heritage and archaeology
- Hydrology and flooding
- Existing movement network
- Land ownership
- Landscape
- Services

Context

- Urban form and character
- Landscape structure
- Streetscape and public realm

Urban Design Issues

- Framework plan
- Uses
- Heights and massing
- Landmark features
- Public realm

Appendix 14B
Developer Contributions SPD

Developer Contributions Supplementary Planning Document (SPD)

February 2018

Cherwell District Council



DISTRICT COUNCIL
NORTH OXFORDSHIRE

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1. INTRODUCTION

Purpose of this Document

- 1.1. The purpose of this Developer Contributions Supplementary Planning Document (SPD) is to set out Cherwell District Council's approach to seeking Section 106 planning obligations in the absence of a Community Infrastructure Levy (CIL) Charging Schedule within the District.
- 1.2. This guidance does not cover every possible circumstance and/or obligation that may need to be taken into account, but it provides a clear indication of the Council's essential requirements from new development in respect of the provision of infrastructure, community facilities and services. It will enable developers to understand planning obligation requirements and costs from an early stage in the development process and to make appropriate provision when formulating costs and undertaking financial appraisals.
- 1.3. Since the introduction of the Community Infrastructure Levy Regulations 2010 (as amended) ('CIL Regulations'), developers are expected to contribute towards the provision of infrastructure through a combination of mechanisms: paying a levy through CIL (if adopted at local level), S106 obligations, planning conditions and S278 highway contributions.
- 1.4. The CIL Regulations mean that since 6 April 2015 the use of Section 106 obligations has become more restricted, with the Council only able to pool a maximum of five separate obligations (entered into on or after 6 April 2010) for a specific infrastructure project or a type of infrastructure.
- 1.5. The CIL Regulations have recently been the subject of review by Central Government. The CIL Review Group was established by the former Communities Secretary and former Minister for Housing and Planning in November 2015. The purpose of the review was to *'Assess the extent to which CIL does or can provide an effective mechanism for funding infrastructure, and to recommend changes that would improve its operation in support of the Government's wider housing and growth objectives.'* The report was submitted to Government in October 2016 and published in March 2017. It is anticipated that an announcement on the Government's response to this review will be made in 2018.
- 1.6. The timing and scope of the Government's review is outside the control of the Council. The guidance in this document is therefore provided within the parameters of existing regulations and adopted local plan policies. The Council will, however, undertake to

review this guidance should it introduce a CIL Charging Schedule (or other infrastructure tariff in accordance with new government legislation) in the future.

- 1.7. Appendix 16 details the types of infrastructure that will be covered by S106 planning obligations and what will be covered by CIL if a CIL charging schedule is adopted by the Council in the future.

What are Planning Obligations?

- 1.8. A planning obligation is secured by either a deed of agreement or a unilateral undertaking made under planning legislation (Section 106 of the Town and Country Planning Act 1990 (as amended)) in association with a planning permission for new development. It is normally applied to aspects of development that cannot be controlled by imposing a planning condition or by the use of other statutory controls. Planning obligations are legally binding and enforceable if planning permission is granted. They also run with the land. They can cover almost any relevant issue such as types of infrastructure or services and future maintenance.
- 1.9. Planning obligations should only be used where it is not possible to address the unacceptable impact of development through a planning condition (NPPF¹, paragraph. 203).
- 1.10. In addition, CIL Regulation 122 states that the use of planning obligations should only be sought where they meet all of the following three tests:
 - They are necessary to make a development acceptable in planning terms
 - They are directly related to a development
 - They are fairly and reasonably related in scale and kind to the development.

What is CIL?

- 1.11. CIL is a tariff charged on new development that the Council can choose to adopt to support the provision of infrastructure. Once adopted CIL is fixed, non-negotiable and enforceable.
- 1.12. To introduce CIL the Council must set a CIL rate or rates in a Charging Schedule, and follow two stages of consultation and an Examination in Public prior to adoption and implementation of CIL. The Council has consulted on both a Preliminary Draft and Draft CIL Charging Schedule. Work has however since been 'paused' on CIL pending

¹ National Planning Policy Framework

the outcome of the Government's review of CIL. Further guidance from the Government is awaited.

Relationship between CIL and Planning Obligations

- 1.13. The Government currently intends CIL to provide for infrastructure to support development rather than specifically to make individual development proposals acceptable in planning terms. Government guidance indicates that site specific mitigation will still be sought through the use of planning obligations.
- 1.14. CIL Regulations 122 and 123 place limits on the use of planning obligations and makes the planning obligations policy tests (paragraph 1.10 above) a statutory requirement. These two regulations seek to avoid overlaps between CIL and planning obligations and to limit the pooling of planning obligations towards infrastructure provision that could be funded by CIL. The Government's intention is for local authorities to operate CIL and planning obligations in a complementary way.

Planning Conditions

- 1.15. Planning conditions cannot require the transfer of land ownership or the payment of monies. They are attached to a planning permission and set out details or required standards, timeframes, and works which must be carried out at prescribed stages in the development process. They may also require further details to be submitted in order to make a proposal acceptable.
- 1.16. NPPF paragraph 206 states that planning conditions should only be attached to a planning permission where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

Section 278 Agreements

- 1.17. Where a development requires works to be carried out on the existing adopted highway, an Agreement will need to be completed between the developer and Oxfordshire County Council under Section 278 of the Highways Act 1980². Examples of such works could be the construction of new access/junction improvement of the highway/junctions, or safety related works such as traffic calming or improved facilities for pedestrians and cyclists.

² Where works are required on a trunk road, Highways England will be party to the S278 Agreement.

- 1.18. The pooling restriction on planning obligations does not apply to S278 agreements. However, the CIL regulations prohibit CIL being spent on a highway scheme where a S278 agreement has been made.

2. POLICY FRAMEWORK

National Level

- 2.1. The statutory framework for planning obligations is set out in Section 106 of the Town and Country Planning Act 1990 (as amended); Regulations 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). The Council will also have regard to the advice in the National Planning Policy Framework (NPPF), particularly paragraphs 203 to 205; and PPS1 Eco Towns Supplement.

Local Level

- 2.2. The statutory Development Plan for the District currently comprises:
- The adopted Cherwell Local Plan 2011-2031 (Part1)(adopted July 2015 & incorporating Policy Bicester 13 re-adopted in December 2016)
 - The retained saved policies of the adopted Cherwell Local Plan 1996
 - The adopted Minerals and Waste Local Plan (Part 1 – Core Strategy) (adopted September 2017)
 - The saved policies of the Oxfordshire Minerals and Waste Local Plan 1996
 - Hook Norton Neighbourhood Plan 2014-2031
 - Bloxham Neighbourhood Plan 2015-2031
- 2.3. The adopted Cherwell Local Plan Part 1 contains the strategic policies covering the District and includes land allocated for housing and employment development at Bicester, Banbury and the former RAF Upper Heyford.
- 2.4. A Partial Review of the Cherwell Local Plan Part 1 is in preparation which seeks to contribute to addressing the unmet objectively assessed housing need from elsewhere in the Oxfordshire Housing Market Area (HMA), particularly from Oxford City. A proposed submission plan was published for public consultation on 17 July 2017 with comments invited until 10 October 2017. Work has also commenced on the production of Cherwell Local Plan 2011-2031 (Part 2): Development Management Policies and Sites.
- 2.5. Other key planning policy documents include:

- Supplementary Planning Documents (SPDs). SPDs expand upon and provide further detail to policies in Development Plan Documents.
- The Infrastructure Delivery Plan (IDP). The IDP is a live document adjusted over time and contains the infrastructure required to support **Policy INF 1: Infrastructure** of the adopted Cherwell Local Plan Part 1. An IDP was appended to the adopted Local Plan. IDP updates can be found on the Council's website.
- The Oxfordshire Local Transport Plan (LTP). The LTP provides the strategic framework for transport in the County.

2.6. The Council's Local Development Scheme sets out the programme for the preparation of the key planning policy documents.

Bicester Garden Town

2.7. In 2014 the Government announced that Bicester had achieved Garden Town status after the Council had successfully demonstrated plans to meet the necessary criteria of providing affordable homes, schools and jobs while preserving the countryside.

2.8. Since then two grants has been awarded to fund the necessary feasibility studies and provide capacity for the implementation of the Garden Town as set out in the adopted Cherwell Local Plan Part 1.

Healthy New Towns

2.9. In 2015 the Government launched its Healthy New Towns Programme. This programme promotes innovative ways to encourage people to live more healthy lives, and the many opportunities for the built environment to support this objective.

2.10. In 2016 Bicester was successful in being selected as one of the 10 exemplar healthy new towns. The Bicester Healthy New Town Programme aims to enable people who live or work in Bicester to live healthier lives and to prevent ill health in the future. The two key priorities for the programme are:

- To reduce the number of people who are overweight or obese so they are less likely to develop chronic health conditions in the future and;
- To reduce the number of people who feel socially isolated as that will have an important positive impact on peoples' mental and physical health.

- 2.11. The built environment has a role to play in promoting health and well-being of communities in the whole of Cherwell District and it is a Council priority to ensure new developments supports this aim.

3. PROCEDURES

General Approach

- 3.1 The Developer Contributions SPD once adopted will comprise the Council's current approach to planning contributions.

- 3.2 Although the scope for securing S106 planning obligations has been reduced since April 2015 due to the pooling restrictions, it is expected that planning obligations will still be sought for:

- Affordable housing; and
- Infrastructure which is required to mitigate the direct impact of a development. It should, however, be noted that this is a general guide and development proposals will continue to be assessed on a case by case basis with the individual circumstances of each site being taken in to consideration when identifying infrastructure requirements.

Planning Obligations

- 3.3 The Local Planning Authority (LPA) will assess each application to determine if a planning obligation is needed and if so what it should address. It will do this in consultation with other public bodies responsible for infrastructure provision. Oxfordshire County Council, for example, is a major provider of services and infrastructure.

- 3.4 The LPA, and other key agencies, will use planning obligations to:
- Secure general planning requirements that are necessary to allow the development to be permitted and where this cannot be achieved by way of planning conditions;
 - Ensure that there is a satisfactory infrastructure to allow the development to proceed and that the infrastructure provided will be maintained; and
 - Offset relevant adverse impacts, for example, on the environment, education, social, recreational and community facilities and transport that arise from the development where the development might otherwise have been refused because of those adverse impacts.

Pre-Application Discussions

- 3.5 As part of any pre-application discussions the LPA will seek to agree the requirements and Heads of Terms for any planning obligation.
- 3.6 It is the Council's strong preference, where applications and associated planning obligations are more complex, that negotiations occur, and agreement on Heads of Terms is achieved, prior to the submission of a planning application. Pre-application discussions can help to resolve potential problems and issues which may otherwise delay the determination of a planning application.
- 3.7 It is a local validation requirement that draft Heads of Terms accompany any application that requires a planning obligation.
- 3.8 A planning performance agreement can be a useful tool to focus pre-application discussions on the issues that will need to be addressed throughout the course of preparing and determining a planning application, and the timescales and resources that are likely to be required.

Unilateral Undertakings

- 3.9 In cases where a planning obligation is only dealing with financial contributions the LPA will encourage developers to make a unilateral undertaking and to make the relevant contributions on the granting of planning permission and/or at different stages of development.
- 3.10 This approach allows applicants for small schemes to reduce the legal costs and avoid potential delays often associated with legal agreements. The Council provides a standard form for a unilateral undertaking and this can be found on its website.

Cross Boundary Applications

- 3.11 Where an application site falls partly in another local planning authority area the Council will, as far as possible, work to coordinate proportionate planning obligation requirements with that authority. If however, agreement cannot be reached, the Council will seek obligations for the portion of the site that falls within the District.

Viability

- 3.12 A key objective of this SPD is to alert applicants of the likely level of planning obligations that can be expected from proposed developments well in advance of any

planning application being submitted. The developer can then factor these requirements in to any potential land transaction and/or scheme as early as possible in the development process and certainly prior to any grant of planning permission.

- 3.13 The Council will ensure, in accordance with the advice in the National Planning Policy Guidance (NPPG) when seeking contributions that, their combined total impact does not threaten the viability of the sites and scale of development identified in the Development Plan.
- 3.14 The NPPG states that in making decisions, the LPA will need to understand the impact of planning obligations on a proposal. Where an applicant is able to demonstrate to the satisfaction of the LPA that the planning obligation would cause the development to be unviable, the local planning authority should be flexible in seeking planning obligations. This is particularly relevant for affordable housing contributions which are often the largest item sought on housing developments. These contributions should not be sought without regard to individual scheme viability. The financial viability of the individual scheme should be carefully considered prior to a decision being made on the acceptability or otherwise of such a scheme.
- 3.15 The NPPG goes on to state that assessing viability should lead to an understanding of the scale of planning obligations which are appropriate. However, the NPPF is clear that where safeguards are necessary to make a particular development acceptable in planning terms, and these safeguards cannot be secured, planning permission should not be granted for unacceptable development.
- 3.16 The LPA recognises that financial viability is a material consideration. In exceptional circumstances it may be necessary for the Council to prioritise the securing of particular developer contributions having regard to the Development Plan, the needs of the locality and the particular characteristics of the site and its locality. However, there may be circumstances in which the material Development Plan policies and/or the needs arising from proposed development are such that contributions will be sought even if a viability assessment accepted by the Council demonstrates that the development would not be viable with the required contributions.
- 3.17 Where a disagreement arises about financial viability and the planning obligations sought, the applicant will be expected to provide the Council with clear and transparent evidence to support their case. In most instances this will involve the Council reaching an understanding based on a detailed open book financial appraisal, undertaken by an independent assessor. Where there are significant financial issues arising for other public bodies responsible for providing infrastructure (including Oxfordshire County Council), the LPA will expect that body to be actively involved in

this assessment process and conclusions. The Council will require this evidence prior to the granting of planning permission.

3.18 Section 106 Agreements can deal with issues of viability. For example, a developer may set out their 'predicted profitability levels'. In exceptional circumstances and on the basis of an open book appraisal prior to the determination of an application, it can be a requirement of the S106 Agreement for there to be a second viability appraisal at some point during the course of the development. If the results of this second viability appraisal show, for example:

- That the predicted profitability levels have increased then the Council will have a right to an overage, i.e. a further payment/provision of infrastructure or affordable housing to that already secured in the S106 Agreement;
- That the predicted profitability levels have stayed the same, then there will be nothing further to do with the S106 Agreement;
- That the predicted profitability levels have decreased, then the Council will negotiate further with the applicant concerning planning obligations.

3.19 All costs incurred by the Council in financial appraisal and viability assessment are to be met by the applicant.

Security and Timing of Payments

3.20 Financial contributions (apart from legal costs, which are usually paid prior to the completion of the agreement, and standard administration charges) will need to be paid prior to the implementation of planning permission or in accordance with a programme of agreed staged payments.

3.21 Prior to the making of a Planning Obligation, the developer should note the financial contributions payable and the corresponding triggers or payment dates as specified in the agreement.

3.22 Approximately 21 days prior to reaching a trigger or payment date, the developer should notify the Council of their intention to pay the financial contribution. If the developer notifies the Council of their intention to pay the financial contribution after the trigger or payment date has elapsed then late payment interest will be charged at a rate of 4% above the standard base rate or as otherwise stated in the Planning Obligation. In such circumstances, the applicant may also become liable for additional monitoring and enforcement costs.

- 3.23 The Council will then calculate the total financial contribution payable including any interest and/or indexation due and will provide a copy of this calculation to the developer. This calculation will be valid for a period of 14 days from the date of issue unless otherwise agreed in writing. If the calculation has not been agreed within 14 days and is shown to be arithmetically correct following the resolution of any dispute, then late payment interest will be charged as per paragraph 3.22 above.
- 3.24 Once the developer has agreed the calculation, the Council will issue an invoice to the developer for the agreed sum. The invoice issued will be subject to the Council's standard payment terms.
- 3.25 The Council will not accept payment of any financial contribution unless accompanied by a valid invoice.
- 3.26 Upon receipt, financial contributions will be held in a specific account before being transferred to the relevant internal departments or third parties (e.g. other public sector body, parish council etc.) responsible for spending the contribution.
- 3.27 The S106 agreement will include a clause detailing how and when any unspent funds will be refunded. Given that a unilateral undertaking, necessarily, does not have the Council as a party, there cannot be any obligations on the Council to return any unspent monies.
- 3.28 All receipts and spending of financial contributions will be recorded and monitored by the Council's Senior Manager-Development Management.
- 3.29 Please note that financial contributions payable to Oxfordshire County Council (i.e. those relating to highways and education and relevant administrative and monitoring fees) will be subject to a different process and developers are advised to refer to OCC's Developer Guide (available online) or contact the Oxfordshire County Council Infrastructure Funding Team for further information.

Fees

- 3.30 The Council's legal costs of preparing the Planning Obligation will be borne by the developer. These costs will be based on an hourly rate and will depend upon the complexity of the agreement and the length of time taken to settle the draft and proceed to completion. The Council will therefore require developers to provide a 'cost undertaking' to pay for the Council's reasonable fees, prior to it being able to instruct its acting solicitors.

- 3.31 The Council's reasonable legal fees will need to be met even if the planning obligation is not completed.
- 3.32 Standard unilateral undertakings will be subject to an administration charge covering legal costs and if necessary the transfer of money to third parties.

Monitoring and Enforcement

- 3.33 The Council monitors all Planning Obligations and will work with developers to ensure that financial contributions and non-financial obligations are delivered on-time. Monitoring fees may be charged in order to undertake such work, given that S106 Agreements/Unilateral Undertakings are made pursuant not just to section 106 of the Town and Country Planning Act 1990 (as amended) but also to section 111 of the Local Government Act 1972 and section 1 of the Localism Act 2011.
- 3.34 Where there is evidence of non-compliance with a Planning Obligation (such as the non-payment of financial contributions, failure to comply with an obligation, or failure to notify the Council of a due payment or event as required), the Council will seek to recover all reasonable administration costs incurred. This could include, for example, site visits, the recovery of any unpaid monies and/or correspondence.
- 3.35 If it is clear that matters within the planning obligation are not being complied with, the Senior Manager - Development Management will instruct the Council's Legal Team to take appropriate action to secure compliance. This could include for example, seeking a court injunction.

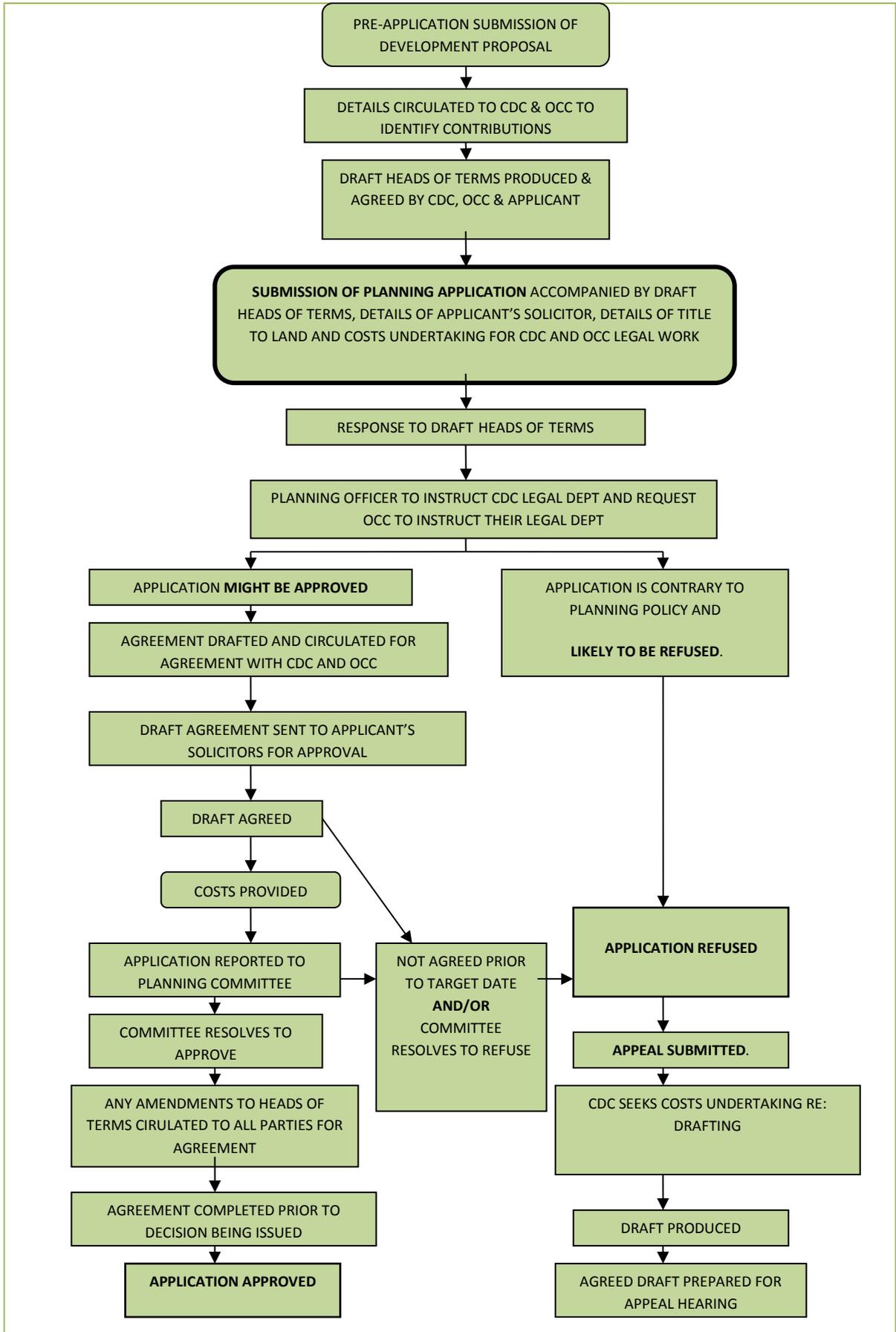
Indexation

- 3.36 Financial contributions are based upon the costs of infrastructure. Financial contributions will therefore be indexed (i.e. index-linked to inflation) to ensure that they retain their original 'real value'. The base date and appropriate index to be applied will be set out in the legal agreement.
- 3.37 Where a formula has been set for the calculation of contribution levels, any cost figures used will be updated regularly to take account of inflation and are the sums required at the time of negotiation.
- 3.38 All payment levels will be subject to an inflation factor (often RPI or CPI) adjusted according to the fluctuations between the date of the obligation and the quarter period in which payment is due to the District Council. The County Council will also adjust payments to it but these might be subject to different measures of inflation.

Dispute Resolution

- 3.39 Changes introduced by the Housing and Planning Act 2016 will amend the Town and Country Planning Act 1990 (as amended) by inserting a new section 106ZA and Schedule 9A which will give the Secretary of State the power to appoint someone to resolve issues that are holding up the completion of a planning obligation. As at the date of the SPD, these provisions are not yet in force.
- 3.40 Figure 1 overleaf provides an overview of the Planning Obligation process

Figure 1: Planning Obligation Process



4. SPECIFIC PLANNING OBLIGATION GUIDANCE BY TYPE

- 4.1. This section gives specific advice for various types of infrastructure commonly required by the Council to support development. However, as stated previously, it does not cover every circumstance and/or obligation that may be needed to make a development acceptable in planning terms. In all cases the LPA will ensure that the infrastructure sought complies with the three tests in CIL Regulation 122.
- 4.2. Appendix 16 offers a guide to the types of infrastructure to be covered by S106 planning obligations and what may be covered by CIL (or a similar replacement infrastructure levy) if it is introduced by the Council in the future.

Affordable Housing

- 4.3. Cherwell District has a high level of need for affordable housing. The Council's Housing Strategy 2012-17 recognises the need for affordable homes, and aims to ensure that Cherwell is well-placed to maximise investment by registered providers and to respond to opportunities as they arise.
- 4.4. The NPPF defines affordable housing as social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market.
- 4.5. The various types of affordable housing can be described as follows:

Social Rented Housing

- 4.6. Rented housing owned and managed by local authorities and registered social landlords, for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency as a condition of grant.

Affordable Rented Housing

- 4.7. Rented housing provided by a registered provider of social housing, that has the same characteristics as social rented housing except that it is outside the national rent regime, but is subject to other rent controls that require it to be offered to eligible households at a rent of up to 80% of local market rents.

Intermediate Housing

- 4.8. Housing at prices and rents above those of social rent, but below market price or rents and which meet the criteria set out above but does not include affordable rented housing. These can include shared equity products or other low cost homes for sale such as:
- Shared Equity;
 - Shared Ownership;
 - Discount Sale.

Requirements & Thresholds

- 4.9. Policy BSC 3 of the adopted Cherwell Local Plan Part 1 requires the following provision:
- At Banbury and Bicester all proposed developments that include 11 or more dwellings (gross), will be expected to provide at least 30% of new homes as affordable homes on site.
 - At Kidlington and elsewhere, all proposed developments that include 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 35% of new housing as affordable homes on site.
 - Where there is a requirement that part of an affordable home should be provided, a financial contribution of equivalent value will be required for that part only. Otherwise, financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances.
- 4.10. The adopted Cherwell Local Plan requires all qualifying developments (ie those developments comprising 11 or more dwellings (gross)) to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate housing. Social rented housing will be particularly supported in the form of extra care or other supported housing. It is expected that these requirements will be met without the use of social housing grant or other grant.
- 4.11. In calculating any affordable housing contribution the Council will apply 'vacant building credit' to qualifying developments. Guidance on qualifying developments will be provided by the Council's Strategic Housing Team.

Housing Mix

- 4.12. Adopted Local Plan policy BSC4 sets out the Council's housing mix requirements. In general there is a need to provide a mix of housing to reflect the needs of an ageing population, a growth in smaller households and the demand for family housing.

- 4.13. In all qualifying developments the mix of housing will be negotiated having regard to the Council's most recent evidence and evidence from developers on local market conditions.
- 4.14. Extra Care Dwellings will be important in meeting the needs of an older population. They comprise self-contained accommodation for older and disabled people which enables independent living by providing a range of support facilities on the premises and 24 hour care services. Housing sites of at least 400 dwellings will be expected to provide a minimum of 45 self-contained extra care dwellings as part of the overall mix. However, if the Council agrees that extra care housing would not be desirable in a particular location an equivalent amount of alternative specialist housing (use class C3) for older people will be required. All proposals will be expected to provide affordable housing in accordance with policy BSC3.
- 4.15. In some cases the Council may also seek to secure a small number of more specialist housing units which will provide accommodation for those with support needs. These will be sought in areas which are deemed to be appropriate and in discussions with applicants at an early stage.

Affordable Housing Standards

- 4.16. At present the Council' adopted local plan does not set out detailed policies on affordable housing standards, however, any registered provider will normally request that 50% of the affordable rented housing required will be built to Building Regulations Requirements M4(2) Category 2: accessible and adaptable dwellings. In addition, 1% of the affordable housing should be built to Building Regulation Requirement M4(2) Category 3: Wheelchair User Dwelling. This requirement will be assessed on a site by site basis in discussion with the developer.
- 4.17. It is expected that all affordable housing provided under a rented tenure will be built to the nationally described space standards. Intermediate housing which is deemed to be low cost home ownership should be built to the same or better space standards including garden sizes as the equivalent market housing on the site.
- 4.18. It is expected that where appropriate affordable housing should not be clustered in any more than 10 units of one tenure and 15 units of multiple affordable tenures with no contiguous boundary of the clusters. This is expected in the first instance and schemes should be developed with this in mind. However the Council will be flexible and pragmatic on this clustering approach when considering certain site constraints or scheme densities.

Viability

- 4.19. The Council will seek the provision of affordable housing on all qualifying developments in accordance with Policy BSC 3. However, if developers consider that the Council's policy requirements on affordable housing give rise to development viability issues they will need to fully justify their reasons. A detail of how the Council will assess viability issues is set out in Section 3 above.

Commuted Sum Calculations

- 4.20. Local Plan policy BSC3 states that only in exceptional circumstances will the Council accept commuted sums in lieu of on-site provision.
- 4.21. In the event that the Council accepts a commuted sum in lieu of on-site provision it will be calculated on the basis of the mix of tenures and sizes that the Council considers would have been appropriate for the site. The sum should be of a 'broadly equivalent value' of the developer/landowner contribution if the affordable housing was provided on site. The commuted payment will be based on a sum equal to the difference between an Open Market Value (OMV) and Affordable Housing Value (AHV).

Cherwell Local Plan 2011-2031: Partial Review – Oxford's Unmet Housing Need

- 4.22. In July 2017 the Council published its Proposed Submission Partial Review Plan. This is a focused Plan to provide Cherwell's share of the unmet housing needs of Oxford to 2031. It identifies a number of development sites with specific affordable housing requirements. Supported by a viability assessment the emerging policies in the Plan seek to meet Oxford City's requirements for 50% of its housing to be provided as affordable homes.
- 4.23. Oxford's Local Plan, its Housing Strategy and the Oxfordshire Housing Market Assessment (2014) describe the city's housing needs in detail. As Oxford's affordable housing need is so high the emerging Partial Review prescribes the mix of housing sizes needed for the defined 'affordable' element of the new housing supply. It also requires a higher level of affordable rent/social rented accommodation (80% of the total affordable housing requirement) than Cherwell's 70% requirement.
- 4.24. The affordable housing standards required by the policies in the Partial Review will be applied to section 106 negotiations once they have been adopted.

Further Advice

- 4.25. Detailed advice on the provision of affordable housing is available by contacting the Council's Strategic Housing Team.

Air Quality

- 4.26. Promoting sustainable development is a key focus of the adopted Cherwell Local Plan. The need to consider the effects of development on air quality, and how it can contribute towards improvements and mitigate against adverse impacts, is identified as a key challenge to ensuring sustainable development. Commuters in Cherwell travel relatively long distances and reducing travel by car and managing traffic congestion is a major challenge. Maximising the opportunity to shift from dependency on cars to sustainable modes of transport is also identified.
- 4.27. Policy SLE 4 includes a requirement for new developments to provide financial and/or in-kind contributions to mitigate the transport impacts of development. All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion.
- 4.28. In March 2017 the Council approved an Air Quality Action Plan (AQAP) as part of its statutory duties required by the Local Air Quality framework. It outlines the actions to be taken to improve air quality in the District between 2017 and 2020.
- 4.29. There are four Air Quality Management Areas (AQMAs) in the District where air quality does not meet national air quality objectives for nitrogen dioxide. These concentrations are largely related to road traffic emissions.

Requirements and Thresholds

- 4.30. All new development within or immediately adjacent to Local AQMAs, or those with traffic routed through an AQMA may be subject to section 106 agreements which require the implementation of measures to offset increases in local pollutant emissions, and /or make an appropriate financial contribution towards improvement measures or air quality monitoring.
- 4.31. The following mitigation measures may be required

- Measures during the construction of new development including dust control,, site monitoring and plant emissions;
- Improved access to public transport;
- The provision of on and off site facilities for cycling and walking;
- The management of car parking;
- Traffic management;
- Road infrastructure;
- Green Travel Plans;
- Monitoring of air pollution.

4.32. The Council will calculate the contribution sought based on the scale of the development and the trip generation for different uses.

4.33. The list of the current Local AQMAs and the actions required are set out in the Council's AQAP which can be viewed on its website.

Apprenticeships and Skills

4.34. Paragraph 19 of the NPPF states the Government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth. Securing the economic future of the District is the main priority of the adopted Cherwell Local Plan Part 1 ('the Plan'). The main focus of the Plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities. In particular, the Plan notes that as relatively large numbers of people in Cherwell are without qualifications and basic skills the level of education and training needs to improve. The Plan contains five strategic objectives for developing a sustainable economy. Strategic Objective 3 (SO3) aims, amongst other things, to support an increase in skills and innovation. Furthermore, paragraph B14 of the Plan states that the Council will support proposals to strengthen the skills base of the local economy which will include the promotion of local training providers.

4.35. The need to increase the number of apprenticeships locally is picked up by both the Oxfordshire Local Economic Partnership (OxLEP) and the South East Midlands Economic Partnership (SEMLEP). OxLEP's Strategic Economic Plan 2016 is committed to delivering 1150 more apprenticeships to 2020 within Oxfordshire. The SEMLEP Strategic Economic Plan 2015-2020 is seeking just over 94,000 apprenticeship starts within the SEMLEP area. Of these, it is anticipating that 7017 will be created within the Cherwell District. It notes in particular that there is a shortage of skills and an ageing workforce in the construction sector across the SEMLEP area and that there are significant opportunities for jobs growth in these sectors.

- 4.36. The Council approved an Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills in April 2016. This document provided detailed advice and guidance on the Council's approach to securing construction apprenticeships and skills through the planning system. This guidance has now been updated and is included at Appendix 13.
- 4.37. It states that the Council will require the provision of a stated minimum number of new construction apprenticeships (or apprenticeship starts) as part of a required Employment, Skills and Training Plan (ESTP) for each proposal for new development. The ESTP will be secured by S106 agreement.
- 4.38. A second key area of employment, skills and training for which S106 agreements will be sought is the 'end user phase' of commercial and mixed use development. S106 agreements will be used by the Council to support/provide the training and skills needed by local people to access the new job opportunities created by the development's end user. The ESTP, referred to above, will therefore also be required to address this end user phase.
- 4.39. Appendix 13 sets out the type of development and the thresholds on development that will trigger this requirement. However, if proposed developments fall below these thresholds and developers still wish to provide new construction apprenticeships, the Council will support them in doing so.

Cemeteries

- 4.40. The adopted Cherwell Local Plan Part 1 highlights a key community challenge for both Banbury and Bicester as being the need to provide additional burial site provision. Policy Bicester 9 and Policy Banbury 13 both make provision for additional burial site provision in their respective settlements. Both policies also state that developer contributions will be sought from new developments in the towns towards the establishment of such a facility.
- 4.41. In terms of need, the Local Plan Inspector appointed to examine the submission Cherwell Local Plan observed in relation to Policy Banbury 13, that: *'This policy confirms the local requirement for new burial site provision in Banbury with contributions from major new housing schemes to provide funding to facilitate an extension to the existing cemetery, subject to suitable ground conditions being demonstrated. The evidence of need is unquestioned and therefore the policy is soundly based and requires no modification.'*

- 4.42. In relation to Policy Bicester 9 the Inspector stated *'This policy confirms the urgent local requirement for a new burial site of around 4has in Bicester. It is consistent with the current expectation that it can be provided as part of the Policy BIC 1 scheme, with funding contributions from other housing developments in the locality to help secure delivery. The evidence of need is clear and unquestioned and therefore policy is soundly based and requires no modifications.'*
- 4.43. At Bicester it is anticipated that a site will be provided within the North West Bicester development area (Policy Bicester 1). At Banbury an extension to the north of the existing cemetery at Southam Road was granted planning permission in 2015 (planning application reference 15/01194/F).
- 4.44. Requirements for additional cemetery space in the rest of the District will be identified in the emerging Partial Review of the adopted Cherwell Local Plan, and the Cherwell Local Plan Part 2.

Thresholds and Contributions

- 4.45. All new residential developments of 10 or more dwellings will be expected to contribute to the provision of new, or the expansion of existing, cemeteries and their maintenance where the need generated by the development cannot be met by existing provision and a scheme has been identified to meet that need.
- 4.46. At Banbury and Bicester the Town Councils in association with the District Council are pursuing schemes for new /extended provision. Specific costs will therefore be available for individual schemes.
- 4.47. Financial contributions will be sought for land acquisition, laying out; and future management and maintenance on a site by site basis where there is an identified need. The contributions sought will be dependent upon site circumstances (eg ground conditions) and commensurate to the need generated by the development.
- 4.48. In those limited cases where a development is of a scale that necessitates a new cemetery, developers will need to carry out consultation with the local population, and consider national guidance and best practice prior to design and implementation of cemeteries.
- 4.49. The methodology to be used in the calculation of contributions is as follows:
a) Number of burial plots required to 2031 divided by the average number of plots per hectare = area of land required.

- b) Cost (including land purchase cost (unless land given free of charge), drainage, paths, landscaping, fencing and storage facilities) of cemetery provision multiplied by % attributable to population growth.
- c) Divided by population growth = cost per person
- d) Multiplied by the average occupancy per dwelling type (2.49) = per dwelling cost (1 bed, 2 bed, 3 bed, 4+ bed)

Community Hall Facilities

- 4.50. Policy BSC 12 of the adopted Cherwell Local Plan sets out the Council's overall approach to the provision of new or extended community hall facilities.
- 4.51. In 2016/2017 the Council commissioned a 'Cherwell Community Spaces and Development Study (CCSDS) to provide evidence and policy proposals to inform community development and community indoor space provision in relation to new housing developments. An interim CCSDS was published in January 2016 and the study was completed in 2017.
- 4.52. The CCSDS Study recommends a local minimum standard of provision for community hall facilities required to meet the needs of the residents generated by new development. This minimum standard is 0.185m² per person.

Thresholds and Contributions

- 4.53. The local planning authority will expect all residential developments of 10 or more dwellings to contribute towards the provision of new community facilities or the improvement/expansion of existing facilities where there is not enough spare capacity in existing appropriate facilities to meet the needs generated by the development. This may include financial contributions and/or the provision of land and buildings to enable new community facilities to be provided, or for existing facilities to be extended or improved.
- 4.54. Where on site provision is required, the LPA will expect the developer to design and gain the necessary planning consents to a specification agreed by the LPA. The developer will then be expected to build the facility in accordance with the approved scheme. A commuted sum for the future maintenance of the facility will also be sought.
- 4.55. The threshold for provision of community facilities on site is normally a population that supports a minimum community facility of 345m² to include a main hall, kitchen, toilets and adequate storage. (ie approximately 750 dwellings). Where new

development is taking place that demands a larger space then the opportunity should be taken to provide a range of spaces for a wider range of activities.

- 4.56. The Council's accessibility standard is 800m walking distance for facilities in urban areas, and a 15 minute drive time for residents in rural areas. On-site provision may therefore be sought for smaller developments depending upon the proximity of existing community centres. The size of the on-site provision will be commensurate with the scale of the development. This will be assessed on a case by case basis.
- 4.57. Where new development gives rise to a need for additional indoor community provision (but not a new freestanding facility) financial contributions will be sought for either off-site provision or the improvement/upgrading of existing facilities where appropriate schemes have been identified. Those needs will be assessed on a pro-rata basis using the standards set out in Appendix 11
- 4.58. The appropriate contribution is calculated by reference to the expected population in the development and the facilities required to support the population, multiplied by a standardised cost for the provision of the facility. Where contributions are sought for the expansion or improvement of existing facilities then the costs applying to the proposed improvements will apply.

Community Development

- 4.59. Community development is a key objective of the adopted Cherwell Local Plan. Strategic Objective SO10 seeks to provide sufficient accessible, good quality services, facilities and infrastructure, to meet health, education, transport, open space, sport, recreation, cultural, social and other community needs, reducing social exclusion and poverty, addressing inequalities in health, and maximising well-being.
- 4.60. Strategic Objective SO14 seeks to create more sustainable communities by providing high quality, locally distinctive and well-designed environments which increase the attractiveness of Cherwell's towns and villages as places to live and work and which contribute to the well-being of residents.
- 4.61. These objectives are further supported by the statement in paragraph B.86 that the Council wishes to ensure that new development fully integrates with existing settlements to forge one community, rather than separate communities.
- 4.62. Evidence gathered in preparing the 2017 Cherwell Community Spaces Development Study (CCSDS) strongly endorses the value of having a community development worker available at an early stage in a new development to 'kick start' the process of

bringing people together, developing new activities and putting in place the building blocks of a strong community.

- 4.63. The Council will therefore seek financial contributions towards the provision of a community activation fund and community development workers for major residential developments.

Thresholds

- 4.64. The threshold for contributions will generally be where a new community building is required to meet the needs of the new development, where the development is likely to give rise to a large new community, or where there may be issues of integration with existing communities.
- 4.65. Contributions will therefore not be sought from developments of fewer than 100 new dwellings unless they form part of a larger scheme.

Contributions

- 4.66. Contributions will be sought on a case by case basis to fund support from a community development worker. The levels of contributions sought are set out in Appendix 12
- 4.67. In addition to contributions towards a staffing resource, contributions will be sought towards a community development fund to enable community development workers to support the community through the provision of newsletters, events and activities as appropriate.

Community Safety & Policing

- 4.68. The supporting text to the adopted Cherwell Local Plan Part 1 states that the Council will ensure that new developments, area renewal and town centre expansions are safe places to live, work and visit by using tools such as 'secured by design' and by requiring provision of appropriate community safety and police infrastructure where required.
- 4.69. Thames Valley Police (TVP) is the police force that covers the Cherwell area. TVP operate a police model based upon the creation of Local Police Areas. At present the Cherwell Local Police Area has a population of approximately 141,900 made up of 56,700 households (source: 2011 Census). This population generates an annual total of circa 32,500 incidents that require police action. These are not necessarily all 'crimes' but are calls to the 999 handling centre which require a police response.

4.70. TVP have advised that the anticipated planned growth in the District will place a significant extra demand on existing resources. The Council will therefore require all residential (10 dwellings or more) and commercial developments, where required and where appropriate, to contribute towards the delivery of the following items of infrastructure to serve new developments and mitigate against their impact upon existing policing resources.

- Staff Set Up Costs – the cost of equipping and setting up new officers required to police new communities and neighbourhoods (not salary).
- Provision of New Vehicles and Bikes – the purchase of new fleet vehicles and bicycles.
- Premises – contributions towards the adaption/alterations or extension of existing premises for new officers to base themselves or work out of.
- Mobile IT – provision of suitable kit and equipment to enhance the mobility and flexibility of officers when working.
- Radio Capacity – additional demand will lead to an additional impact upon existing capacity of infrastructure.
- ANPR Cameras – Automatic Number Plate Recognition Cameras aid in detection but also prevent crime. Funding for the strategic placement of these cameras either in or close to new housing development will be sought where appropriate.
- Control Room and Police National Database Capacity – At present police control room handling is at capacity at peak times. Contributions towards improving the capacity of the existing infrastructure may be required.

4.71. Requirements and contributions will be assessed on a site by site basis when a specific need or item of infrastructure that is directly related to the development is identified.

4.72. The costs relating to the proposed infrastructure items or area-based initiatives will be applied proportionately to the size or the potential occupancy of the development.

4.73. Further advice on the level of contributions sought for community safety/CCTV provision by development type can be found in Appendix 14.

Education

(Including primary, secondary, pre-school, further education and special needs education)

4.74. The NPPF (paragraph 72) states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of

existing and new communities. This approach is further developed in the adopted Cherwell Local Plan Part 1 (Policy BSC 7) which seeks the provision of educational facilities throughout the District to accommodate population growth.

- 4.75. Oxfordshire County Council (OCC) has a statutory responsibility to ensure there are sufficient school and childcare places available for local children and young people living within the county of school age and whose parents wish their children to be educated by the state. It is important that these places are available within a reasonable travel distance for all those of school age occupying new residential development. OCC produces an annual Pupil Place Plan³ which sets out how school provision is expected to change over the next few years including anticipated requirements for new schools and school extensions linked to planned housing growth.

Planning Obligation Requirements

- 4.76. The LPA will expect all residential developments to contribute towards the provision of education infrastructure where there is not enough spare capacity in existing appropriate schools to meet the needs generated by the development. This may include financial contributions and/or the provision of land and buildings to enable new schools to be provided or for existing schools to be extended. A list of planned projects is set out in the Council's IDP which is updated on a yearly basis.
- 4.77. Developments which are of such a scale as to require the provision of a new school will be expected to fully fund the most appropriate size of school which would be sufficient to accommodate the projected pupil generation. Where a new school is serving the needs of multiple developments, the cost of the school will be shared proportionately across the relevant developments, subject to the constraints of the CIL regulations.
- 4.78. In some cases the most appropriate scale of new school may be less than the projected pupil generation, in which case the development may also be required to fund expansion of existing schools, where this is necessary.
- 4.79. Subject to approval by the Council and OCC the direct delivery of schools by developers may also be considered acceptable.
- 4.80. OCC's consideration of whether developer contributions towards education provision are required will be informed by the projected capacity figures. Empty places at a

³ www.oxfordshire.gov.uk/cms/content/pupil-place-plan

school do not necessarily equate to there being sufficient capacity at that school as it is generally accepted that schools should not operate at 100% of their capacity.

- 4.81. Where a new development is proposed in an area with sufficient projected capacity, no financial contribution will be required; however, where the proposed development would result in insufficient projected capacity, a contribution will be required. If there is insufficient capacity to accommodate the increase in pupils likely to be generated by a development and the development itself cannot enable the necessary provision the County Council will raise objections to the development.
- 4.82. It is in the interests of the developer and to potential residents to ensure that schools are able to accommodate the additional pupils generated by their development. It is recommended that developers contact the County Council's education team at the earliest possible stage in the process to ascertain whether there would be a requirement for additional education provision within the locality of their proposed development.
- 4.83. In circumstances where it is not possible to provide school places within a reasonable walking distance an additional contribution towards the cost of providing transport for children to school may be required. The contribution will reflect the cost of providing the transport for a defined period of time.
- 4.84. This requirement will apply to all urban and rural residential developments which are likely to generate demand for school places. Contributions will not be sought towards educational infrastructure from developments of studio or one bed dwellings, institutional accommodation exclusively for undergraduate students or from sheltered/elderly housing and other specialist housing developments where children will not live.
- 4.85. Further advice on the method of calculations and the expected costs are set out in Appendix 2 and Appendix 3 respectively. Reference should also be made to OCC's Developer Guide which is available on its website.

Flood Risk

- 4.86. There are extensive areas in the District that have been identified as being at risk of flooding. Flood risk arises from rivers, canals, sewers, surface water and ground water.
- 4.87. Policies ESD 6 and ESD 7 of the adopted Cherwell Local Plan Part 1 seek to manage and reduce flood risk by using a sequential approach to development. Developers will therefore need to demonstrate that account has been taken of flood risk from all

sources, and that the proposed development incorporates mitigation and management measures appropriate to the use and location. The Council also requires developers to improve water efficiency and reduce surface water run-off through the use of a range of Sustainable Drainage Systems (SUDs).

- 4.88. Flood defence measures that are deemed necessary to a development to mitigate specific impacts of that development, (including SUDs) will normally be sought through a planning condition. However, in certain circumstances a section 106 agreement may be required.

Health & Wellbeing

- 4.89. Policy BSC 8 of the adopted Cherwell Local Plan Part 1 sets out the Council's approach to securing health and well-being throughout the District. In addition, the Bicester Healthy New Town Programme aims to enable people who live or work in Bicester to live healthier lives and to prevent ill health in the future.
- 4.90. Improving public health, safety and individual wellbeing is also an overarching transport goal of OCC's LTP4. This will be achieved by increasing levels of walking and cycling, reducing transport emissions, reducing casualties, and enabling inclusive access to jobs, education, training and services.
- 4.91. New residential development will be expected to contribute towards the provision of additional health care infrastructure generated by its population growth where there is insufficient existing capacity, well located to serve the development. This may include financial contributions and/or the provision of land and buildings to enable the provision of doctor's surgeries and other health facilities to serve the local population, or the upgrading or extension of existing facilities in some locations.
- 4.92. An on-site new facility would not normally be required unless a need is generated by a patient population of 8,000 or more and only then if other nearby practices lack the capacity to expand. On smaller residential sites and where the new development increases demand on existing facilities, the need for new provision is likely to be replaced by extending existing facilities.

Contributions

- 4.93. The LPA will seek a financial or in kind contribution from developments of more than 10 dwellings towards the improvement and/or extension of existing primary medical care infrastructure where appropriate schemes are identified on a site by site basis.

- 4.94. Primary medical care infrastructure needs may include:
- Land on which to build either a new healthcare facility or an extension to an existing facility;
 - Building – either a new facility or an extension to an existing facility
 - ICT Infrastructure to support primary care expansion.
- 4.95. Contributions at an enhanced rate will be sought from developers of extra care housing, and care/nursing homes. This requirement reflects the much greater input and healthcare support required by the residents of such developments. Such contributions will be negotiated on a case by case basis.
- 4.96. Further detailed advice on the method of calculations and the costs of contributions can be found in Appendix 15.
- 4.97. As primary care practices are run as independent businesses an appropriate mechanism is needed to ensure that any facilities paid by developer contributions remain in community use for at least 15 years. As such any funds secured towards the provision of extensions/improvements or new facilities will be the subject of an agreement with the individual practices.
- 4.98. Any practice that benefits in this manner will be required to repay the funds if the practice does not continue for 15 years after the facilities have been provided.

Heritage

- 4.99. Policy ESD 15 of the adopted Cherwell Local Plan Part 1 seeks to protect, sustain and enhance designated and non-designated 'heritage assets'.
- 4.100. Where appropriate and assessed on a site by site basis the Council may require a S106 agreement which seeks to conserve and enhance the historic environment directly affected by a proposed development. Such projects could include:
- Repair, restoration or maintenance of a heritage asset and its setting;
 - Increased public access and improved signage to and from heritage assets;
 - Interpretation panels/historical information and public open days;
 - Measures for investigation, preservation and display of archaeological remains and sites;
 - Public realm obligations, including enhancement of historic squares and spaces, registered parks and gardens, historic pavement materials, street furniture, and removal of street clutter.

Indoor Sport and Recreation

- 4.101. Policy BSC12 of the adopted Cherwell Local Plan Part 1 sets out the Council's overall approach to provision and enhancement of indoor sport and recreation.
- 4.102. The Council's PPG17 Indoor Sports and Recreational Facilities Assessment 2006 identified the current and future deficiencies in provision and contain recommendations as to how these deficiencies can be met.
- 4.103. The Council is currently undertaking a review of the District's indoor sport and recreation provision. If this additional analysis work results in amendments to the Council's standards, they will be updated in the Cherwell Local Plan Part 2. Once in place, Local Plan Part 2 standards will replace Appendix 9.
- 4.104. The PPG17 Assessment recommended local minimum standards of provision and these are set out in Appendix 9.
- 4.105. New development that generates a need for sport and recreation facilities that cannot be met by existing provision will be expected to contribute towards the provision of new facilities or the improvement/expansion of existing facilities.
- 4.106. Where on site provision is required, the LPA will expect the developer to design and gain the necessary planning consents to a specification, in accordance with Sport England requirements, and agreed by the LPA. The developer will then be expected to build the facility in accordance with the approved scheme. A commuted sum for the future maintenance of the facility will also be sought in the event that the facility is transferred to the Council.

Thresholds

- 4.107. The threshold for provision of indoor sport and recreation facilities on-site is a population that supports a 4 court facility or 683m² of floor space. i.e. 12648 people or 5080 dwellings if the average occupancy is 2.49 per dwelling. (based on the adopted standard of 0.315 badminton courts per 1000 population)

Contributions

- 4.108. If on-site provision is not possible, or appropriate, or where the development falls below the threshold, financial contributions will be sought for either off-site provision

or the improvement/upgrading of existing facilities where appropriate schemes have been identified.

- 4.109. Costs relating to the proposed improvements will be proportionate to the size or potential occupancy of the development. The levels of contributions will be reduced where the developer makes appropriate provision on-site of particular services or facilities.
- 4.110. The appropriate contribution is calculated by reference to the expected population in the development and the facilities required to support the population, multiplied by a standardised cost for the provision of the facility. Where contributions are sought for the expansion or improvement of existing facilities then the costs applying to the proposed improvements will apply.
- 4.111. Further detailed advice can be found in Appendix 9.

Nature Conservation & Biodiversity

- 4.112. Policies ESD10 and ESD11 of the adopted Cherwell Local Plan Part 1 sets out the Council's approach to the protection and enhancement of biodiversity and the natural environment, including Conservation Target Areas.
- 4.113. Relevant habitat and species surveys and their associated reports will be required to measure the biodiversity impact following the locally adopted Defra Offsetting Metrics and submitted to accompany planning applications which may affect a site of known, or potential, biodiversity value or the biodiversity/natural environment of the local area.
- 4.114. In addition to identifying biodiversity impacts, biodiversity surveys and reports should identify opportunities to deliver biodiversity enhancements.
- 4.115. Detailed advice for preparing a biodiversity survey can be found in OCC's guidance entitled 'Biodiversity and Planning in Oxfordshire' which is available on its website.
- 4.116. Where mitigation for the ecological impacts of a development can be achieved on-site, the LPA would normally secure this through a planning condition. Arrangements for the long term management and maintenance of this mitigation will normally be secured by a S106 agreement. In certain circumstances the LPA may seek a Local Ecological Management Plan, or equivalent, through a planning condition.

- 4.117. Thames Valley Environmental Records Centre has identified ten Conservation Target Areas (CTAs) in the District. They have been identified to focus work to restore biodiversity at a landscape scale through the maintenance, restoration and creation of UK Biodiversity Action Plan (BAP) priority habitats.
- 4.118. General targets for maintenance, restoration and creation of habitats have been set for each area. These will be achieved through a combination of biodiversity project work undertaken by a range of organisations, agri-environment schemes and biodiversity enhancements secured in association with development. These targets are in the process of being made more specific in terms of the amount of each habitat type to be secured within each CTA.
- 4.119. Where on-site mitigation or compensation cannot be achieved contributions may be sought towards a scheme that closely offsets the impact of the development, and which also meets the aims of the Council's BAP.
- 4.120. The Council will generally seek to fund biodiversity enhancements via a S106 agreement. This is based on the Council's position that biodiversity offsets should not be classified as infrastructure⁴ because they do not enable the development to function, nor do they provide any facility to those living within or using the new development. This means that the pooling of 5 or more contributions towards one project or plan is possible.

Open Space, Play Facilities, Outdoor Sport & Recreation

- 4.121. Proposals for new development will be expected to contribute to open space, sport and recreation provision in accordance with Policies BSC10, BSC11 and BSC12 of the adopted Cherwell Local Plan Part 1.
- 4.122. The evidence base for these policies is the District's PPG17 - Open Space, Sport and Recreational Facilities Needs Assessment, Audit and Strategy 2006, the subsequent Green Spaces and Playing Pitch Strategies 2008 and the Open Space Update 2011. The Council has now commissioned studies to update this information. Should these studies result in amendments to the open space standards, these standards will be updated in the Cherwell Local Plan Part 2.

Local Standards and Thresholds

- 4.123. The Council's strategies referred to above establish the current and future deficiencies in open space, sport and recreation provision together with recommendations as to how these deficiencies should be met. The Strategies recommend local minimum

⁴ Defra communication to Warwickshire County Council (02/11/2015)

standards of provision and these are embodied in the adopted Cherwell Local Plan Part 1. They are set out in Appendix 4 for ease of reference. The Local Plan also includes qualitative standards of provision.

- 4.124. Obligations will be sought in cases where the proposed development will result in a net increase in demand for recreational facilities. If the development is for a purpose which is unlikely to generate demand then no contribution will be sought. The LPA may, however, seek contributions from applicants for commercial development as working population increases as a result of commercial development can add to demand for facilities. People travelling in to the District for work will often use facilities close to their place of work.
- 4.125. On-site provision will be sought, in the first instance, in accordance with the minimum standards set out in Appendix 4. Detailed guidance on the Council's specification and design requirements for different types of open space/facility can be requested from the Council's Street Scene and Landscape Services Section. Agreement will be sought with the relevant town or parish council on the equipment to be purchased.
- 4.126. If the proposed development results in an increase in demand for recreational facilities, and it is not practical to provide open space as part of the development, and there are identified shortfalls in the area, the LPA will seek a financial contribution towards off-site provision. This may include contributions to the improvement/enhancement of existing areas/facilities where appropriate schemes have been identified.
- 4.127. A list of deficiencies in open space, sport and recreation and priorities by Ward is set out in the Council's PPG17 Assessment – Open Space, Sport and Recreational Facilities Needs Assessment Audit and Strategy 2006, the subsequent Green Spaces and Playing Pitch Strategies 2008, and the Open Space Update 2011. Updated information will be published by the Council as it becomes available.
- 4.128. Commuted sums for maintenance of the open space or play facility will also be sought. This sum will be based on the LPA's actual maintenance costs, to cover the future maintenance of open space, sport, and recreation and play facilities, together with a sum to cover management costs for a 15 year period. A multiplier is used to account for the costs which will vary over the 15 year period and the 'discount effect' of a lump sum up front. In some instances a capital sum contribution for the build out of provision may be deemed necessary. The Council's 2016/2017 commuted sum requirements are set out in Appendix 6. These are subject to annual updates. Further detailed information and specifications can be accessed by contacting the Council's Street Scene and Landscape Services Section.

Local Management Organisations for Open Space Management

- 4.129. It is the Council's strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in agreement with the relevant town or parish council with a commuted sum. The Council will only consider a local management organisation proposed by a developer if it meets the list of conditions set out in Appendix 8 and has the agreement of the relevant town or parish council.

Public Realm, Public Art and Cultural Well-Being

- 4.130. The public realm and public art can play an important role in enhancing the character of an area, enriching the environment, improving the overall quality of space and therefore peoples' lives. Public art and the quality of the public realm are important considerations in the design and layout of a development. Public realm relates to all those parts of the built environment, either publicly or privately owned, located between and within buildings that are publicly accessible such as all streets, squares, and other rights of way as well as open spaces and parks, watercourses and canals. High quality design and good management of the public realm is essential in creating successful and vibrant places and help to integrate new development in to the surrounding area. It can help to establish an identity for an area making it memorable and providing useful landmarks, particularly if it draws inspiration from local themes or associations.
- 4.131. One of the core principles of the NPPF is to take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs. It states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. It also advocates planning policies and decisions aimed at achieving places which promote, inter alia, safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourages the active and continual use of public areas.
- 4.132. The Government's Planning Practice Guidance (PPG) (paragraph 018) states that 'Public art and sculpture can play an important role in making interesting and exciting places that people enjoy using'.
- 4.133. Policy ESD 15 of the adopted Cherwell Local Plan Part 1 states that the conservation of the historic environment and securing high quality urban design are very important

in protecting and enhancing the character of the District and ensuring that Cherwell is an attractive place to live and work.

- 4.134. Other adopted policies seek to support the District's town centres and to maintaining their vitality and viability and their associated infrastructure to create vibrant retail environments. In particular Policy Bicester 5 seeks to strengthen Bicester Town Centre. Similarly Policy Banbury 7 and Policy Kidlington 2 set out similar aims for Banbury and Kidlington respectively.
- 4.135. The adopted Banbury Masterplan SPD establishes a strategic vision for Banbury with a strong economy and vibrant and attractive town centre. It identifies areas for public realm, street, junction, environmental and public art improvements.
- 4.136. The adopted Kidlington Masterplan SPD establishes a strategic vision for the village in line with the adopted Local Plan. Key themes explored include opportunities to improve the public realm within the village centre, improvements to Oxford Road and the village gateways. Work is progressing on the Bicester Masterplan with one of its aims being to improve the character and appearance of the centre of Bicester and the public realm.

Contributions

- 4.137. Contributions will be sought towards the creation and/or enhancement of the public realm in the vicinity of new development where the proposed development will have a direct relationship with a public realm improvement scheme identified in the Council's IDP.
- 4.138. The level of financial contributions will reflect the character and scope of the works required and will be negotiated on a case-by case basis.
- 4.139. Financial contributions will be sought for public realm and public art projects listed in the Council's IDP which is updated on an annual basis.

Transport & Access

- 4.140. OCC is the local highway authority and is responsible for the management and maintenance of the adopted highway network within the District. OCC also produces the Oxfordshire Local Transport Plan, is responsible for traffic management and road safety and has further responsibilities in relation to public transport, school transport and public rights of way.

- 4.141. The Oxfordshire Local Transport Plan provides the strategic framework for transport in the County. It sets out likely transport infrastructure requirements and priorities for Cherwell aimed at tackling congestion, promoting sustainable travel, safer roads, improving public health and wellbeing, and improving the street environment. Specific schemes and projects are set out in the Council's Infrastructure Delivery Plan and the Oxfordshire Infrastructure Strategy (OxIS).
- 4.142. The Council's strategy, as set out in the adopted Local Plan, for managing growth is to locate development in sustainable locations and identify appropriate and deliverable measures to meet the transport needs of the District.

Planning Obligation Requirements

- 4.143. All new developments in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of the development. This will support delivery of the infrastructure and services needed to facilitate travel by sustainable modes. It will also enable improvements to be made to the local and strategic road and rail networks.
- 4.144. Where there is likely to be a transport impact the LPA will require the submission of a Transport Assessment. The type and level of any contributions towards transport infrastructure provision will be considered in the Transport Assessment and negotiated with the Highway Authority.
- 4.145. Detailed technical pre-application discussions with OCC on the transport assessment are essential for major developments.
- 4.146. Direct infrastructure provision, financial and other contributions (including those for bus services) towards mitigating measures will be included in a planning obligation. The implementation of any physical changes to the highway network required to accommodate, or mitigate, the effects of a proposal will be managed through a highways agreement with the Highway Authority. For major schemes it will be necessary to define the highways agreements at the time planning permission is granted. In such cases the highways agreement will be referred to in, and linked to, the planning agreement. This will ensure certainty and transparency of implementation requirements and costs for all parties.
- 4.147. In addition to local transport mitigation, S106 contributions will be required for strategic transport schemes (identified in the IDP) related to cumulative growth using the following formula (subject to the constraints of planning legislation):

X = Cost of Scheme(s)
Y = Held/Committed funding
Z = Alternative Funding
E = Expected Growth

$$\text{S106 Contribution} = (X - Y - Z) \div E$$

- 4.148. As denoted by 'E', where a scheme (to which a strategic transport contribution is requested) serves the needs of multiple developments, the cost of the scheme will be shared proportionately across the relevant developments (subject to any pooling restrictions).
- 4.149. The LPA may also require the preparation, agreement and implementation of a Travel Plan to mitigate the impact of the development on the transport system and environment. This will be a standard requirement for major developments and, depending on the nature of the development, the Plan may be secured by either a condition or planning obligation. Travel Plans for major development will normally include targets for modes of travel to and from the site and monitoring arrangements. There will be a need for financial commitments and incentives and/or penalties for non-compliance.
- 4.150. Further details on the above transport requirements can be found in OCC's Developer Guide.

Waste

Waste Collection Containers and Recycling Banks

- 4.151. The Council is committed to a strategy of minimising domestic waste sent for disposal through the development of recycling services and the reduction and reuse of materials. The Council will seek contributions for the provision of sorting facilities to deal with domestic waste at source. Each new dwelling will be provided with appropriate containers and the collected materials will be taken away to a recycling centre.
- 4.152. The Council's current waste collection service is currently working at full capacity therefore future new development will need capital investment to ensure the service to the customer meets all the requirements set out below.

- 4.153. Building Regulations 2000 (as amended by SI 2001/3335) H6 sets out the following planning requirement:
- Adequate provision shall be made for the storage of solid waste.
 - Adequate means of access shall be provided;
 - For people in the building to the place of storage and from the place of storage to the collection point.

Policy Framework

- 4.154. The NPPF paragraph 7 notes that planning has an environmental role, including the need to minimise waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy.
- 4.155. The Cherwell Low Carbon Environmental Strategy, published in December 2011, seeks to deliver the objectives of the Cherwell Community Plan through the protection and enhancement of the local environment in terms of Waste minimisation, reuse and recycling.
- 4.156. Every residential dwelling requires (2017 prices):
- 1 X blue wheeled bin for the collection of dry recyclable material (£20) at the current size of 240 litre;
 - 1 X green wheeled bin for collection of residual waste (£20) at the current size of 180 litre;
 - 1 X brown wheeled bin for the collection of garden and food waste material (£20) at the current size of 240 litre;
 - 1 X brown kitchen caddy for the collection of food waste (£4) and transferral into the brown garden and food waste bin;
 - Capital investment in waste collection vehicles to service the new development (£42).
- 4.157. Where blocks of flats are proposed, waste collection should be through the use of communal collection containers or through provision of individual bins held in a communal location.
- 4.158. Communal bins stores should not be provided for groups of houses unless they are serviced by a private road. Communal bins should be housed in a covered storage area and the following issues should be taken into account: -
- Bin stores should be built to a specification that ensures they do not detract from the visual aspects of the local environment.
 - Stores should be no more than 5 metres from the kerbside or point where the vehicle would stop (vehicle access has to be proven rather than assumed)

- To provide sufficient space for residents to deposit their waste, a minimum of 1m must be provided in front of the containers
- Where more than one bin is to be placed in a storage area, the bins must be positioned so that they can be easily accessed without users having to move other bins. In short they must not be ranked or more than one deep
- A door or gate of a minimum opening of 1600mm should also be provided. Smaller doors for residents use can be provided in addition to this requirement
- Doors should open outwards, but not over the public highway or parking spaces
- A path leading from the kerbside to the bin store should be provided, with a minimum width of 1.5m. The path should be level or a gentle slope and should not contain steps
- Stores should not be behind gates or security barriers that would prevent them being emptied
- The structure must be robust enough to withstand everyday use
- Stores should not be behind designated parking bays or require the movement of containers past or through legally parked cars
- Communal bin compounds should be far enough away from housing units so as to reduce the impact of noise during bin use and collection but sufficiently close for easy use. Eliminating the need for collection vehicles to reverse will also assist in keeping noise to a minimum
- Dropped kerbs should be provided.

4.159 Bin storage areas should be a minimum 1.8 square metres per dwelling for houses/bungalows and 1.4 square metres per dwelling for flats or multi occupancy properties.

4.160. Local recycling banks or 'bring sites' shall be provided for recyclables not separated in domestic waste collection, such as glass and clothing. Recycling banks must include at least:

- 2 x Green glass banks
- 1 x Brown glass bank
- 2 x Clear glass bank
- 1 x Textile bank

4.161. Recycling banks (bring sites) are required to serve approximately every 500 dwellings. For residential developments a financial contribution towards the capital cost of providing collection banks shall be sought. Recycling banks (bring sites) currently

require the provision of 5 containers at a cost of £500 each. This equates to a cost of £5.00 per dwelling.

Size of Development	Contribution per dwelling
Developments between 1 and 199 dwellings	£106.00 for bin and collection vehicle provision. £5.00 towards recycling banks
Developments over 200 dwellings	£106.00 for bin and collection vehicle provision. £5.00 towards recycling banks. On-site provision of recycling bank including provision of land.

4.162 Where on-site contributions are required if this cannot genuinely be provided, a financial contribution equivalent to the cost of providing and equipping a local bring site shall be paid to the Council.

4.163 Waste and recycling bin contributions will be sought on occupation of new dwellings. The provision of recycling bring sites will be sought as early in the development as possible to serve the residents of the development.

4.164 The Council’s Environmental Services department will be able to provide further advice on the Council’s requirements.

Strategic Waste Management Contributions to Household Waste Recycling Centres

4.165 Oxfordshire County Council (OCC), as Waste Disposal Authority, is required under the Environmental Protection Act 1990 (Section 51) to provide Household Waste Recycling Centres (HWRCs). The Act requires that each HWRC is:

- Situated either within the area of the authority or so as to be reasonably accessible to persons resident in its area;
- Available for the deposit of waste at all reasonable times;
- Available for the deposit of waste free of charge by persons resident in the area.

4.166 Contributions will be required should there be a need to provide additional household waste recycling capacity resulting from new development. Further information on the developer contributions for these capital costs is available from OCC.

APPENDICES

Appendix 1: Population Figures

This appendix sets out the assumed population generation rates per dwelling for Oxfordshire. Based on figures derived from OCC's Survey of New Housing (2008) and the 2014 SHMA mix, the average occupancy rate per dwelling for the whole of Oxfordshire is 2.49. This assumes that an average development would contain 15% one bed dwellings, 30% two bed dwellings, 40% three bed dwellings, and 15% four bed dwellings. (Source: SHMA 2014).

Average Occupancy per Dwelling

Dwelling Type	One Bed	Two Bed	Three Bed	Four Bed
All Ages	1.28	1.85	2.88	3.96

(Source: OCC – based on OCC Survey of New Housing 2008)

It should be noted that these figures are subject to change. The results of an updated survey of new housing are currently being collated and are due to be published in 2018.

The above occupancy rates will be applied to all residential development proposals of 399 dwellings and below. For larger developments an excel based model known as POPCAL 10 will be used to calculate a detailed population profile associated with the proposed development.

Average Pupil Generation per Dwelling

School Category (Years)	One Bed	Two Bed	Three Bed	Four Bed
Nursery (2-3)	0.00	0.05	0.10	0.12
Primary (4-10)	0.00	0.17	0.39	0.51
Secondary (11-15)	0.00	0.09	0.23	0.35
Sixth Form	0.00	0.01	0.03	0.07

(Source: OCC – based on OCC Survey of New Housing 2008)

A reduction of 15% to the pupil generation rates has been applied to take account of pupils who will be educated in the independent sector. The sixth form rates have been discounted further to account for pupils leaving school before the sixth form.

Appendix 2: Indices used for Contributions Sought on behalf of OCC

Contributions sought on behalf of OCC will be index-linked to maintain the real value of the payments.

Indexation will be applied using the formula:

$$\text{Index Linked Contribution} = \text{Revised Index Value}^{**} \div (\text{Principal Amount} \times \text{Base Index Value}^*)$$

* A base date for contributions is established in this Guide and within the planning obligation. Using this base date a precise value within a particular index can be found.

** The date that the contribution is indexed to will be identified within the planning obligation. This will usually be the date of payment. Using this revised date a precise value within a particular index can be identified.

The table below sets out the indices that will be used.

Contribution Type	Index Name	Source	Notes
Transport contributions (excluding Public Transport Services)	Baxter	Made available through the Building Cost Information Service (BCIS) of the Royal Institute of Chartered Surveyors (RCIS)	This index is a composite index comprising the following weighted indices from the Civil Engineering Formula '1990 Series' Index 1: Labour & Supervision (25%) Index 2: Plant & Road Vehicles (25%) Index 3: Aggregates (30%) Index 9: Coated Macadam & Bitumous Products (20%)
Public Transport Services Contributions	RPIX	ONS	RPIX is a measure of inflation in the UK. It is equivalent to the Retail Price Index (RPI) excluding mortgage interest payments.
All Other contributions	Tender Price Index of Public Sector Building (Non-housing) PUBSEC	Made available through the Building Cost Information Service (BCIS) of the Royal Institute of	The PUBSEC index is compiled from bills of quantities of accepted tenders forwarded from

		Chartered Surveyors (RICS)	Government Departments. The Index is an indicator of the trend in accepted tender prices for constructing public sector works in Great Britain. The results are published quarterly.
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Appendix 3: Education Infrastructure: Calculation of Contributions

Contributions for educational infrastructure will be calculated by multiplying the net increase in the forecast number of pupils (of the appropriate age) moving in to the new housing by the 'cost per pupil' of the required additional infrastructure.

Average Pupil Generation per Dwelling

School Category (ages)	One Bed	Two Bed	Three Bed	Four Bed
Nursery (2-3)	0.00	0.05	0.10	0.12
Primary (4-10)	0.00	0.17	0.39	0.51
Secondary (11-15)	0.00	0.09	0.23	0.35
Sixth Form	0.00	0.01	0.03	0.07

These rates are derived from the Oxfordshire Survey of New Housing (2008). Please note that survey updates may necessitate revised pupil generation figures.

A reduction of 15% to the pupil generation rates has been applied to take account of pupils who will be educated in the independent sector. The sixth form rates have been discounted further to account for pupils leaving school before the sixth form.

Based on the current percentage of pupils being educated in Special Educational Needs (SEN) schools in Oxfordshire 1.1% of the total pupils generated by the development will need to be educated in a SEN school (the majority of pupils with a statement of special educational needs are educated in 'mainstream' schools).

The table below sets out the standard cost per pupil of providing an extension to an existing facility. These standard costs will be used unless there is a specific scheme cost or where a new school is required. The figures are from the Department for Education (DfE) and have been adjusted for Oxfordshire using the DfE published location factors.

Table 1: Cost per pupil for extensions to existing facilities

	Total Cost per Pupil for Extensions (Cost base for indexation4Q16)
Nursery	£13,901
Primary	£13,901
Secondary	£21,033
Sixth Form	£22,454
SEN	£38,751

To give an indication of the contributions which may be necessary to address the impact of proposals the cost per pupil for extensions to existing facilities is multiplied by the pupil generation rates per dwelling to reach the contributions per dwelling shown below.

Table 2: Contribution per dwelling

	1 Bed	2 bed	3 Bed	4+ bed
Nursery	£0	£695	£1,390	£1,668
Primary	£0	£2,363	£4,948	£6,471
Secondary	£0	£1,893	£4,415	£6,718
Sixth Form	£0	£225	£615	£1,434
SEN	£0	£115	£277	£396

If a development creates all or part of the need for a new school a different level of contribution reflecting the actual estimated cost for the new school or part thereof will be applied. Where the development substantially necessitates a new school, developers will be expected to provide at nil cost to the education provider a suitable site (both in terms of size and location) which is fully serviced, fully decontaminated and remediated.

The Tables below give an indication of the likely costs of new educational infrastructure:

Cost of New Build Primary Schools

Size of School	Number of pupils accommodated		Cost (Excluding Land & Abnormals)	Cost Base
	aged 2-3	Aged 4-10		
1 Form Entry + nursery	60	210	£ 7,212,015	4Q 16
1.5 Form Entry + nursery	75	315	£9,166,019	4Q 16
2 Form Entry + nursery	90	420	£ 10,952,913	4Q 16

Cost of New Build Secondary Schools

Type of School	Number of Pupils accommodated	Cost (Excluding Land & Abnormals)	Cost Base
Secondary (11-16)	600	£ 17,847,000	4Q 16
Secondary (11-16)	900	£ 24,338,000	4Q 16
Secondary (11-16)	1200	£30,932,000	4Q 16
Secondary (11-18)	700	£21,438,000	4Q 16
Secondary (11-18)	1100	£30,288,000	4Q 16
Secondary (11-18)	1500	£39,145,000	4Q 16

Appendix 4: Local Standards of Provision – Outdoor Recreation.

Type of Provision	Quantitative Standard	Accessibility Standard	Minimum Size of Provision	Threshold for On-Site Provision
General green space (parks & gardens/natural semi-natural/amenity green space)	2.4ha per 1000 urban dwellers	5 minute walk (amenity open space) (400m)	200sqm	10 urban dwellings
	2.74ha per 1000 rural/urban dwellers	15 minute walk other (1200m)		6 rural/urban edge dwellings
Play space (combining provision for younger and older children including MUGAs)	0.78ha per 1000 people	5 minutes walk (400m) except for NEAPs 15 minute walk (1200m)	LAP – 100sqm activity zone; 400sqm including buffer	10 dwellings (for a LAP)
			LEAP – 400sqm activity zone; 3600sqm including buffer	50 dwellings (for a LEAP and LAP)
			NEAP – 1000sqm activity zone; 8500sqm including buffer	100 dwellings for a NEAP and LEAPs/ LAPs
			NB: In some cases a combined all-age area of play will be preferable to provision of LAPs/LEAPs/NEAPs.	
Outdoor sports provision (combining tennis courts, bowling greens, golf courses and playing pitches) (to be accompanied by changing facilities where appropriate)	1.13ha per 1000 people	Football, rugby, cricket: 10 minute walk (800m) urban areas, 10 minute travel time (8km) rural areas Tennis courts: 15 minute walk (1200m) urban areas, 15 minute	0.12ha	65 dwellings

Type of Provision	Quantitative Standard	Accessibility Standard	Minimum Size of Provision	Threshold for On-Site Provision
		travel time (12km) rural areas Bowling greens, golf courses: 15 minute travel time (12km) Hockey: 20 minute travel time.		
Allotments	0.37ha per 1000 people	10 minute walk (800m)	0.2ha	275 dwellings

Appendix 5: Summary of demand for open space, sport and recreational facilities by development type

Type of Green space	Houses	Flats	Bedsits	Hostels	Sheltered Accom	V. Sheltered accom	Care homes	Student accom
Parks and gardens	yes	yes	yes	yes	yes	no	no	yes
Natural/semi natural green space	yes	yes	yes	yes	yes	no	no	yes
Amenity green space	yes	yes	yes	yes	yes	no	no	yes
Play provision	yes	yes	no	no	no	no	no	no
MUGAs	yes	yes	no	no	no	no	no	yes
Tennis courts	yes	yes	yes	yes	no	no	no	yes
Bowling greens	yes	yes	yes	yes	yes	no	no	yes
Golf courses	yes	yes	yes	yes	no	no	no	yes
Allotments	yes	yes	yes	yes	yes	no	no	yes
Pitches	yes	yes	yes	yes	no	no	no	yes

Appendix 6: Commuted Sums for Children's Play Space, Sports Pitches, Public Open Space

The commuted sums for capital infrastructure are based on current contractor costs. The landscape maintenance rates are taken from the annually updated competitive rates of the Council's landscape maintenance contract. (quoted sums from 2016/2017)

Each provision is multiplied by the current multiplier to commute the payment over a 15 year period

Current Inflation Figure = CPI 0.5%

Current Multiplier - 15

Play Areas – Maintenance Provision	Total Cost (£)
LAP – Equipped (400m ²)	27501.52
LAP – Free Play Zone (400m ²)	12394.26
LEAP (3600m ²)	108761.69
LEAP/LAP Combined (4000m ²)	121492.13
NEAP (9500m ²)	249994.49
NEAP/LEAP Combined (13100m ²)	350435.88

Play Areas – Capital Provision	Total Cost (£)
LAP – Equipped (400m ²) Local Area for Play (fencing, furniture, surfacing & signage)	20779.15
LAP – Free Play Zone (400m ²) Local Area for Play (fencing, furniture, path surfacing & signage)	10882.91
LEAP (3600m ²) Local Equipped Area for Play (play equipment, fencing, furniture, surfacing & signage)	60783.45
LEAP/LAP – Combined (4000m ²) Local Equipped Area for Play (play equipment, fencing, furniture, surfacing & signage)	74723.30
NEAP (8500m ²) Neighbourhood Equipped Area for Play (play equipment, MUGA, fencing, furniture, surfacing & signage)	240326.82

Outdoor Sports Facilities – Maintenance Provision	Total Cost (£)
Tennis/netball/basketball court	27468.25
Bowling Green	173303.86
Cricket Square	53197.08
Football Pitch - Senior	70195.95
Football Pitch - Junior	61589.12
Synthetic Pitch – 400mm 3G (130m x 90m)	111638.94
Pavilions	
2 changing room – Tennis & Bowls	43164.75
2 changing room – Football – 1 pitch	41338.67
4 changing room – Football – 2 pitches	55084.05
6 changing room – Football – 3 pitches	71871.57

Outdoor Sports Facilities – Capital Provision	Total Cost (£)
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Tennis/netball/basketball court	40903.50
Bowling Green	122449.20
Cricket square	43267.93
Football pitch - Senior	77647.64
Football pitch - Junior	62670.80
Synthetic pitch – 40mm 3G (130m x 90m)	582900.00
Pavilion	
2 changing room – Tennis & Bowls	431648.51
2 changing room – Football – 1 pitch	413392.68
4 changing room – Football – 2 pitches	550840.50
6 changing room – Football – 3 pitches	718715.70

Green Infrastructure – Maintenance Provision	Total Cost (£)
Public Open Space (cost per hectare)	93222.18 (per m ² – 9.32)
Hedge Maintenance (cost per 1000 Lnm)	14354.42 (per m ² – 14.35)
New Woodland Area Maintenance (cost per 1000m ²)	23233.59 (per m ² – 23.23)
Mature Woodland Area Maintenance (cost per 1000m ²)	4629.23 (per m ² – 4.63)
Mature Tree Management (cost per 10 trees)	3348.23

Green Infrastructure – Capital Provision	Total Cost (£)
Public Open Space (cost per hectare)	110829.85
Hedge Planting (cost per 1000Lnm)	6051.91
New woodland planting (cost per 1000m ²)	6545.57

Water Feature – Maintenance Provision	Total Cost (£)
Pond maintenance (per 500m ²)	21904.28 (per m ² – 43.81)
Ditch maintenance (per 500 m ²)	16290.05 (per m ² – 32.58)
Stream Maintenance (per 500m ²)	8969.63 (per m ² – 17.94)
Balancing Pond maintenance (per 500m ²)	5812.92 (per m ² – 11.63)

Allotments – Maintenance Provision	Total Cost (£)
Allotment Areas (cost per hectare)	42190.84 (per m ² – 4.22)
Allotments – Capital Provision	
Allotment Areas (cost per hectare)	255713.11

Off- Site Contributions	Total Cost (£)
In lieu of Children’s Play Facilities – Developments (10+ dwellings)	23068.62 (per dwelling – 2306.86)

In lieu of Sports Pitch provision- Developments (10+ dwellings)	20170.30 (per dwelling- 2017.03)
In lieu of Open Space Provision- Developments (10+ dwellings)	14262.65 (per dwelling- 1426.27)

Appendix 7: Open Space, Sport and Recreation: Process and Procedures for Applications where On-Site Provision is Required.

Pre-application

The LPA will identify the on-site open space, sport (indoor/outdoor), recreation and play provision required, and the planning obligation (including commuted sums/rates) that is required.

The LPA will identify requirements in consultation with the appropriate Parish and Town Councils. Normally Town and Parish Councils are the preferred custodians and providers of open space, play, sport and recreation facilities and they will be expected to take ownership or adopt the facilities. In exceptional cases Town and Parish Councils may not be willing or able to take ownership or adoption and in these cases the LPA will proceed on the basis that the District Council will be generally be responsible for the long term ownership, management and maintenance after transfer.

Where possible any options for off-site provision will be identified at this stage.

Application

The same procedure for Pre-application applies. At this stage the LPA will seek the agreement of Parish and Town Councils to the concept and layout, and /or landscaping being undertaken, of the open space, sport (indoor/outdoor), recreation and play provision prior to the granting of planning permission. Their commitment to future ownership or adoption will also be expected.

At application stage specific proposals must be identified and defined to support preparation of planning obligation documents.

Approval of Submitted Open Space, Sport, Recreation and Play Proposals (Construction Details)

Conditions and planning obligations will require the developer to submit detailed proposals to the LPA for approval. These proposals must include detailed drawings, specifications, guarantees (transferable) and maintenance specifications to BS/EN standards. The LPA will provide formal approval to the developer once internal consultations are completed, or seek amendments to the open space, sport, recreation and play proposals, as necessary.

Approvals will be managed as follows:

- The LPA will discharge the conditions/obligations when open space, sport, recreation and play provision details are deemed acceptable by the Council.
- It is important to note that the development must not commence until there has been submitted to and approved by the LPA a scheme (including a phased programme [on large developments]) for the laying out, hard and soft landscaping and equipping of the open space, sport, recreation and play provision including, supporting changing accommodation.
- The planting, turfing and seeding to the open space, sport, recreation and play provision is to take place during the first planting season following the commencement of development [or phase of development]. The setting out of the landscaping and equipping of the open space, sport, recreation and play provision is to be in accordance with the approved scheme to the satisfaction of the LPA.

- The Developer is required to notify the LPA on the commencement and completion of the open space, sport, recreation and play provision, and must maintain the provision to its original standard for a period of twelve months following its completion, as certified by the LPA, replacing items (including surfaces) which are defective in the opinion of the LPA in accordance with the approved details contained in the scheme, and replacing any trees or shrubs which may die, are removed or become seriously damaged or diseased with others of similar size and species to the satisfaction of the LPA, The Developer is to carry on maintaining the open space, sport, recreation and play provision and supporting changing accommodation until these facilities are transferred, and to give access to the LPA's officers to enter to the area/s to carry out inspections.
- The LPA is to be notified by the developer on the commencement and completion of the open space, sport, recreation and play provision and supporting changing accommodation and the LPA will inspect the development at the following stages:
 - a) setting out,
 - b) drainage,
 - c) equipment installation,
 - d) surfacing; and
 - e) planting (including grass / wildflower seeding)

The developer is to ensure that a report is to be provided by a recognised body certifying that the construction is adequate for the intended use and submitted to the LPA.

Monitoring Development

The Developer is to provide an indicative timetable of on-site operations including indicative dates for the stages of construction and completion of the open space, sport, recreation and play provision to the LPA for the Council's coordinated monitoring of the open space, sport, recreation and play provision and supporting changing accommodation. It is necessary for the Developer to advise the LPA when the laying out of the open space, sport, recreation and play provision is taking place.

The LPA will monitor the commencement of development, compliance with conditions and planning obligations.

The LPA will endeavour to carry out inspections within 5 working days of notification by the developer at the stages listed above with the aim of ensuring that works are satisfactory, to identify remedial works when necessary and areas completed in accordance with the approved plan. Records will be kept on monitoring sheets of all inspections, and minutes of site meetings.

Enforcement (before practical completion)

The LPA will take enforcement action on conditions and obligations, should it be necessary, and will ensure good record keeping as evidence and provide expert witness statements, if required.

Practical Completion

The Developer must arrange for satisfactory Royal Society for the Prevention of Accidents (RoSPA) inspections and the subsequent reports to be forwarded to the LPA. They must also obtain transferable

guarantees for equipment which must also be sent to the LPA. For natural sports pitches or courts a satisfactory post completion 'fit for purpose' report from a recognised body, such as the Sports Turf Research Institute (STRI) or a member of the Sports and Play Construction Association (SAPCA), will be required. The Developer is to provide two sets of as-built drawings for the LPA. The LPA will carry out inspections of the completed open space, sport, recreation and play provision and inform the Developer of any defects in writing. The Developer must correct the defects as soon as possible and inform the LPA's planning department when the defects have been remedied, as early as possible. The LPA will then issue certificates of practical completion, detailing outstanding items of work, copies of which to be provided to the Developer and contractor.

The Developer is to confirm to the LPA that remedial works to defects are complete. Once the LPA has inspected the remedial works and found them to be satisfactory the LPA will then confirm that all works are complete in accordance with the approved plans and the open space, sport, recreation and play provision is acceptable for adoption.

The LPA will check and revise commuted sum calculations, if required (in cases where a schedule of rates was given by the District Council and shown in the planning obligation).

The Developer must ensure that the play areas/MUGAs are opened for use once practical completion is granted. Insurance cover must be provided by developer until formal transfer by the District. The developer should provide signs at each facility providing contact details for the public to report any defects. Joint monitoring of the open space, sport, recreation and play provision by the Developer and the Council is necessary to ensure the sites are safe for use. The LPA will consider any proposed change to the twelve month liability period by the Developer and agree to any changes in writing, if appropriate.

A twelve month maintenance period is required for open space and play provision to ensure that landscape features become established prior to the areas being transferred.

On sports pitches a minimum of two years is required before transfer from the date of seeding and completion to allow for establishment of the pitches.

Final Completion

The LPA will undertake an inspection of the open space, sport, recreation and play provision one month before the expiry of the twelve month defects period. The developer is to bring the space, sport, recreation and play provision up to the adoptable standard. The developer shall also provide the LPA with a post installation inspection and safety audit from a RoSPA -approved expert for play areas and informal open space. For sports pitches or courts a satisfactory post completion report from a recognised body such as STRI or SAPCA member will be required.

If all areas are satisfactory the LPA will issue certificates of final completion to the Developer.

Transfer

The Developer will start the legal transfer to the LPA, accompanied by an appropriate contribution towards its maintenance after adoption. This contribution will normally be in the form of a commuted sum, to cover 15 years maintenance, secured through a planning obligation document.

The LPA's finance section is to set up a new accounting code for each commuted sum. This will be specifically linked to the planning application reference number. All payments are to be made to the

LPA (by cheque or BACS) under the designated code with details of the application reference number and accompanied by a breakdown of capital and maintenance contributions.

The receiving LPA's Legal Team will complete the transfer of the open space, sport, recreation and play provision to the LPA on receipt of the commuted sum. On completion of the legal transfer the LPA will take over the maintenance responsibility. The LPA will then proceed to transfer or lease the provision to the relevant town or parish council along with any commuted sum balances.

Developer Responsibilities for maintenance of open space, sport, recreation and play facilities.

The long term maintenance of open space, sport, recreation and play facilities is critical to ensure that they achieve and maintain their maximum potential benefit and value. In the case of new housing developments, the developer will be required to make provision for the appropriate amount and type of open space, sport, recreation and play provision, plus supporting changing accommodation.

The developer is to submit to the LPA management plans and maintenance schedules to ensure that the soft/green areas of open space, sport, recreation and play facilities are established successfully for the benefit of the community and biodiversity. The maintenance specification is to be written and implemented in accordance with the relevant EN/BS standards.

Maintenance of Sports Pitches

The Developer's Contractor will be responsible for the maintenance of the grass sward for 2 years from the date of practical completion. A maintenance specification is to be submitted to the LPA. This maintenance specification must comply with industry best practice.

Maintenance of Play Areas and MUGAs

The Developer's Contractor will be responsible for the maintenance of the play areas and MUGAs for 12 months from the date of practical completion. A maintenance specification is to be submitted to the LPA and must comply with industry best practice.

Maintenance of Open Space and Recreation Areas

The Developer's Contractor will be responsible for the maintenance of open space and recreation areas for 12 months from the date of practical completion. A maintenance specification is to be submitted to the LPA and must comply with industry best practice.

Appendix 8: Local Management Organisation Requirements for Public Open Space, Outdoor Sports Pitches and Play Areas

NOTE: It is the Council's strong preference that public open space, outdoor sports pitches and play areas on new developments continue to be adopted by the Council in conjunction with the relevant town or parish council with a commuted sum. The Council will only consider a local management organisation proposed by a developer if it meets the list of conditions set out below and has the agreement of the relevant town or parish council.

- Provide a method statement of how the funding will be provided to the Management Company to cover maintenance costs in perpetuity.
- Provide a method statement of how capital funding for replacement items/unforeseen costs will be generated.
- The Council's twice yearly inspection costs will be paid as a commuted sum for the first fifteen years for monitoring the management company's maintenance standards.
- Confirmation that the standards of maintenance will be identical to the standard set out in the Council's Technical Specifications for Landscape and Cleansing Operations.
- Confirmation that a diminishing bond will be put in place to cover the Council's costs of maintenance and management of the site, to be available for the council to draw upon if standards delivered by the management company do not match those set out in the Council's Technical Specifications.
- Confirmation that the Council has the step in rights if the management company let standards drop below the standards set out in the Council's Technical Specification along with the rights to recover costs.
- Confirmation that at no point will the service charges levied on residents increase the rents for affordable housing above 80% of the open market rents as published by the Home and Communities Agency (HCA), where affordable rents are in place.
- Confirmation that all public open space, outdoor sports pitches and play areas remain accessible and usable by the general public in perpetuity.
- If the management company goes in to administration, confirmation that title deeds of all public open space, outdoor sports or play areas transfer to the Council as the provider of last resort.

Appendix 9: Local Standards of provision – Indoor Recreation

Facility Type	Local Quantity Standard per 1000 Population
Sports Hall	0.315 badminton courts
Swimming Pool	9.31 m ²
Squash Courts	0.059 courts
Health & Fitness	5.28 stations
Indoor Bowls	0.045 rinks
STPs	0.046 pitches
Athletics Tracks	0.0012 8 Lane facility
Community Centre	185m ²

Sports Hall

There is a need for 0.315 badminton courts (sports hall) or 53.78m² per 1000 people (or 0.054m² per person). This figure is based on the area of a four court hall plus circulation, reception and changing space (683m²). The cost of construction is £2251 per m² plus land costs and VAT (at 2016). The cost per person for sports hall provision is therefore £121.56 plus land costs and VAT.

Swimming Pool

There is a need for 9.31m² of swimming pool area per 1000 people or 0.0931m² per person. The cost of construction of a new build swimming pool, using average of Swim 25 commercial product and RICS Building Cost Information Service construction costs, would be £2,296 per m² plus land costs and VAT (at 2010). The cost per person for swimming pool provision is therefore £213.76 plus land costs and VAT.

Appendix 10: On-Site Community Facilities and Indoor Sport Provision: Process and Procedures

The LPA will identify the on-site indoor sport and/or community centre provision required and will provide the developer with a specification for the floor space and the facilities that need to be provided on site. At application stage specific proposals must be identified and defined to support the preparation of planning obligation documents.

Conditions and planning obligations will require the developer to submit detailed proposals to the LPA for approval. These proposals must include detailed drawings, specifications and guarantees (transferable). The LPA will provide formal approval to the developer once internal consultations are completed, or seek amendments to the proposals as necessary.

The developer will construct the building/facility in accordance with the approved details and ownership of the building/facility will be transferred to the Council following a satisfactory final inspection. The Council may subsequently transfer the ownership to the relevant parish authority or a suitable community association. In exceptional circumstances the Council may accept alternative management arrangements for the facility. These circumstances will be assessed on a case by case basis.

The timing of provision of the facility will be negotiated on a case by case basis but the size of the development and proximity to existing facilities will be a determining factor. In the case of the community hall provision of a suitable temporary facility should be available to the residents on completion of the 100th dwelling.

Appendix 11: Community Hall Facilities

In accordance with the recommendation of the 2017 CCDS Study a required community hall facility standard of 0.185m² per person will be applied.

Capital Cost Estimates for Provision of New/Extended Community Hall Facility

	Capital Cost	Capital Cost/m ²	Cost per person
1 storey	£1,600,000	£2,315	£428
2 storey	£1,820,000	£2,633	£488
Hard landscaping	£331,000		£89
Soft landscaping	£10,000		£3
TOTAL			£520 (1-storey)
			£580 (2-storey)
Horizontal extension to existing community hall		£2,920	
Refurbishment of existing community hall		£2,482	

Costs are correct at 2017

Calculations are based on the construction of a 691sqm building.

The cost estimates are inclusive of main contractor preliminaries, overheads and profit, project/design team fees and client contingencies.

Contributions towards the maintenance of the facility will also be sought. This will cover a 15 year period following the transfer of the facility to the LPA (or community association). A list of typical maintenance tasks and costs is set out below:

Annual Costs (Repeated Each Year)	One off costs
Fire alarms and extinguishers	Electrical testing
Intruder alarms	Internal decoration
Boiler service and gas safety	Replacement boiler/water heaters
Water monitoring and legionella	Replacement extract fans
Emergency light maintenance	Replacement external lighting
Lift maintenance	Replacement shower fittings
Miscellaneous repairs	Replacement light fittings
Business rates	
Water rates	
Insurance	
Gas	
Electricity	

Guide Estimate for Commuted Sum for maintenance = £298.88 per m² (2017)

(Cost estimates are based on existing maintenance cost for community hall facilities in the District. However, actual commuted maintenance costs required from the developer will be assessed on a site by site basis).

Appendix 12: Community Development

On development sites in excess of 100 new dwellings, developers are expected to provide the costs of employing a community development worker as follows:

100>250 homes: 0.4 FTE for 1 year

250> 500 homes: 0.4 FTE for 2 years

500> 1000 homes: 0.8 FTE for 2 years

1000+ homes: 0.8 FTE for 2.5 years.

Community Development Workers should be in place once a certain threshold of new homes have been built. This threshold will be established on a case by case basis.

Appendix 13: Apprenticeships & Skills

Draft Cherwell District Council Interim Position Statement on Planning Obligations for Construction Apprenticeships and Skills, April 2016

1.0 Background

- 1.1 The Government has made a commitment to 3 million new apprenticeship starts in England between 2015 and 2020¹. Apprenticeships are full time paid jobs which incorporate on and off the job training. A successful apprentice will receive a nationally recognised qualification on completion of their contract. Public sector bodies will be required to employ apprentices and set targets to increase apprenticeship numbers². There are over 200 different types of apprenticeship currently available in England, through existing apprenticeship frameworks. Apprentices can receive qualifications ranging from that equivalent to 5 GCSE passes to that equivalent to a degree.
- 1.2 Cherwell District Council (CDC) has pledged during 2016-2017 to “continue to support skills development, apprenticeships and job clubs in order to help support local employment and reduce the number of young people not in education, employment or training”³. In particular CDC is keen to increase the number of apprenticeships and related skills that come forward through the construction of new development areas in the District. This aspiration is in line with the latest report from the Construction Skills Network which forecasts that in the south east region alone, 1730 construction jobs are expected to be created every year over the next 5 years, but skill shortages are beginning to emerge⁴.
- 1.3 Oxfordshire in general and the Cherwell District in particular, are experiencing a large increase in construction to provide new homes and jobs for the area. However there is a shortage of skilled construction workers to support this growth. The table below shows the trends over the last four years. Construction apprenticeships are decreasing. They made up 6.6% of the total in 2011/12 and falling to 4.1% in 14/15. Furthermore labour market information gathered by the Oxfordshire Local Enterprise Partnership (OXLEP) has shown that within the local construction sector, it is the elementary construction occupations that are most in demand⁵.

Construction, Planning and the Built Environment	2011/12	2012/13	2013/14	2014/15, Q4 provisional
Count of construction apprenticeship starts	300	250	170	180
% of all apprenticeships	6.6%	5.6%	4.4%	4.1%

Source: Economy and Skills, Oxfordshire County Council.

- 1.4 The need to increase the number of apprenticeships locally is picked up by both the Oxfordshire Local Economic Partnership (OxLEP) and the South East Midlands Economic Partnership (SEMLEP). OxLEP’s Strategic Economic Plan is committed to delivering 1150

¹ Apprenticeships Policy, England 2015: House of Commons Library Briefing Paper 03052, 20 January 2016 page 3

² Op. cit. page 3

³ Cherwell District Council Performance Pledges 2016-2017

⁴ Construction Skills Network South East Report 2016-2020

⁵ Oxfordshire Labour Market Information Summer 2014, Oxfordshire Skills Board Page 39 more apprenticeships

to 2020 within Oxfordshire⁶. The SEMLEP Strategic Economic Plan is seeking just over 94,000 apprenticeship starts within the SEMLEP area between 2015 and 2020. Of these, it is anticipating that 7017 will be created within the Cherwell District⁷. It notes in particular that there is a shortage of skills and an aging workforce in the construction sector across the SEMLEP area and that there are significant opportunities for jobs growth in these sectors across the SEMLEP area⁸.

- 1.5 Cherwell District Council's Economic Development Strategy (CDCEDS) identifies the provision of apprenticeships as one way to help people into employment⁹. In essence, the growth envisaged in the Cherwell District Council Local Plan Part 1 (July 2015) will both benefit from a healthy supply of construction apprentices as well as providing an ideal environment to support the training of new entrants to the construction trades. In respect of North West Bicester, the CDCEDS seeks to implement the NW Bicester Economic Strategy as one of the means to provide, encourage and support skills needed to develop NW Bicester and cites local apprenticeships as an outcome of this initiative¹⁰.
- 1.6 This note will set out the national and local planning policy context before describing the approach to be taken in the negotiation of construction (and related trades) apprenticeships for planning applications for certain categories of new development by Cherwell District Council. It is intended that this note will operate as informal guidance which will eventually help inform a relevant policy within the Cherwell District Council Local Plan Part 2 and the Planning Contributions Supplementary Planning Document, which are currently in the early stages of preparation.

2.0 National Planning Policy Context

2.1 The National Planning Policy Framework March 2012 (NPPF)

The Framework is predicated on ensuring that the planning system promotes sustainable development. The Framework notes that there are 3 dimensions to sustainable development and that the planning system should correspondingly perform an environmental role, a social role and an economic role¹¹. In terms of the economic role, the NPPF notes that pursuing sustainable development involves "making it easier for jobs to be created in cities, towns and villages."¹² It further notes that "plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas."¹³

- 2.2 Under the heading "Building a strong, competitive economy" the NPPF states that "the Government is committed to securing economic growth in order to create jobs and prosperity..."¹⁴ It continues by stating that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth and that

⁶ OxLEP Strategic Economic Plan March 2014, page 42

⁷ SEMLEP Strategic Economic Plan 2015-2020, Table B SEMLEP Apprenticeship Data, Page 25

⁸ Op cit. paragraph 2.5.19, page 26

⁹ Economic Development Strategy for Cherwell, North Oxfordshire 2011-2016, Cherwell District Council, pages 32, 45

¹⁰ Op Cit. page 47

¹¹ NPPF (March 2012) paragraph 7

¹² NPPF (March 2012) paragraph 9

¹³ NPPF (March 2012) paragraph 10

¹⁴ NPPF (March 2012) paragraph 18

planning should operate to encourage this. It concludes the paragraph by stating that significant weight should be placed on the need to support economic growth through the planning system.¹⁵

2.3 In terms of how apprenticeships can be delivered through the planning system, CDC proposes that this is achieved through planning obligations attached to planning consents, whichever is the most appropriate depending on the individual circumstances of each application and site. In drafting conditions and agreements, CDC will take account of the NPPF and Planning Practice Guidance.

2.4 Eco Towns Supplement to Planning Policy Statement 1 July 2009 (SPPS1)

The SPPS1 specifically applies to the North West Bicester site. In a similar way to the NPPF, there are no explicit references to the provision of apprenticeships in the Supplement. However section ET10 Employment states that an economic strategy should be produced to accompany planning applications *for eco towns that demonstrate how access to work will be achieved. One of the supporting documents accompanying the NW Bicester Masterplan submitted by A2 Dominion is the NW Bicester Economic Strategy (21 March 2014) which contains a commitment to apprenticeships. This will be explored in more detail in the section below which deals with the local planning policy context.*

3.0 Local Planning Policy Context

3.1 The Cherwell Local Plan 2011-2031 Part 1 (adopted July 2015)

Securing the economic future of the District is the main priority of the Local Plan¹⁶. The main focus of the Plan is strengthening the local economy, job creation, inward investment and company growth, as well as building cohesive communities.¹⁷ In particular, the Plan notes that relatively large numbers of people in Cherwell are without qualifications and basic skills, so the level of education and training needs to improve¹⁸. The Plan contains 5 strategic objectives for developing a sustainable local economy including SO5 which aims to “.....support an increase in skills and innovation....¹⁹”. The Plan notes that “there will also need to be promotion of local training providers, an improvement of the relationships between companies and schools, colleges and the universities....²⁰”. However there are no strategic policies that deal with the provision of apprenticeships / increasing skills in the workforce as these are detailed policy areas more appropriately covered in the Cherwell Local Plan Part 2.

3.2 However the supporting text to Policy Bicester 1: North West Bicester Eco-Town states that an economic strategy will be required and there should be local sourcing of labour, including providing apprenticeships during construction²¹. Policy Bicester 1 itself repeats the requirement for an economic strategy to be prepared to support planning applications for the site and amongst other matters, to demonstrate how access to work will be achieved.

¹⁵ NPPF (March 2012) paragraph 19

¹⁶ CDC Local Plan 2011-2031 Part 1, July 2014, paragraph ix Executive Summary.

¹⁷ Op cit. paragraph 1.66

¹⁸ Op cit. paragraph A14

¹⁹ Op cit. page 31

²⁰ Op cit. paragraph B14

²¹ Op cit. paragraph C39

3.3 North West Bicester Supplementary Planning Document (adopted February 2016)

The North West Bicester Supplementary Planning Document amplifies Policy Bicester 1 of the Local Plan Part 1. Under Development Requirement 5- Employment, it states that employment proposals for NW Bicester will be required to “support apprenticeship and training initiatives”. In Section 6 Delivery, the SPD states that “employment opportunities and facilities to support job creation providing a mix of uses and access to job opportunities” should be taken into account to deliver the masterplan vision through the submission of planning applications. It further states that contributions towards local employment, training and skills will be required through legal agreements from developers²².

3.4 NW Bicester Masterplan: Economic Strategy (March 2014)

In line with Section ET10 of the PPS1 Supplement and Policy Bicester 1 of the Cherwell Local Plan this Economic Strategy has been prepared by SQW on behalf of the promoters of the NW Bicester site to support the NW Bicester Masterplan. Figure 3-2 sets out the contribution the NW Bicester site will make to local economic objectives. It states that “NW Bicester will support the expansion of education and training opportunities in Bicester by increasing demand and the sponsorship of apprenticeships, for example in eco construction”. It notes that NW Bicester will create a long term (20+ year) demand for local skills relating to eco construction.

3.5 Paragraph 5.6 of the Economic Strategy states that “training programmes, including apprenticeships, will be provided to ensure local residents and firms can acquire the necessary skills for NW Bicester, but that these skills will also be in increasing demand elsewhere as construction standards improve and retrofit programmes are rolled out”.

3.6 Finally, Table 6-1 Economic Development Action Plan consolidates all of the above statements by setting out that OCC and CDC will develop a Bicester wide apprenticeship strategy for all the development in Bicester of which NW Bicester is a part. It further states that apprenticeship schemes will be agreed with developers, the local colleges and other suitable local training providers.

4.0 How this Guidance will be applied

4.1 Approach

Cherwell Council will seek to apply this Guidance across its entire administrative area. It will seek the provision of a stated target number of new construction apprenticeships (or apprenticeship starts) as part of a required Employment, Skills and Training Plan (ESTP) for each proposal for new development, to be secured via S106 agreement as explained in paragraph 2.3 above. CDC is keen that the submission of ESTPs should not be unduly onerous for developers, hence an ESTP framework is provided for information at Appendix A to this Document. This can be reproduced by developers and completed by filling in the relevant numbers.

4.2 This Guidance will apply to the types of new development and subject to the thresholds set out in the table below. However if proposed developments fall below these thresholds but developers would still like to provide new construction apprenticeships, then the Council will

²² North West Bicester Supplementary Planning Document (adopted March 2016), page 54.

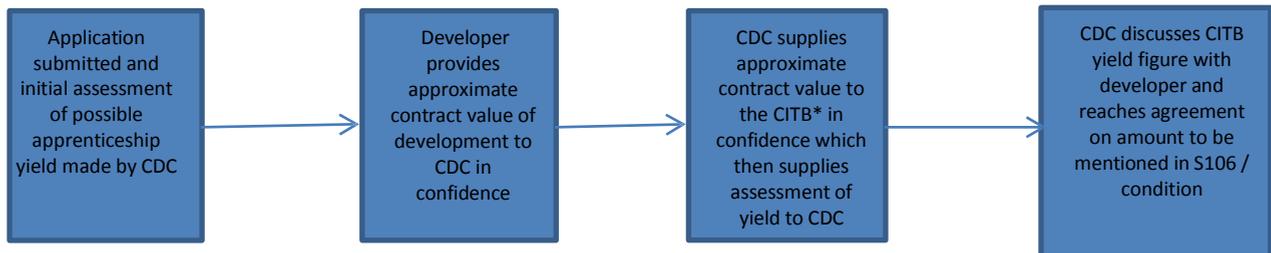
encourage and seek to support them in doing so. As the number of stated new apprenticeships will be expressed in planning obligations as a stated target to be achieved, if developers and / or their contractors are able and willing to exceed these, then the Council will encourage them to do so.

Type of Proposed New Development	Threshold	Indicative number of apprenticeships to be achieved
Housing (Use Class C3)	50 units	2.5 apprenticeships per 50 units
Non-residential uses	1000 sq m of floorspace	3 apprenticeships per 1000 sq m of floorspace
Utilities and highways infrastructure applications	None	Subject to discussion with developers on a case by case basis

4.3 In essence, while Cherwell District Council is keen to achieve an increase in new construction apprenticeship opportunities in the District through the planning system, it also considers that such arrangements need to be arrived at through discussion and agreement with developers, rather than imposed in a top-down fashion. It will be counter-productive if the numbers of construction apprenticeships required by CDC are unrealistic because they are actually unable to be achieved.

4.4 Process

The purpose of the information in the above table is to provide guidance for developers and will be the starting point in discussions with developers about the amount of apprenticeships each application could yield. This is because the Council understands that each site’s circumstances will vary and that apprenticeship yield largely relates to development cost / contract value. CDC envisages the approach to agreeing the apprenticeship yield from each relevant application could follow the process such as the one set out in the diagram below:



* CITB = Construction Industry Training Board

4.5 This process has already been piloted successfully with planning applications which form part of the NW Bicester development.

5.0 Approach to S106 Agreements

5.1 S106 Agreement Clauses

S106 agreements will require applicants (or their successors in title) to submit an Employment Skills and Training Plan in line with the specimen framework attached to the

agreement (and included as Annex A of this document) before implementation of the development. S106 agreements will require this to be approved by CDC in writing prior to implementation and for the applicants (or successors in title) to be guided by the contents.

- 5.2 S106 agreements will also require that the ESTP sets out the arrangements by which the applicants will provide the stated target number of agreed construction (and related trades) apprenticeships and will support the applicant to use The Apprenticeship and Training Company Ltd or other equivalent approach. Apprenticeship Training Agencies (ATAs) are organisations that directly employ apprentices and operate as the apprentice's day-to-day workplace manager. They coordinate the apprentice's training and pay the associated training costs. The host employer (i.e. where the apprentice will have his/her on-site placement) pays a fee which covers the cost of their salary (which will be at least the National Minimum Wage Rate), plus a management fee to cover the ATA's costs (which includes HR and payroll provision and the management of the off-site training provision). Therefore ATAs support businesses who want to take on apprentices by dealing with the administration associated with hiring or employing an apprentice. Appendix B of this Guidance provides further information about The Apprenticeship and Training Company Ltd (to be finalised).
- 5.3 S106 agreements will require that all of the apprenticeship opportunities secured through these means are initially advertised within the administrative area of the District Council and if there are no such suitable persons, to people residing in Oxfordshire and then the surrounding locality (e.g. Milton Keynes, Aylesbury, Northamptonshire).

6.0 Conclusion

- 6.1 Increasing the number of new apprenticeships in England is a high profile Government objective. Cherwell District Council supports this aspiration. The amount of new development taking place in the District over the next 20 years or so, coupled with the evidenced shortage of construction skills provides both an incentive and opportunity to secure the provision of new construction related apprenticeships through the land use planning system. Although the national planning policy guidance does not refer to apprenticeships specifically, it makes it clear that it is the business of the planning system to promote and support economic growth through the provision of jobs and that significant weight should be attached to the need for the planning system to support sustainable economic growth.
- 6.2 The Cherwell District Council Local Plan Part 1 as well as CDC's Economic Strategy contain strategic aspirations relating to the need to support an increase in skills and training within the District. These are expressed in more detail in Local Plan Policy Bicester 1 and the NW Bicester Eco Town SPD which both specifically refer to the need for an economic strategy to support NW Bicester and that it should contain provisions to support apprenticeship and training initiatives - which it does so. This guidance anticipates the further detailed policy approach to be contained in Local Plan Part II which will relate to new development sites across the District.
- 6.3 CDC is anticipating that developers will generally support the approach being promoted in this Guidance as an important and progressive initiative designed both to increase the number of local skilled construction operatives available to support the building industry, as well as promoting the construction trades generally as a valuable future career path for young people.

Appendix 14: Community Safety/ CCTV Provision

Table 1: Levels of Contribution Sought

Priority	Level of Contribution
Priority 1	Seeking on-site provision of an appropriate number of CCTV cameras to monitor areas considered to be of high risk.
Priority 2	Relevant permissions to erect infrastructure, such as aerials, to facilitate transmission of images.
Priority 3	To install ducting to facilitate self-provide fibres
Priority 4	Where predominantly retail to contribute an agreed sum to monitoring and maintenance.
Priority 5	New development will be expected to contribute towards the provision of additional on-site infrastructure for at least a period of 10 years.

Crime impacts all development, however, retail and evening leisure uses usually have the greatest impact. Table 2 illustrates the measures likely to be considered appropriate for the type of development proposed.

Table 2:

Development Type	Priority/ Measure
Large Retail	1,2,3,4,5
Drinking Establishments	1,2
Nightclubs	1,2
Hot Food Takeaway	1,2
Local Retail	1,2,3
Large scale public open space	1,2,3

Table 2 is indicative only. Developments may include all, or only part of these elements. Specific requirements are therefore subject to negotiation following impact assessments by the police and partners.

Table 3: Guidance on Costs

Priority	Level of Contribution	Costs
Priority 1	Seeking on-site provision of an appropriate amount of CCTV cameras sufficient to monitor areas considered by police and partners to be of high risk as part of new development.	Cameras = £3,000 approx. This includes brackets and aerials
Priority 2	Relevant permissions to erect infrastructure such as aerials	Subject to planning permissions

	to facilitate transmission of images.	
Priority 3	To install ducting to facilitate self-provide fibres	Insignificant as ducting can be provided early in the construction process.
Priority 4	Where predominantly retail to contribute an agreed sum to monitoring and maintenance	Monitoring can range from £1,000 to £2000 per camera per annum. Where there are a large number of cameras the fee is negotiable. Maintenance would be approximately £300 per camera per annum.
Priority 5	New development will be expected to contribute towards the provision of additional onsite infrastructure for at least a period of 10 years.	The longevity of the provision is dependent upon the figures in Priority 4 being extended for at least 10 years.

APPENDIX 15: Health & Wellbeing – Calculation of Contributions

The following calculations are based on the formula and approach adopted by Oxfordshire Clinical Commissioning Group in July 2017.

Calculation of cost = occupancy x number of units in the development x £360 (as set out in the table below)

Size of Unit	Occupancy Assumptions based on size of unit	Health need/sum requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1,008 per 3 bed unit
4 bed unit	3.5 persons	£1,260 per 4 bed unit
5 bed unit	4.8 persons	£1,728 per 5 bed unit

Where the unit sizes are not specified (ie in outline applications) an average occupancy of 2.4 persons will be used to indicate the initial costs required until such time as the size of units are confirmed.

Indicative square meterage calculations historically used to determine the core General medical Services (GMS) space required for a practice.

No. of patients	2,000	4,000	6,000	8,000	10,000	12,000	14,000	16,000	20,000
Type of Premises	A	A	B	B	B	B	B	B	B
Gross Internal Area Allowance (sqm)	199	333	500	667	833	916	1,000	1,083	1,250

Type A assumes a single storey premises

Type B assumes a two storey premises with one staircase and one lift

Source: NHS Property Services Demand Assessment Tool

Appendix 16: Guide to Funding Mechanisms by Infrastructure Type

NOTE: The Council is not currently (October 2017) proceeding with the introduction of a CIL Charging Schedule. This table therefore only gives an indication of the appropriate funding mechanisms *should* the Council adopt CIL in the future.

Type	CIL	S106	Condition	S278
Housing				
Affordable Housing		✓		
Commuted offsite payments for the provision of affordable housing		✓		
Extra Care Housing		✓		
Transport (includes PRow)				
Site specific Highway and Access Impacts		✓		✓
Non-site specific Highway improvements	✓	✓		
Site specific sustainable transport		✓		✓
Non-site specific sustainable transport	✓	✓		
Highways Depots	✓			
Education				
On site Education (Primary, Secondary, 6 th Form, Special Educational Needs)		✓		
Education (Primary, Secondary, 6 th Form, Special Educational Needs)	✓	✓		
Onsite early years and childcare provision		✓		
Early years and childcare provision	✓	✓		
Skills and Training				
Apprenticeships		✓	✓	
Utilities				
Sustainable Urban Drainage Systems		✓	✓	
On site provision of Refuse bins, recycling banks/'bring in' sites		✓	✓	
Off-site provision of Recycling banks/'bring in' sites	✓			
Strategic Waste Management (WRC)	✓	✓		
Strategic Flood Defence	✓	✓	✓	
Enhancements to the sewerage network beyond that covered by the Water Industry Act and sewerage undertakers (*)	✓		✓	
Fire and Rescue	✓	✓		
Community safety and policing				
Onsite provision of community safety and policing infrastructure		✓		
Off-site Community safety and policing infrastructure	✓			
Health				

Type	CIL	S106	Condition	S278
Onsite provision of health infrastructure		✓		
Off-site provision of health infrastructure	✓			
Air Quality				
Measures during construction of new development including dust control, site monitoring and plan emissions		✓	✓	
Measures for implementation of the Air Quality Action Plan	✓	✓	✓	
Indoor sport, recreation and community facilities				
Onsite Community centre/hub		✓		
Offsite Community centre/hub	✓			
Community Development Funding	✓	✓		
Site specific Indoor Sports		✓		
Indoor Sports	✓	✓		
Integrated Youth Support Service	✓			
Libraries	✓	✓		
Day care Provision for the Elderly	✓			
Adult Learning	✓	✓		
Museum Resource Centre (MRC)	✓	✓		
Open space recreation and Biodiversity				
Site specific Open space, play space, outdoor sport, allotments, recreation and landscaping		✓		
Country parks, open space, play space, outdoor sport, allotments, recreation and landscaping	✓	✓		
Cemeteries	✓	✓		
Onsite Nature Conservation and Biodiversity		✓	✓	
Nature Conservation and Biodiversity	✓	✓		
Sustainable Construction		✓	✓	
Public Realm				
Site specific Public Art & Public Realm		✓	✓	
Heritage				
Archaeology			✓	
Heritage-related projects	✓	✓		

Appendix 15
Local Development Scheme

LDS March 2020

**CHERWELL DISTRICT COUNCIL
LOCAL DEVELOPMENT SCHEME
March 2020**



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

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1. Introduction

The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents that will be relevant to future planning decisions. It outlines the programme and resources for completion and adoption of each relevant planning document. It is a requirement of the Planning and Compulsory Purchase Act 2004 (as amended) that the Council prepares and maintains an LDS.

The LDS must specify:

- the local development documents which are to be development plan documents;
- the subject matter and geographical area to which each development plan document is to relate;
- which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- any matter or area in respect of which the authority has agreed (or proposes to agree) to the constitution of a joint committee;
- the timetable for the preparation and revision of the development plan documents; and
- such other matters as are prescribed.

Development Plan Documents must be prepared in accordance with the LDS.

This LDS was approved by the Council's Executive on 2 March 2020 and revises that previously approved on 3 December 2018. It updates the programme for the production of the Council's key planning policy documents.

2. Key changes since the last LDS

Key changes since approval of the last LDS in December 2018 include:

- significant progress on the Partial Review of the Cherwell Local Plan (Oxford's Unmet Housing Needs);
- the Mid Cherwell Neighbourhood Plan was made 14 May 2019;
- work on producing an Oxfordshire wide Joint Statutory Spatial Plan – the Oxfordshire Plan 2050 – has progressed.

These changes have informed preparation of this LDS.

3. Existing Development Plan

As at March 2020, the existing statutory Development Plan comprises:

- the Cherwell Local Plan 2011-2031 (Part 1) adopted in July 2015 (incorporating the re-adopted Policy Bicester 13);
- the saved policies of the adopted Cherwell Local Plan 1996 that have not been replaced (see Appendix 7 of the 2015 adopted Local Plan);
- the Hook Norton Neighbourhood Plan formally 'made' on 19 October 2015;
- the Bloxham Neighbourhood Plan formally 'made' on 19 December 2016;
- the Adderbury Neighbourhood Plan formally 'made' on 16 July 2018;
- the Mid Cherwell Neighbourhood Plan formally 'made' on 14 May 2019;

- the Oxfordshire Minerals and Waste Local Plan (Part 1 – Core Strategy) (adopted by the County Council on 12 September 2017);
- the saved policies of the Oxfordshire Minerals and Waste Local Plan 1996 (adopted by the County Council) that have not been replaced.

The **Cherwell Local Plan 1996** was adopted in November 1996 and policies were saved from 27 September 2007.

The **Cherwell Local Plan 2011-2031 (Part 1)** was completed and adopted by the Council on 20 July 2015. It incorporates Policy Bicester 13 re-adopted on 19 December 2016. The Plan presently comprises the main strategy document containing strategic development sites and policies.

The **adopted Policies Map** – a map of Cherwell which illustrates geographically the application of the policies in the adopted Development Plan (other than Minerals and Waste policies prepared by the County Council). An Interactive Adopted Policies Map is available on-line at www.cherwell.gov.uk.

4. Existing Supplementary Planning Documents

Supplementary Planning Documents (SPDs) provide further detail to Local Plan policies. They are statutory documents but do not form part of the Development Plan. The following SPDs have been completed to add further detail to the adopted Cherwell Local Plan 2011-2031:

- North West Bicester SPD – adopted on 22 February 2016
- Banbury Masterplan SPD – adopted on 19 December 2016
- Kidlington Masterplan SPD – adopted on 19 December 2016
- Developer Contributions SPD – adopted on 26 February 2018
- Cherwell Residential Design Guide SPD - adopted on 16 July 2018

5. Non-Statutory Local Plan

The Council also has a Non-Statutory Cherwell Local Plan 2011 which has not been withdrawn nor fully replaced. Originally produced as a replacement for the adopted Local Plan 1996, the Plan was subject to first and second draft deposit stages and pre-inquiry changes were incorporated. However, the decision was taken by the Council to discontinue work on the plan on the 13 December 2004 and withdraw it from the statutory local plan process before the Public Inquiry. To avoid a policy void the Non-Statutory Cherwell Local Plan 2011 was approved by the Council as interim planning policy for development control purposes on the 13 December 2004. Over time, its policies are being superseded by new planning documents.

6. Statement of Community Involvement

The Council's Statement of Community Involvement (SCI) sets out how communities and stakeholders can expect to be engaged in the preparation of planning documents and in the consideration of planning applications. The SCI was consulted upon from 29 January to 11 March 2016 and adopted by the Council on 18 July 2016.

7. Annual (or Authorities) Monitoring Reports (AMRs)

These are produced each year to monitor progress in producing Local Plans and Supplementary Planning Documents; on the implementation of policies; in meeting the district's housing requirement; and on the making of Neighbourhood Plans. They must include up-to-date information collected for monitoring purposes and, where relevant, include information on any applicable

Community Infrastructure Levy and cooperation with prescribed bodies. AMRs are published on-line and supported by the publication of additional monitoring information as required.

8. Potential Neighbourhood Development Plans

Neighbourhood Plans can be produced by Town or Parish Councils or other relevant bodies to set out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular, specified neighbourhood area. They are not prepared by the District Council but are submitted to it ahead of independent examination and a referendum. They are not legally defined as Development Plan Documents but do become part of the statutory Development Plan once they have successfully passed a referendum.

In addition to the 'made' Hook Norton, Bloxham, Adderbury and Mid Cherwell Neighbourhood Plans (see section 3), the following Parishes presently either have designated Neighbourhood Areas, have made applications for an area to be designated, or are actively preparing plans:

- Deddington
- Shipton on Cherwell and Thrupp
- Weston-on-the-Green
- Bodicote
- Stratton Audley
- Merton.

9. Planning Policy Documents to be prepared by the Council

Planning policy documents that the Council is or will be working on are as follows:

1. **Partial Review of Cherwell Local Plan 2011-2031 (Part 1)** – prepared to meet a commitment in the adopted Local Plan to help Oxford with its unmet housing need. Submitted to Government for examination on 5 March 2018. Consultation took place on an Issues Paper from 29 January 2016 – 11 March 2016, on an Options Paper from 14 November 2016 – 9 January 2017 and on a Proposed Submission Document from 17 July 2017 to 10 October 2017. A preliminary hearing took place on 28 September 2018 and main hearings were held between 5 and 13 February 2019.

The Inspector's Post-Hearing Advice Note was received 13 July 2019. The Inspector advised that one major change was required to make the Plan sound. A Schedule of Proposed Main Modifications to address the concerns of the Inspector were consulted upon between 8 November 2019 and 20 December 2019 with a view to making a formal submission to the Planning Inspectorate

Upon adoption by the Council the Partial Review will become part of the statutory Development Plan.

2. **Oxfordshire Plan 2050** – a new countywide strategic plan being prepared jointly on behalf of the five district local planning authorities, with the support of the County Council, under Section 28 of the Planning and Compulsory Purchase Act 2004. Preparation is overseen by the Oxfordshire Growth Board. In 2018 a Draft Statement of Common Ground was published and a Project Board established. A first stage of public consultation was undertaken during February/March 2019. It is intended that a second stage of public consultation will be held in June/July 2020. Consultation on the proposed submission draft is scheduled for November/December 2020, followed by final submission in March 2021. The Plan is expected to be adopted in March 2022. Upon adoption by the Council it will become part of the statutory Development Plan.

3. **Cherwell Local Plan Review** – a review of the adopted Cherwell Local Plan to ensure key planning policies are kept up to date, to assist implementation of the Oxfordshire Plan and to replace the remaining saved policies of the 1996 Local Plan.
4. **Supplementary Planning Documents (SPDs)** – Banbury Canalside SPD – to be re-commenced supplemented by a delivery plan. This will provide additional detail to assist the implementation of Policy Banbury 1 of the adopted Cherwell Local Plan 2011-2031.
5. **Community Infrastructure Levy (CIL) Charging Schedule** – CIL comprises a schedule of charges for contributions to off-site infrastructure, payable by developers. Consultation on a preliminary charging schedule was undertaken from 12 February to 25 March 2016. A draft charging schedule was consulted upon from 14 November 2016 to 9 January 2017.

Work on a potential CIL was put on hold while a national policy review was undertaken and in anticipation of further Government guidance which has since been published. New work on CIL is now programmed to align with preparation of the Cherwell Local Plan Review.

The programme for preparing these documents is set out in the schedules below. The Council is expected to produce documents in accordance with the schedules. If significant changes in circumstances occur, the LDS will be reviewed.

Schedule 9.1	Partial Review of the Cherwell Local Plan 2011-2031 (Part 1): Oxford's Unmet Housing Needs	
Strategic or Local Policies	Strategic Policies	
Subject Matter	Partial Review of Part 1 of the adopted Cherwell Local Plan 2011-2031 to help meet the identified unmet housing needs from elsewhere in the Oxfordshire Housing Market Area and arising infrastructure requirements. Builds upon countywide joint working and follows the 'Post SHMA Strategic Work Programme' agreed by the [then Shadow] Oxfordshire Growth Board on 20 November 2014. On 26 September 2016, the Oxfordshire Growth Board approved an apportionment of Oxford's unmet housing need (approximately 15,000 homes) to the Oxfordshire District Councils. Cherwell was asked to accommodate an additional 4,400 homes (2011-2031).	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Agreed Countywide Post-SHMA work programme	20 November 2014
	Formal Commencement (adoption of Local Plan Part 1)	20 July 2015
	District Wide Issues Consultation (Regulation 18)	29 January 2016 – 11 March 2016
	Countywide working on identifying the unmet need and apportionment	Completed 26 September 2016
	District Wide Options Consultation (Regulation 18)	14 November 2016 – 9 January 2017
	Preparation of Proposed Submission DPD	January 2017 to July 2017
	Consultation on Proposed Submission DPD	17 July – 10 October 2017
	Submission (Regulation 22)	5 March 2018
	Examination (Regulation 24)	March 2018 onwards
	Examination Hearings (Regulation 24)	28 September 2018; 5 - 13 February 2019.
	Submission of Main Modifications	25 February 2020 (TBC)
	Receipt and Publication of the Inspector's Report (Regulation 25)	April 2020 (estimate)
	Adoption (Regulation 26)	May 2020 (estimate)
		Notes: Programme following hearings subject to confirmation from the Planning Inspectorate.
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy team, input from other Council services, neighbouring authorities and consultees; consultancy support as required; Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.2	Oxfordshire Plan 2050 <i>(note: programme reflects the timeline endorsed by the Oxfordshire Growth Board at a meeting on 24 September 2019 available at: http://democratic.southoxon.gov.uk/ieListDocuments.aspx?Cid=330&Mid=2473&Ver=4 - Item 25)</i>	
Strategic or Local Policies	Strategic Policies	
Subject Matter	Countywide spatial plan to manage development to 2050. Will provide strategic planning policies including for housing, employment, transport & infrastructure, biodiversity and responding to climate change.	
Geographical Area	Oxfordshire	
Status	Joint Development Plan Document (DPD)	
Timetable	Formal commencement	31 January 2018
	Initial Consultation (Regulation 18)	February/March 2019
	Consultation on Preferred Strategy (Regulation 18)	June/July 2020 (TBC)
	Consultation on Proposed Submission Draft Plan (Regulation 19)	November/December 2020 (TBC)
	Submission (Regulation 22)	March 2021 (TBC)
	Examination (Regulation 24)	June - September 2021 (estimated)
	Receipt and Publication of Inspector's Report	December 2021 (estimated)
	Adoption (Regulation 26)	March 2022 (subject to examination)
	Notes: Examination dates and subsequent programme subject to confirmation from the Planning Inspectorate and views of Inspector.	
Management Arrangements	A joint Plan by the five district Local Planning Authorities with the support of the County Council. Overseen by the Oxfordshire Growth Board - a joint committee of the six local authorities, together with key strategic partners. CDC Input: <ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Oxfordshire Growth Board: <ul style="list-style-type: none"> • Central Plan Team: <ul style="list-style-type: none"> • with consultancy support as required • advised by district officer Liaison Group • advised by Members' Advisory Group • reporting to Project Board (Heads of Planning) • reports to Growth Deal Programme Board & Growth Board • Growth Deal capacity funding CDC <ul style="list-style-type: none"> • input from Planning Policy, Conservation and Design service • input from other Council services on internal working group • consultancy support as required 	
Monitoring and review mechanisms	Oxfordshire Plan monitoring report & CDC Annual Monitoring Report	

Schedule 9.3	Cherwell Local Plan Review	
Strategic or Local Policies	Strategic and Local Policies	
Subject Matter	Planning policies to manage development and meet local priorities, to review & keep up-to-date existing planning policies, and to support implementation of the Oxfordshire Plan 2050. Will include the identification and delivery of strategic and non-strategic development sites for housing, employment, open space and recreation, travelling communities and other land uses.	
Geographical Area	Cherwell District	
Status	Development Plan Document (DPD)	
Timetable	Commencement	April 2020
	District Wide Issues Consultation (Regulation 18)	July - August 2020
	District Wide Options Consultation (Regulation 18)	February – March 2021
	Consultation on draft Plan (Regulation 18)	October - November 2021
	Consultation on Proposed Submission Plan (Regulation 19)	July– August 2022
	Submission (Regulation 22)	November 2022
	Examination (Regulation 24)	November 2022 – June 2023 (TBC)
	Examination Hearings (Regulation 24)	February/March 2023 (TBC)
	Receipt and Publication of the Inspector's Report (Regulation 25)	June 2023 (TBC)
	Adoption (Regulation 26)	July 2023 (TBC)
		Notes: Hearing dates and subsequent programme subject to confirmation from the Planning Inspectorate
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy, Conservation and Design service, input from other Council services, neighbouring authorities and consultees; consultancy support as required. Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.4	Banbury Canalside Supplementary Planning Document (SPD)	
Subject Matter	Expands upon and provides further detail to Local Plan policies for the development area of Canalside, Banbury. To be supported by a delivery plan.	
Geographical Area	Canalside including part of Banbury town centre	
Status	SPD	
	Continued Preparation & Engagement	March – September 2020
	Formal Consultation on draft SPD (Regulation 12/13)	September – October 2020
	Adoption (Regulation 14)	December 2020
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy, Conservation and Design service; input from other Council services, neighbouring authorities and consultees; consultancy resource.	
Monitoring and review mechanisms	Annual Monitoring Report	

Schedule 9.5	Community Infrastructure Levy Charging Schedule	
Subject Matter	The purpose of CIL is to raise funds to deliver off-site infrastructure that will support the development proposed within Cherwell. This could include open space, leisure centres, cultural and sports facilities, transport schemes, schools among other requirements. The charging schedule providing the basis of the Levy and must be informed by an assessment of an infrastructure funding gap and the viability of different levels of Levy. There will be consultation and a public Examination.	
Geographical Area	Cherwell District	
Status	Levy	
	Re-commencement	March 2021
	Focused consultation on Draft Charging Schedule	October - November 2021
	Formal consultation on Draft Charging Schedule (Regulation 16)	July – August 2022
	Potential Submission of Charging Schedule (Regulation 19)	November 2022 (subject to Council decision)
	Examination (TBC)	November 2022 – June 2023
	Examination Hearings (TBC)	February/March 2023
	Receipt and Publication of the Inspector's Report (Regulation 23) (TBC)	June 2023
	Approval (TBC)	July 2023
	Notes: Examination and Hearing dates yet to be confirmed. Aligned to Local Plan Review.	
Management Arrangements	<ul style="list-style-type: none"> • Planning Policy, Conservation and Design Manager reporting to • Assistant Director - Planning and Development reporting to • Corporate Director - Place & Growth • Reports to Executive and Council 	
Resources Required	Planning Policy team; input from other Council services, neighbouring authorities and consultees; consultancy support as required. Programme Officer and Planning Inspectorate.	
Monitoring and review mechanisms	Annual Monitoring Report	

Appendix 1: LDS Timetable

Document	2018												2019												2020																							
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D												
1 Partial Review of the Local Plan (Part 1)			S					H							H																																	
2 Oxfordshire Joint Statutory Spatial Plan (JSSP)	C								IC						FC	FC																																
3 Local Plan Review																																																
4 Banbury Canalside SPD																																																
5 Community Infrastructure Levy (CIL)																																																

Document	2021												2022												2023																							
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D												
1 Partial Review of the Local Plan (Part 1)																																																
2 Oxfordshire Joint Statutory Spatial Plan (JSSP)			S				H	H																																								
3 Local Plan Review																																																
4 Banbury Canalside SPD (Adoption in Dec 2020)																																																
5 Community Infrastructure Levy (CIL)																																																

- C** Commencement
- IC** Initial Consultation
- FC** Further Consultation
- S** Submission
- H** Hearings (Public Examination)
- A** Adoption / Approval
- R** Re-commencement
- In Progress**
- Paused**

Appendix 16

Oxfordshire Growth Board Impacts of COVID-19



To: Oxfordshire Growth Board
Title of Report: Impact of the COVID-19 Pandemic on the Oxfordshire Housing and Growth Deal
Date: 2 June 2020
Report of: Bev Hindle, Growth Board Director
Status: Open

Executive Summary and Purpose:
 The purpose of this report is to update the Growth Board on the early impact that the COVID-19 pandemic has had on the delivery of the Oxfordshire Housing and Growth Deal, including a recommendation to revise the Oxfordshire Plan 2050 Timeline. Officers will continue to monitor impact, reporting to future Growth Board meetings any actions necessary to mitigate impact over time. This report will be considered by a virtual online meeting of the Growth Board as a result of the recommended social distancing measures.

Recommendations:
 That the Growth Board:

1. Notes the early impact of the COVID-19 Pandemic on the delivery of the Oxfordshire Housing and Growth Deal, and in considering this;
2. Endorses a revised timeline for the Oxfordshire Plan 2050, as set out in this report, for officers to take forward in discussion with MHCLG.

Introduction

1. As the first deal of its kind, the Oxfordshire Housing and Growth Deal (‘the Deal’) was successful in securing £215m of Central Government investment to advance housing delivery and boost economic productivity in the area. Within the deal are four distinct workstreams.
2. The Homes from Infrastructure Programme (Hfi) within the Deal is a £150m investment in infrastructure to support the acceleration of already planned housing in Oxfordshire over a five-year period from 2018/19 to 2022/23. The Infrastructure projects include road, rail, cycle routes and footpaths, as well as social infrastructure such as schools. Similarly, The Affordable Housing Programme is a £60 Million investment over three years to support the delivery of at least 1322 additional affordable homes, using a range of tenures including social rent, affordable rent, shared ownership by March 2021.

3. Through the Deal, the Oxfordshire authorities agreed to develop a county wide Strategic Development Plan, known as the Oxfordshire Plan 2050, to support a more coordinated approach to long term spatial planning across the County. This is supported by additional time limited planning freedoms and flexibilities for local authorities to protect against unplanned development.
4. The fourth workstream within the Deal is Productivity which sits alongside the other work streams, led by the Oxfordshire Local Enterprise Partnership (OxLEP). At the centre of this work is an ambitious Local Industrial Strategy for Oxfordshire. It is the role of the Oxfordshire Growth Board to oversee and monitor delivery of the Deal and its workstreams.
5. The COVID-19 pandemic has had an unprecedented impact on populations globally, nationally and locally. Each of the Oxfordshire Councils are investing significant resources into managing local response efforts. This report however focusses on the impact that the pandemic is having on local delivery against the Deal programme; specifically, the Housing delivery, Infrastructure, Oxfordshire Plan 2050 and Productivity workstreams.
6. It is critical to note that this report provides an update on the early impacts of the pandemic only, and secondly that the fast-changing nature of the situation may render many comments in this paper out of date soon after publication. Forthcoming quarterly progress reports will reflect on the impact of COVID-19 and the actions taken in response on an ongoing basis as necessary.

Impact of COVID-19 on the Oxfordshire Housing and Growth Deal and the Housing Market

7. Prior to the COVID crisis, a picture was emerging in Oxfordshire of a housing market delivery trajectory that was slipping due to issues such as local plan delays and the beginnings of weakening developer confidence in certain areas of the Oxfordshire housing market. Within that overall picture however those sites that were supported by the Housing and Growth Deal through infrastructure investment were generally maintaining their delivery trajectory, partly because the infrastructure investment supported developer confidence and because these sites are the ones with the most robust demand profile and could withstand market movements more robustly.
8. Nationally, it is estimated that around 75% of housing sites closed due to the COVID crisis.¹ In Oxfordshire, all the major sites halted production because of COVID-19 and are now returning to work (May 2020). However, there will be on-site working practice restrictions in place that are likely to mean full productivity will not be possible whilst staff and contractors adapt to this new working environment. Some of the smaller development sites in Oxfordshire did not close, but capacity was limited as contractors were isolating or ill.

¹ Building.co.uk. 2019: Available at: <https://www.building.co.uk/news/coronavirus-stops-work-at-75-of-uk-housing-schemes/5105579.article>

9. There is also an issue of supply chains drying up and putting workers onto the Furlough Scheme, affecting the ability to develop.² However, there is evidence that these firms are also returning to work. In April for example, a major brickmaker Mickelmersh announced they would be returning to work.
10. Costs of construction will also be an issue affected by COVID-19. The market was already experiencing an increase in labour costs due to the effects of Brexit and this may well be compounded by the crisis. Coupled with the point made above that developers will not be able to run sites at full capacity due to the need for physical distancing, this will therefore impact upon the efficiency of sites and therefore costs.
11. Because of the slowdown, councils can expect housing delivery trajectories, both Deal related and more generally to be impacted. At the time of writing this report however officers have yet to complete the revised delivery trajectories for either Housing from Infrastructure or the Affordable Housing Programme. The former is being completed by partners and is expected to be available from late June, whilst the latter is being completed to an agreed deadline of the end of May.
12. Outside of the market slowdown, an added delay reported is the interruption to the planning process. Developers advise that where schemes are in feasibility stages work is progressing, but where either a consultation or decision point has been reached delays are inevitably occurring, although this is now reducing as an issue.
13. Looking to the longer-term impact on the housing market outside of the Deal timeframe market intelligence from Savills suggests that the housing market could see a 50% dip in activity in this financial year with the sharpest dip being in the second quarter. This is important because of the strong link between market activity (demand) and house prices. Accordingly, Savills suggest that house prices could fall as much as 10%, although they conclude it is too early to say whether the market will then re-adjust, or this will be a longer-term reduction.
14. Council partners will be aware of the government advice to councils to consider allowing SME developers to delay S106 commitments in a bid to support them through the crisis. For affordable housing this could take the form of either re-phasing or perhaps pressure to reduce the obligations, perhaps by remodelling or grant funding from government. This government advice has the potential to materially impact both the Deal and councils own affordable housing delivery trajectories as S106 accounted for 49% of all affordable housing delivered in 2018/19.
15. Developers will be concerned about any trend of slowing market housing activity and in particular shared ownership sales, which is seen as a softer market and more prone to economic cycles. This is because often the shared ownership client is usually on a lower quartile income for home ownership and the concern is that some of the potential purchasers may have had to use their

² Inside Housing, 2020. Available at: <https://www.insidehousing.co.uk/news/news/housing-associations-warn-supply-chain-failures-caused-by-covid-19-could-hurt-development-plans-66156>

deposit savings for other needs, whilst others may not be able to access mortgages now due to a change of employment situation.

16. Developers have advised that the attitudes of banks will be central to their future performance as they rely upon loan funding for their development activities, funded from sale receipts. This is especially true if the sales market does not pick up as loan finance is often secured against built stock. There is for example already some evidence that finance against shared ownership is being temporarily stopped by some lenders
17. In terms of the role of the Housing and Growth Deal, the Board will be aware that current Deal finance restricts expenditure to either infrastructure that accelerates planned housing or grant for additional affordable housing. Post COVID however there is perhaps a wider role for the Deal in enabling sites that have stalled to progress, thus accelerating housing that would otherwise have stalled. A discussion about this wider role for the Deal will be an ask of Government as we discuss how the Deal can aid recovery in the housing market.
18. Within this overall housing development picture, the Housing and Growth Deal Affordable Housing Programme (OAHP) has inevitably slowed. The Board will be aware that the programme was experiencing challenges in the second year and these challenges have been exacerbated by the COVID crisis. The immediate impact was that a proportion of the schemes that were programmed to reach the relevant milestone to qualify for grant at the end of year two failed at the last minute as staff were off sick or contractors were not available. There were also several schemes where the COVID crisis led the Registered Provider of social housing (RP) concerned to reflect upon whether their development contract and the penalties it contained for exceeding costs or timescales is one they could sign up to.
19. These last minute delays could have reduced the grant payment from government; fortunately it was agreed with MHCLG that all the schemes that had been programmed for year two would have the grant paid over to OCC as the accountable body and that grant then passed on to the relevant district council for payment to the RP when the payment milestone was achieved.
20. Looking at the impact of the COVID crisis on the OAHP moving forward, feedback from RPs on the Oxfordshire affordable housing market is that they are typically building a 6-9-month delay into their initial revisions of development business plans (as of April 2020) but sense these could be optimistic assessments. RPs also expect pressure for contracts to be renegotiated to reflect expected increased costs, force majeure claims and a perceived inability to accept compensation clauses for delay.
21. Whilst also being developers, and therefore subject to the pressures other developers face, RPs have a strong financial position due to their asset base and rental income to support that. They recognise that this position and their ability to access government grant means they can play a crucial role in housing market recovery. For example, by land purchase from developers as a recovery tool to ease developer cash flow. This could be just holding an option

on the land for developer buyback or it could be a tool for a greater intervention in the housing market with subsequent development by the RP.

22. There is also a potential role for the OAHP in driving recovery in the final years of the programme, for example by working with RPs and local authority development companies to:
 - Assist with developer cash flow issues caused by slow market sales through the bulk purchase of units. These units would then be converted to affordable rented housing using OAHP grant. This is a proven method of assisting the market that was successful in the last housing market slump in 2009;
 - Converting shared ownership properties to affordable or social rented housing using OAHP grant funding. At present this is not permitted by the OAHP but will be an ask of government as we discuss how the Deal can assist in the housing market recovery.
23. It is important that the potential of the OAHP to assist with housing recovery is maximised in the final year of the programme and officers are discussing with Homes England revised terms for the OAHP to enable that to happen. The OAHP will need to reflect the new Oxfordshire housing market in these discussions, for example by the potential to grant fund social rented housing at lower rents to address issues of affordability for local people that will be brought into sharper focus by any economic downturn.

The impact of COVID 19 on Infrastructure delivery in Oxfordshire

24. The unprecedented circumstances present a challenge at the time of writing to say with any certainty what the overall impact of COVID-19 will be on infrastructure delivery related to the Housing and Growth Deal. This programme is delivered through Oxfordshire County Council's Capital Delivery Programme and much of its infrastructure programme will be impacted in the same way. There is no precedent to help understand what the potential future impacts are, coupled with limited information available on when restrictions may end and the details of future working arrangements (as of May 2020). There are also major questions being asked of the need and demand for particular infrastructure projects planned before COVID-19 e.g. national push for more cycle infrastructure.
25. A more granular understanding of the impacts will be developed over the coming months. However, what is clear now is that staff are continuing to work but in a very different way. Where schemes are in design, work has continued where possible and the impact is not thought to be significant. Site visits are expected to have been impacted, and where surveys are required, it is expected that there will have been an impact on the programme, and some surveys being seasonal this could have a significant impact. Schemes in construction are also expected to be impacted by the pandemic owing to changes to methods of working and travel limitations.
26. Contractors and consultants have measures in place to deal with change, such as project continuity plans, and these are being adapted to tackle COVID-19.

The supply chain has been impacted, and their operational situation is under constant review as it is changing regularly. This is a similar challenge across other workstreams within the Housing and Growth Deal. There is a risk of supply shortages, interruptions and delays due to closed factories, logistics challenges, and some smaller suppliers may even be closed and no longer in business. There may also be an impact on the cost of materials, but this is still unclear. The need to mitigate health risks for onsite staff may further impact delivery programmes.

27. Officers will continue to review projects to determine what measures can be in place in preparation for a shift in our ways of working. Each scheme will require an updated risk analysis for active projects and ongoing monitoring of the situation. A further impact analysis will need to be undertaken, together with a project resourcing plan to be best placed for future working arrangements. This will also need to factor in compliance with new and changing government guidance on construction work safety standards.
28. The Housing & Growth Deal Infrastructure Programme will play a vital role in Oxfordshire's post COVID recovery, and officers are working with our HM Government partners to explore flexibilities to the terms of the Deal. This also provides an opportunity to reflect on what our priorities are.

The impact of COVID on the Oxfordshire Plan 2050

29. The partner councils are working collectively on a strategic, long term statutory Plan for Oxfordshire. The intention is that the Oxfordshire Plan 2050 will be a strategy-led Plan and an opportunity to be transformative, adding real value to the typical Local Plan approach. The Plan will look beyond current and emerging Local Plans and will identify the number of new homes, the level of economic growth, and related infrastructure that is needed across Oxfordshire to 2050. This will set the scene for a future round of Local Plans where the Local Planning Authorities will subsequently establish detailed planning policies and site allocations at a local level.
30. The recent focus of work by the Oxfordshire Plan team has been on:
 - building up the evidence base
 - stepping up member briefing
 - developing the spatial strategy and options for the Plan
 - planning for the launch of the Oxfordshire Open Thought exercise
31. Since the start of the Covid-19 restrictions, the Team has been working hard to assess the impact on the overall programme. Many of the consultants involved in developing the evidence base have reassured us that much of their work can continue as planned. We are working with them to ensure that work on the evidence base incorporates where appropriate consideration of the changing economic and social circumstances of the Covid-19 situation and any possible longer-term impacts of those.
32. There are some significant challenges with other aspects of the programme. In particular, the required officer and member meetings to approve emerging work

during the Summer, and a series of special Council meetings that were planned for September, will now likely be dominated by the Covid-19 response and recovery, limiting consideration of the Plan.

33. There are also technical limitations when attempting to brief all district and county councillors and answer their questions on the project remotely; these would likely have less success than face-to-face briefings. In some areas, additional duties have been reprioritised in the short term to enable the Oxfordshire Plan and Growth Board Teams to support the Covid-19 response effort.
34. Considering the unprecedented circumstances, it is recommended that the Growth Board requests from MHCLG a minimum seven-month extension to the current timeline we are working towards. This must be considered as a minimum extension as the full effects of COVID-19 are yet to be known. Two key changes in the revised programme for the next year would be to:
 - Move the Regulation 18 (Part 2) consultation approval process through each council back from September 2020 to December 2020, adding 3 months and consequentially:
 - Moving the Regulation 19 (Draft Plan consultation) back to September 2021.
35. As was previously planned, a series of special Council meetings will need to be held in a co-ordinated way (preferably during the same week) which would now be held in December to approve the Regulation 18 (Part 2) consultation plans. This means the 6-week consultation would be launched in January 2021. This would have a knock-on impact on the subsequent Regulation 19 consultation, which would naturally move to after the May 2021 elections.
36. By extending our timeline by the recommended seven months (measured by adoption date), this should ensure that there is still a window for early (through the Summer if restrictions allow, or the Autumn) face-to-face engagement opportunities with councillors. This timeframe would also allow more time for the non-statutory engagement work through the “Oxfordshire Open Thought” concept to gather public feedback to help inform discussions.
37. Oxfordshire Open Thought will be an open online platform for people to have their say on the future of their county as part of the Oxfordshire Plan 2050. It will tap into the wealth of knowledge and expertise within our communities to help find ideas and solutions to some of the big issues that affect our lives and the environment over the coming decades. This is a new initiative that won't replace previous consultations and responses.
38. The extension would allow more time to shape the strategy and consultation document with the Oxfordshire Plan Advisory Sub-group. This group continues to meet virtually every month. A recommended revised timeline for the development of the Oxfordshire Plan 2050 is set out below which incorporates the impact of the circumstances set out in this report.

Oxfordshire Plan Stage	Growth Board Sep 2019 Milestones	Proposed Milestones
Further engagement (Oxfordshire Thought)	Nov/Dec 19	May 20 & Sept 20
Consultation on spatial options (scale and broad locations) (Reg18 part2)	June/July 20	Jan 21
Consultation on Draft Plan (Reg 19)	Nov/Dec 20	Sept 21
Submission	March 21	Jan 22
Examination	June-Sept 21	Apr 22
Inspector's Report	December 21	July 22
Adoption	March 22	Oct 22

39. The extra time granted through the recommended timeline would allow us to take greater account of the long-term spatial framework that is being developed to support strategic planning across the Arc. This is a real opportunity to better align our work with wider sub-regional ambitions and feed into that process, and we will have more time to develop that conversation with Government. Some flexibility in the programme to allow for a greater level of engagement and opportunity for consensus building and briefing will result in a better plan, shaped by a wide variety of voices; and a stronger case to made to the Planning Inspector who will examine it.
40. Production of the Oxfordshire Plan will mean the development of a sound long-term strategy for the future of the county. This will be even more important post Covid-19; a clear strategy with consensus across the partnership can provide clarity and leadership for the community, and greater certainty for the market and service providers which will help with business planning.

Productivity

41. Productivity is an integral component of the Oxfordshire Housing and Growth Deal and sits alongside the other work streams, led by the Oxfordshire Local Enterprise Partnership (OxLEP). The headline commitment under the Productivity workstream invited Oxfordshire to be one of three 'Trailblazer' areas to take forward the ambitions set out by Government in its Industrial Strategy White Paper. This is in the form of an ambitious and transformational, long term *Local Industrial Strategy (LIS)*, and involved close working with Whitehall departments in the development of the Strategy. Following a review meeting during Year One of the Deal with the Government's Cities and Local Growth Unit, officials proposed that the focus for all elements of the productivity stream moving forward needed to be built around the LIS. The productivity workstream does not have a specific funding allocation within the Deal.
42. Between November 2019 and March 2020, work has progressed in translating the ambitions set out in the LIS and across the 25 policy areas detailed in the Strategy, into a coherent programme of delivery which can attract the necessary investment from Government and the public and private sectors to realise the vision for Oxfordshire to be a top three global innovation ecosystem. The Investment Plan is over a medium-term horizon and anticipates a mixture of proposals which can be developed and ready for investment in the first 1-3

years of the LIS strategy. This also includes a mixture of medium to longer term projects which will have a 10-year runway to be fully developed out but will require critical work being undertaken in the first 12-24 months of the Strategy in order to be moved forward at pace. A wider range of engagement activities are being deployed to shape the plan and assess areas of common interest across the Oxford to Cambridge Arc.

43. In light of the pandemic, the LIS Steering Group has considered the potential economic impact of the virus on the emerging investment programme. The past months (up to May 2020) have shown the remarkable world leading capability of the region's innovation ecosystem with Oxfordshire academics, research organisations and businesses consistently being at the vanguard of national and international efforts to respond to the emergency. It is important to recognise that this leadership role in the UK economy will become even more clear as we move from the respond and recover stages, and into rebuild and renew.
44. The guiding principles of the LIS are an important reference point for this process and continue to be highly relevant in a post-COVID environment:
 - a) **Invest in Oxfordshire, deliver for the UK:** As one of three net contributors to the exchequer, Oxfordshire will deliver economic growth and manufacturing and supply chain opportunities for the rest of the UK.
 - b) **Oxfordshire – The UK's Innovation Engine:** Oxfordshire has a world-class innovation ecosystem with a concentration of global assets and strengths unrivalled by anywhere else in the UK. This, along with our strengths in research and talented workforce, make Oxfordshire a great place to invest and drive R&D and innovation in new technologies, markets, products and services.
 - c) **Global Oxfordshire, Global Britain:** Many of Oxfordshire's industries already compete on a global level, and in new emerging markets. Investing in Oxfordshire will support us in our international potential and winning new market share in technologies of the future.
45. Each project sponsor under the Investment Plan is reviewing the current status of their respective business case to consider and adjust their proposals in light of COVID-19 and identify both the economic risks but also the market opportunities which could be harnessed. This is particularly illustrated by projects which are focused around the health and life sciences sectors and energy and zero carbon. OxLEP are also looking at those projects which would be accelerated in their development considering the impact it can have for areas of the economy which have been impacted disproportionately by the pandemic such as the creative and cultural industries.
46. The LIS Investment Plan will sit alongside an expected Oxfordshire Economic Recovery Plan (ERP), whose focus will likely be about short-term measures to stabilise the economy and interventions to stimulate economic activity. These will be necessarily complementing the detailed programme coming through the LIS investment Plan and be prepared through the Joint Oxfordshire Business

Support Group (JOBS), which is a bronze level cell feeding into the established Silver and Gold structures already in place for the County.

47. Based on the market intelligence that has been gathered since the pandemic started, there are reasonably three broad areas of ERP interventions that can be progressed: financial capital support; business support, restructuring and market development; and labour market support to help people back into work. These measures will need to be aligned to, and avoid duplicating, interventions already put in place by Government.

Conclusion

48. This report provides a high-level overview of the early impacts that the Covid-19 pandemic is having on the Housing and Growth Deal. It is expected that the impacts will continue and expand as we start to see what the pace of recovery will look like. We will continue to monitor our programme closely as well as develop actions and strategies to help address the impacts as they emerge and become better understood. We expect to bring forward to the next Growth Board a further assessment of impact and a detailed update on the mitigation strategies we have or would wish to employ. Some of these measures would have been needed pre-COVID-19 to address some of the market and deal issues we were already facing.
49. Notwithstanding the relative short-term shut down of local development sites, and the wider economic restrictions, the impact will be considerable across all workstreams within the Deal. Learning from this pandemic, and adapting our ways of working, will be critical to ensuring that Oxfordshire partners are best positioned to support an effective recovery. Officers supporting the Housing and Growth Deal across the various programmes have adapted their ways of working from the start of this crisis to ensure that where possible, business continues as normal, notwithstanding the market impacts that the pandemic has had on site delivery.
50. Discussions with Homes England over the possibility of adjusting the parameters of the Housing and Growth Deal to use it as a tool for recovery have commenced and officers are working closely with OxLEP to ensure that there is a consistent and robust Recovery Strategy for Oxfordshire, of which the Housing and Growth Deal programme can play a major part. An initial contact has also been made with MHCLG to alert them to the potential impacts on the various workstreams of the Deal.
51. It will be important going forward for the Deal to take account of the new policy landscape and economic context. Delays caused across the various programmes provide an opportunity to re-evaluate priorities and milestones within the Deal, informed by the local and national recovery response. Flexibility to adapt delivery ambitions and working arrangements to match shifts in policy will be crucial in ensuring the Deal can continue to deliver for local people.
52. The Growth Board is asked to note the current impact the pandemic has had on the Housing and Growth Deal workstreams, and to endorse the revised timeline for the Oxfordshire Plan 2050, as set out in this report, for officers to take forward in discussion with MHCLG.

Background Papers

53. None

Report Author:	Bev Hindle, Oxfordshire Growth Board Director
Contact information:	bev.hindle@oxfordshire.gov.uk

Appendix 17

Telford and Wrekin BC v Secretary of State Communities and Local Government

Borough of Telford and Wrekin v (1) Secretary of State for Communities and Local Government (2) Gladman Developments Limited



No Substantial Judicial Treatment

Court

Queen's Bench Division (Administrative Court)

Judgment Date

1 December 2016

Case No: CO/2639/2016

High Court of Justice Queen's Bench Division Planning Court

[2016] EWHC 3073 (Admin), 2016 WL 06989200

Before : MRS JUSTICE LANG DBE

Date: 1 December 2016

Hearing date: 17 November 2016

Representation

Timothy Jones (instructed by Telford & Wrekin Council) for the Claimant.
Tim Buley (instructed by the Government Legal Department) for the First Defendant.
Jonathan Easton (instructed by Irwin Mitchell) for the Second Defendant.

Approved Judgment

Mrs Justice Lang :

1. The Claimant applies under [section 288 of the Town and Country Planning Act 1990](#) ("TCPA 1990") to quash the decision of the First Defendant, made on his behalf by an Inspector on 15 April 2016, in which he allowed the Second Defendant's appeal against the Claimant's refusal of planning permission for a housing development at land north of Haygate Road, Wellington, Shropshire ("the Site").

2. The Site comprises some 15.2 ha of gently undulating agricultural land, principally in arable use, with some trees and hedgerows. It lies adjacent to the settlement edge of the market town of Wellington, which has become part of Telford. There are built-up areas to the east and south of the Site and there is open countryside to the north. Orleton Hall (a Grade II listed mansion) lies to the west of the Site. It is set in 25 ha of park and gardens, which are on Historic England's Register of Historic Parks and Gardens. The Wellington Cricket Club has its ground and pavilion in the park. A public right of way runs across the Site, but there is no public access to the Site beyond that.

3. The Second Defendant (hereinafter "the developer") applied for outline planning permission for a development of up to 330 dwellings, with a new vehicular access, public open space and green infrastructure.

4. The Claimant (hereinafter "the Council"), which is the local planning authority, resolved to grant planning permission in May 2014, at a time when it considered that it did not have a 5 year supply of deliverable housing land. The grant was subject to completion of an agreement under [section 106](#) TCPA 1990, and before it was concluded, the Council decided to re-consider its decision, in the light of a new expert assessment that it could demonstrate a 5 year supply of deliverable housing land. The developer then appealed to the First Defendant on the grounds of non-determination. Shortly after lodging its appeal, the developer submitted a second application for planning permission at the Site for a development limited to 290 dwellings.

5. The Council gave putative reasons for refusing the first application in September 2015, and refused the second application in December 2015. In summary, its reasons for refusal were as follows:

- i) The proposal represented unacceptable encroachment into the open countryside and the loss of an extensive area of high quality agricultural land and would adversely affect the character and appearance of the area which has historic and sensitive value. Accordingly, the proposal was contrary to adopted Core Strategy (CS) Policies CS1, CS3, CS7, CS11, CS12, CS13 and CS14, saved Policies H9, OL6 and HE24 of the Wrekin Local Plan (WLP) and the National Planning Policy Framework (NPPF).
- ii) The proposal would adversely affect the setting of the adjacent listed park at Orleton Hall and the impact upon this heritage asset would adversely affect the character and appearance of the area. Accordingly, the proposal was contrary to adopted CS Policies CS1, CS3, CS7, CS11, CS12 and CS14, saved WLP Policies OL6 and HE24 and the NPPF.

6. The Inspector conducted a site visit and an Inquiry lasting 7 days. He identified the main issues as:

- i) The weight to be given to relevant policies for the supply of housing, and whether the Council could demonstrate a 5 year supply of deliverable housing land.
- ii) The effect of the proposed development on the character and appearance of the surrounding area, and on the setting of Orleton Hall Registered Park and Gardens.
- iii) Whether the appeal proposal should be seen as representing sustainable development, in terms of the NPPF.

7. **Main issue (i)** . The Inspector concluded that certain housing policies, namely, CS1, CS3 and CS7 were not in conformity with the NPPF and were out-of-date. Therefore they should not be given full weight when assessed, applying NPPF 215, and the proposed development fell to be considered under the fourth bullet point in NPPF 14. The Inspector did not reach a final conclusion as to whether the Council could demonstrate a 5 year housing land supply, for the purposes of NPPF 49, although on the evidence before him, he doubted whether it could do so.

8. In **Ground 1** of this application, the Council challenged the Inspector's reliance upon the Council's support for the decision to grant planning permission for a Sustainable Urban Extension ("SUE") outside Telford as a factor supporting his conclusion that the policies on settlement boundaries were out-of-date. Under **Ground 5** of this application, the Council challenged the Inspector's conclusion that policy CS7 was not in conformity with the NPPF.

9. **Main issue (ii)** . Under the heading 'Heritage Issues', the Inspector concluded that the impact of the development upon the setting of the Park would be less than substantial but the harm would be lessened dramatically if the development was limited to the smaller 290 dwellings scheme, and did not extend up to the appeal site's western boundary.

10. Under the heading 'General landscape matters', the Inspector concluded that saved WLP Policy OL6 dealing with Open Land was not applicable to the Site, and so not relevant. The Council challenged this conclusion in **Ground 2** of this application. The Inspector accepted that the policy in NPPF 112 had to be applied as the Site comprised best and most versatile ("BMV") agricultural land, but he rejected the Council's submission that NPPF 112 was a policy which indicated that "*development should be restricted*" within the meaning of NPPF 14. The Council challenged this conclusion in **Ground 3** of this application. After a lengthy analysis of the other policies and the objections raised by the Council and local people, the Inspector concluded that the proposed development would not have an unacceptable impact on the character and appearance of the surrounding area, and would not be at odds with the relevant development plan policies.

11. **Main issue (iii)** . The Inspector concluded that the proposed development was sustainable in terms of its economic and social impacts, but the environmental aspect had to be weighed in the planning balance.

12. Under the heading 'Planning balance and overall conclusions', the Inspector said:

"137. In accordance with guidance contained in the Framework, there are 2 separate balancing exercises which need to be undertaken in this case, both of which have to take account of benefits which would arise from the appeal proposal. The first is the balance relating to paragraph 134 of the Framework, which requires any "less than substantial" harm to the significance of a designated asset to be weighed against the public benefits of the proposal.

...

141. Weighing these benefits against the harm to the designated heritage asset is, in my assessment, a fine balance, with clear and distinct differences between the 2 proposals. Although I am satisfied that the harm to the setting of the Park should be classed as less than substantial in the case of both the 330 dwelling and the 290 dwelling schemes, I consider it very important to retain some open views of the Park from Haygate Road to retain the significance of this aspect of its setting, and this increases the weight I feel I need to ascribe to the harm in the case of the 330 dwelling scheme. Because of this I am drawn to conclude that the harm to the significance of the Park would be outweighed by the public benefits in the case of the 290 dwelling scheme, but not in the case of the scheme for a maximum of 330 dwellings. In other words the proposal passes the "paragraph 134" test in the up to 290 dwelling scheme, but not in the up to 330 dwelling scheme.

142. Referring back to paragraphs 126 and 127 of this decision, I therefore conclude that the scheme for up to 330 dwellings would not satisfy the environmental role of sustainable development, whereas the scheme for up to 290 dwellings would. Accordingly, I further conclude that the proposed development can be considered as representing sustainable development, but only if the maximum number of dwellings is restricted to 290, and the development proceeds in general accordance with Development Framework Plan reference 5644-L-03-Rev N.

143. I now turn to the second balancing exercise which needs to be undertaken, In view of my earlier conclusions that development plan policies referred to in the putative reasons for refusal are out-of-date and should carry less than full weight because of inconsistencies with Framework policies, this is the weighted balance set out in the second bullet point of the decision-taking section of the Framework paragraph 14. This indicates, under its first limb, that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The second limb of this bullet point relates to the situation where specific policies in the Framework indicate development should be restricted, such as where designated heritage assets are concerned, and I have already addressed this matter, above.

144. From the conclusions I have already reached on the main issues I consider that the proposed development would result in some adverse impacts, but that these would be limited. My reasoning is set out fully in the appropriate paragraphs, above, but in summary there would firstly be a loss of just over 15 ha of BMV agricultural land. But as much of the agricultural land surrounding Telford is of BMV status, and as it is clear that this has not prevented the Council from recently granting planning permission for a scheme at Priorslee which will result in a much greater loss of BMV land than here, I can only give this impact a modest amount of weight.

145. Insofar as impact on the Registered Park is concerned, by not seeking to provide development on the southernmost part of the site, adjacent to Haygate Road, the scheme for a maximum of 290 dwellings would only result in a low level of "less than substantial" harm to weigh against the proposal.

...

147. Turning then to the benefits of this proposal, I have already detailed, above, that there would be substantial benefits arising from the provision of up to 290 new dwellings, including up to 73 new affordable homes. I give significant weight to this provision of both market and affordable housing. I also accord significant weight to the economic and social benefits which the scheme would give rise to, and which have already been detailed above. In addition, I have concluded that modest weight should be given to the gains arising from increased public access to the appeal site, and to the highway improvements which would arise from the proposal.

Overall conclusion

148. I am required to determine this proposal in accordance with the development plan, unless material considerations (which include the Framework), indicate otherwise. I have identified some conflict with development plan policies under both the first and second main issues, but have concluded that these policies are out-of-date and should carry less than full weight because of inconsistencies with policies in the Framework. Because of this, and having regard to my findings on all 3 main issues, my overall conclusion is that the adverse impacts of the proposal would not significantly and demonstrably outweigh the substantial benefits which would arise from this development."

13. Dove J. granted permission to apply for a statutory review on Ground 3, but refused permission on Grounds 1, 2, 4 and 5. The Council renewed its application for permission on Grounds 1, 2 and 5 which was listed to be heard at the same time as the substantive hearing on Ground 3. Ground 4 was abandoned.

Legal framework

Section 288 Tcpa 1990

14. Under [section 288](#) TCPA 1990, a person aggrieved may apply to quash a decision on the grounds that (a) it is not within the powers of the Act; or (b) any of the relevant requirements have not been complied with and in consequence, the interests of the applicant have been substantially prejudiced.

15. The general principles of judicial review are applicable to a challenge under [section 288](#) TCPA 1990. Thus, the Claimant must establish that the Secretary of State misdirected himself in law or acted irrationally or failed to have regard to relevant considerations or that there was some procedural impropriety.

16. The exercise of planning judgment and the weighing of the various issues are matters for the decision-maker and not for the Court: *Seddon Properties v. Secretary of State for the Environment (1978) 42 P & CR 26* . As Sullivan J. said in *Newsmith v. Secretary of State for the Environment, Transport and the Regions [2001] EWHC Admin 74, at [6]* :

"An application under [section 288](#) is not an opportunity for a review of the planning merits of an Inspector's decision."

17. An Inspector's decision letter must be read (1) fairly and in good faith, and as a whole; (2) in a straightforward down-to-earth manner, without excessive legalism or criticism; (3) as if by a well-informed reader who understands the principal controversial issues in the case: see Lord Bridge in *South Lakeland v. Secretary of State for the Environment [1992] 2 AC 141, at 148G-H* ; Sir Thomas Bingham MR in *Clarke Homes v. Secretary of State for the Environment (1993) 66 P & CR 263, at 271* ; *Seddon Properties v. Secretary of State for the Environment (1981) 42 P & CR 26, at 28* ; and *South Somerset District Council v. Secretary of State for the Environment (1993) 66 P & CR 83* .

Determining an application for planning permission

18. The determination of an application for planning permission is to be made in accordance with the development plan, unless material considerations indicate otherwise: [section 38\(6\) of the Planning and Compulsory Purchase Act 2004](#) , read together with [section 70\(2\) Town and Country Planning Act 1990](#) .

19. In *Tesco Stores Limited v. Dundee City Council [2012] UKSC 13* , the House of Lords held that the proper interpretation of planning policy is ultimately a matter of law for the court, and a failure by a planning authority to understand and apply relevant policy will amount to an error of law. However, as Lord Reed explained at [19]:

"... many of the provisions of development plans are framed in language whose application to a given set of facts requires the exercise of judgment. Such matters fall within the jurisdiction of planning authorities, and their exercise of their judgment can only be challenged on the ground that it is irrational or perverse (*Tesco Stores Ltd v. Secretary of State for the Environment [1995] 1 WLR 659* , 780 per Lord Hoffmann)."

20. Whether or not a particular consideration is material is ultimately a matter for the court to determine: *Tesco Stores Ltd. v. Secretary of State for the Environment [1995] 1 WLR 759* , per Lord Keith at 764A. Subject to *Wednesbury* unreasonableness, however, it is a matter for the decision maker to decide the weight (if any) to be attached to a material consideration: *Tesco Stores*, per Lord Hoffman at 780F-H.

21. In principle, any consideration which relates to the use and development of land is capable of being a planning consideration. Whether a particular consideration which falls within that broad class is material in any given case will depend on the circumstances, and whether it is relevant to the question whether the application for planning permission should be granted or refused.

National Planning Policy Framework (Nppf)

22. The Court of Appeal has recently given guidance on the NPPF in *Suffolk Coastal District Council v. Secretary of State for Communities and Local Government [2016] EWCA Civ 168; [2016] 2 P & CR 1* where Lindblom LJ said as follows:

"9. The Government's commitment to a "plan led" planning system is apparent throughout the NPPF. Paragraph 2 in the "Introduction" acknowledges the statutory presumption in favour of the

development plan in [s.38\(6\) of the Planning and Compulsory Purchase Act 2004](#) , and the status of the NPPF as another material consideration:

"Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The [NPPF] must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. . . ."

There are several other references to the "plan-led" system: for example, in para.17, which sets out 12 "core land-use planning principles" that "should underpin both plan-making and decision-taking". The first of these "core" principles is that planning should be "... genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area". It adds that "[plans] should be kept up-to-date ..." and "should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency."

12. Under the heading "The presumption in favour of sustainable development", para.12 acknowledges that the NPPF "does not change the statutory status of the development plan as the starting point for decision making". It says that "[proposed] development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise". It adds that "[it] is highly desirable that local planning authorities should have an up-to-date plan in place". Paragraph 13 confirms that the NPPF "constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications". Paragraph 14 explains how the "presumption in favour of sustainable development" is to be applied:

"At the heart of [the NPPF] is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.

For plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the NPPF] taken as a whole; or
 - specific policies in [the NPPF] indicate development should be restricted. [Here there is a footnote, footnote 9, which states: "For example, those policies relating to sites protected under the Birds and Habitats Directives ... and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of

Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion."]

For decision-taking this means [Here there is a footnote, fn.10, which says: "Unless material considerations indicate otherwise"]:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the NPPF] taken as a whole; or
 - specific policies in [the NPPF] indicate development should be restricted. [Here footnote 9 is repeated.]"

39.Footnote 9 explains the concept of specific policies in the NPPF indicating that development should be restricted. The NPPF policies it gives as examples relate to protected birds and habitats, Sites of Special Scientific Interest, the Green Belt, Local Green Space, Areas of Outstanding Natural Beauty, Heritage Coasts, National Parks, the Broads, heritage assets and locations at risk of flooding or coastal erosion (see [12] above). For all of these interests of acknowledged importance—some of them also subject to statutory protection—the NPPF has specific policies. The purpose of the footnote, we believe, is to underscore the continuing relevance and importance of these NPPF policies where they apply. In the context of decision-taking, such policies will continue to be relevant even "where the development plan is absent, silent or relevant policies are out-of-date". This does not mean that development plan policies that are out-of-date are rendered up-to-date by the continuing relevance of the restrictive policies to which the footnote refers. Both the restrictive policies of the NPPF, where they are relevant to a development control decision, and out-of-date policies in the development plan will continue to command such weight as the decision-maker reasonably finds they should have in the making of the decision. There is nothing illogical or difficult about this, as a matter of principle.

40.Paragraph 215 is one of a series of paragraphs in Annex 1 to the NPPF dealing with the implementation of the policies it contains. These are, essentially, transitional provisions. They do not affect the substance of the policies themselves. Under para.214 there was a period of 12 months from the publication of the NPPF—until 27 March 2013—within which decision-takers "may" continue to give full weight to policies adopted since 2004 even if they conflicted with the policies in the NPPF. After that, under para.215, "due weight" was to be given to relevant plan policies, "according to their degree of consistency" with the policies in the NPPF. These provisions for the implementation of NPPF policy do not touch the interpretation of such policy, including the policies for the delivery of housing in Paras 47 To 55 and the policy explaining the "presumption in favour of sustainable development" in para.14...."

42. The NPPF is a policy document. It ought not to be treated as if it had the force of statute. It does not, and could not, displace the statutory "presumption in favour of the development plan", as Lord Hope described it in *Edinburgh City Council v Secretary of State for Scotland* [1997] 1 W.L.R. 1447 (at 1450B–G). Under s.70(2) of the 1990 Act and s.38(6) of the 2004 Act, government policy in the NPPF is a material consideration external to the development plan. Policies in the NPPF, including those relating to the "presumption in favour of sustainable development", do not modify the statutory framework for the making of decisions on applications for planning permission. They

operate within that framework—as the NPPF itself acknowledges, for example, in para.12 (see [12] above). It is for the decision-maker to decide what weight should be given to NPPF policies in so far as they are relevant to the proposal. Because this is government policy, it is likely always to merit significant weight. But the court will not intervene unless the weight given to it by the decision-maker can be said to be unreasonable in the *Wednesbury* sense.

46. We must emphasise here that the policies in paras 14 and 49 of the NPPF do not make "out-of-date" policies for the supply of housing irrelevant in the determination of a planning application or appeal. Nor do they prescribe how much weight should be given to such policies in the decision. Weight is, as ever, a matter for the decision-maker (see the speech of Lord Hoffmann in *Tesco Stores Ltd v Secretary of State for the Environment* [1995] 1 W.L.R. 759 at 780F-H). Neither of those paragraphs of the NPPF says that a development plan policy for the supply of housing that is "out-of-date" should be given no weight, or minimal weight, or, indeed, any specific amount of weight. They do not say that such a policy should simply be ignored or dis-applied. That idea appears to have found favour in some of the first instance judgments where this question has arisen. It is incorrect.

47. One may, of course, infer from para.49 of the NPPF that in the Government's view the weight to be given to out-of-date policies for the supply of housing will normally be less than the weight due to policies that provide fully for the requisite supply. The weight to be given to such policies is not dictated by government policy in the NPPF. Nor is it, nor could it be, fixed by the court. It will vary according to the circumstances, including, for example, the extent to which relevant policies fall short of providing for the five-year supply of housing land, the action being taken by the local planning authority to address it, or the particular purpose of a restrictive policy—such as the protection of a "green wedge" or of a gap between settlements. There will be many cases, no doubt, in which restrictive policies, whether general or specific in nature, are given sufficient weight to justify the refusal of planning permission despite their not being up-to-date under the policy in para.49 in the absence of a five-year supply of housing land. Such an outcome is clearly contemplated by government policy in the NPPF. It will always be for the decision-maker to judge, in the particular circumstances of the case in hand, how much weight should be given to conflict with policies for the supply of housing that are out-of-date. This is not a matter of law; it is a matter of planning judgment (see [70]–[75] of Lindblom J's judgment in *Crane*, at [71] and [74] of Lindblom J's judgment in *Phides*, and [87], [105], [108] and [115] of Holgate J's judgment in *Woodcock Holdings Ltd v Secretary of State for Communities and Local Government and Mid-Sussex DC* [2015] EWHC 1173 (Admin))."

Ground 1

23. The Council submitted that the Inspector erred in law treating the Council's grant of planning permission for a SUE outside Telford (Priorslee) as a material consideration supporting his conclusion that the policies on settlement boundaries were out-of-date. The Inspector treated it as a precedent, whereas each planning application ought to be considered on its individual merits. Moreover, a planned SUE, designed to maximise sustainability, was a very different matter from an *ad hoc* speculative development.

24. The Inspector said:

"25. There is no firm evidence before me to indicate that the settlement boundaries applicable in 2006 are still appropriate today and are consistent with the Framework's objective of boosting significantly the supply of housing. Indeed, as became apparent at the inquiry, the Council's current 5 year housing land supply contains a number of sites which fall outside existing settlement boundaries. Moreover, the Council has recently granted planning permission for a major, mixed-use development which includes the provision of some 1,100 houses on a site outside the existing

boundary of Telford at Priorslee, a matter to which I return shortly. These points indicate to me that the former settlement boundaries cannot be viewed as inviolable and that this policy does not reflect Framework guidance."

"34. The Council clearly recognises that development will have to take place outside existing settlement boundaries, as referred to in paragraph 25 above and as evidenced by its recent grant of planning permission at Priorslee, also referred to above. The Priorslee site lies outside the existing boundary of Telford and this indicates to me that Policy CS3 cannot be considered up-to-date. It is also the case that the Priorslee proposal is in conflict with TWCS Policy CS7, but whilst I understand that this area is being promoted as a Sustainable Urban Extension in the emerging TWLP, I have already noted that only limited weight can be given to this emerging plan at this stage. It appears that the sustainable nature of the development at Priorslee and its good connectivity to the major services at Telford weighed in its favour in that case, and overcame any conflict with Policy CS7. It seems to me that similar circumstances exist in the case of the appeal proposal."

25. In my judgment, the Inspector was entitled to have regard to other grants of planning permission in the recent past in determining the question whether the policies on settlement boundaries were out-of-date. It was plainly a relevant consideration as it supported the contention that current housing needs could not be adequately met within the settlement boundaries identified in the policies. The weight to be given to this consideration was a matter of planning judgment for the Inspector, not this court.

26. The Inspector mistakenly stated that the Council had decided to grant planning permission, whereas in fact at the time of his decision, the Council had only resolved to grant planning permission, and it only granted planning permission at a later date. However, it was accepted by the Council that nothing turned on this mistake.

27. The Council also challenged the Inspector's reliance upon the Priorslee development at Appeal Decision ("AD") 86 and 144, when reaching his decision on the application of NPPF 112 on the use of BMV agricultural land. I deal with this aspect under Ground 3.

Ground 2

28. The Council submitted that the Inspector erred in his approach to the WLP when he concluded that Policy OL6 was not intended to provide protection for large areas of agricultural land in the countryside, such as the appeal Site.

29. The Inspector found:

"65. Saved WLP Policy OL6, dealing with Open Land, is cited in both putative reasons for refusal, although I note that it did not feature at all in the original Officer's Report to Committee of May 2014. This policy seeks to protect from development "locally important incidental open land

within or adjacent to built-up areas" where that land contributes to the character and amenity of the area, has value as a recreational space or importance as a natural habitat. The Council contends that this policy applies in the current case, and would be breached by the appeal proposal.

66. However, whilst there is no specific definition of "locally important incidental open land" within the policy or its supporting text, I find it very difficult to accept that the original purpose of this policy was to provide protection for large areas of agricultural land in the countryside, such as the appeal site. If that had been the case, there would clearly have been no need for WLP Policy OL7, which dealt specifically with Development in the Open Countryside and which, amongst other matters, stated that the Council will protect the open countryside from any development that is likely to have an adverse effect on its character or quality.

...

68. I share the appellant's view that it is unreasonable and unacceptable to seek to reintroduce a blanket protection of open countryside through use of Policy OL6, as appears to be the Council's intention here. With these points in mind, I am not persuaded that WLP Policy OL6 is applicable or relevant in this case. In these circumstances there can be no breach of this policy by the appeal proposal. Albeit for a different site, I note that Inspector Hand reached a similar conclusion in the Muxton appeal."

30. Saved Policy OL6, and its supporting text, provided:

" OL6 OPEN LAND

Throughout the District, the Council will protect from development locally important incidental open land within or adjacent to built-up areas where that land contributes to the character and amenity of the area, has value as a recreational space or importance as a natural habitat.

8.3.21. Open land without any special designation can often make a valuable and important contribution to the character of an area and can help to define the setting of surrounding development and adjacent buildings. It can relieve the sense of congestion and pressure that might be felt, particularly in the older traditional urban areas of the District. These areas can provide green space, visual variety and very local recreational opportunities. The Council considers the retention of these sites to be most important.

8.3.22. Many of the sites to which the above policy will apply are within Newport. Important area of open land within Newport, including those marked on the proposals map, need protecting from inappropriate development. The Council may seek, through negotiation, planning benefits in order to fulfil the potential of open land where that land is an important and integral part of a development.

8.2.23. The character of many of the villages within the District is defined by the open land and spaces between and around individual properties. Playing fields and children's play areas are also important features in a number of villages and once lost to development may be difficult to replace in the locality."

31. Policy OL7 (now expired) and its supporting text provided (so far as it material):

" OL7 DEVELOPMENT IN THE OPEN COUNTRYSIDE

The Council will protect the open countryside from any development that is likely to have an adverse effect on its character or quality and will protect the rural setting of settlements, buildings or features within the open countryside. In particular, the Council will not permit development which would contribute to the amalgamation of settlements.

8.3.24.

8.3.25. National advice, currently set out in PPG7, is that the countryside should be safeguarded for its own sake. Therefore as Telford, and to a lesser extent the other settlements around Telford, continue to develop, it is important that the undeveloped, rural 'gaps' between them are protected. Any development that could result ultimately in the coalescence of settlements will be strenuously resisted in order to help preserve the individual character that they each display.

8.3.26. The land around Telford is generally of good visual and agricultural quality. Some of the surrounding settlements are relatively close, and, although development will be directed towards the reuse of brownfield sites within urban areas, there is still likely to be pressure for development in fringe areas and in the "gaps" between settlements. Any proposals will be considered with great care."

32. In my judgment, the Inspector correctly interpreted Policy OL6, and applied it appropriately to the facts of this case. Policy OL6 protected " *incidental open land* ", in and around built-up areas, which was of importance and value to the local community, even though it had no special designation. Illustrations were provided in the supporting text. Although this Site was adjacent to a built-up area, it did not come within the natural meaning of the words "incidental open land" with no special designation, as it was a large tract of agricultural land, in use for that purpose. Moreover, the nature and character of this Site did not bear any resemblance to the illustrations in the supporting text. The public did not have access to it, other than along the public footpath, though naturally local residents appreciated the view and the sense of openness which it afforded. As part of the interpretative exercise which he had to undertake, I consider that the Inspector was entitled to take into account that the Site fell much more readily within the scope of Policy OL7, since it was " *open countryside* " beyond the settlement boundary of Telford. As the supporting text demonstrated, Policy OL7 was designed to protect the land around Telford which was " *generally of good visual and agricultural quality* ", and to guard against development of fringe areas and gaps between settlements.

33. The Council rightly submitted that the Inspector's observation in AD 66 that, if large areas of agricultural land in the countryside fell within Policy OL6, then there would have been no need for Policy OL7, mistakenly overlooked the fact that OL6 was limited to land within or adjacent to built-up areas. Policy OL7 would still have been required to protect countryside situated away from built-up areas. However, I do not consider that this mistake undermines his interpretation of the policy, which was correct for the reasons I have given.

34. The Council did not argue at the Inquiry that parts of the Site which were situated close to areas used by members of the public, such as the cricket ground or the footpath or the residential roads, could be subject to Policy OL6, and it is not open to the Council to seek to attack the Inspector's decision for failing to consider this point. In any event, it is difficult to see how the policy could be applied in such a manner.

Ground 3

35. The Council submitted that the Inspector erred in law in rejecting the Council's submission that NPPF 112 ought to be treated as a policy which indicated that "*development should be restricted*" within the meaning of the second limb of the second bullet point on "*decision-taking*" in NPPF 14.

36. NPPF 112 provides:

"Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality."

37. The Council relied upon the case of *Forest of Dean District Council v. Secretary of State for Communities and Local Government [2016] EWHC 421 (Admin)*, where Coulson J. held, at [23] – [42], that NPPF 134¹ was a policy which indicated that "*development should be restricted*" within the meaning of the second limb of the second bullet point under 'decision-taking' in NPPF 14. He treated the list of policies in footnote 9 as illustrative rather than exhaustive, but in any event, heritage assets were included in the list. He considered that the term "*restricted*" should be given a "*relatively wide meaning*"; in particular, "*restricted*" should not be interpreted to mean "*refused*", which was not the word used in the policy. The inclusion of NPPF 114² in the list of examples of restrictive policies indicated that "restricted" could encompass a policy, such as NPPF 134, which identified a situation in which the presumption in favour of development did not apply.

38. I agree with Coulson J.'s interpretation of the NPPF, but upon applying it here, I have concluded that NPPF 112 cannot be characterised as a policy which indicates that "*development should be restricted*" within the meaning of NPPF 14. I accept the Defendants' submissions that the policy is simply an instruction (i) to "*take into account*" the economic and other benefits of the best and most versatile agricultural land which does not confer any particular level of protection and (ii) to "*prefer*" the use of poorer quality land if significant development of agricultural land is necessary, which applies to all agricultural land, not just BMV land. It is not a prohibition on the use of BMV agricultural land, nor a restriction on development in principle; it does no more than to encourage the relocation of proposed development onto poorer quality agricultural land if available. The permissive language of NPPF 112 is very different to the language used in the "*specific policies*" of restraint identified in footnote 9, as Mr Buley demonstrated in his helpful table.

39. The Inspector's reasoning was at AD 85 & 86, where he said, inter alia:

"85. there is no internal balancing exercise required by paragraph 112, nor is there any suggestion that planning permission should be refused if BMV land is to be lost. Rather, the loss of agricultural land is just one of the matters which has to be taken into the overall planning balance when a proposal for development is being considered.

86. That is how the Council approached this matter when it recently granted planning permission for the aforementioned major development at Priorslee, involving the loss of over 60 ha of

agricultural land, some 24.5 ha of which is classed as high quality BMV agricultural land. Presumably the Council also adopted this approach insofar as TWCS Policy CS13 is concerned, as the loss of BMV agricultural land did not prevent the grant of planning permission. I have regard to this matter in undertaking the planning balance, later in this decision, but in view of the points detailed above I do not share the Council's view that loss of BMV land is a matter covered by footnote 9 to Framework paragraph 14."

40. Although I agree with Coulson J. that the correct test is "*restricted*" not "*refused*", I consider that the Inspector's ultimate conclusion was correct.

41. In my judgment, the Inspector was entitled to take into account the Council's approach to NPPF 112, when resolving to grant planning permission at Priorslee, in support of his interpretation of NPPF 112 and NPPF 14. The Council's decision to grant planning permission notwithstanding the loss of BMV agricultural land was capable of being a material consideration which the Inspector was entitled to take into account in assessing the planning balance and deciding whether to grant planning permission. Previous decisions raising the same or similar issues were potentially relevant. I refer to my reasoning under Ground 1 above.

42. The Inspector applied NPPF 112 in the overall planning balance, at AD 144, which is set out at paragraph 12 above, and accorded only "*a modest amount of weight*" to the impact of the loss of BMV agricultural land. Much of the agricultural land surrounding Telford was BMV; no alternative site comprising poorer quality land was put forward. So even if the Inspector had treated NPPF 112 as a policy which restricted development under NPPF 14, and applied it without the weighted presumption in favour of the grant of permission, it seems unlikely that, in the exercise of his planning judgment, he would have refused planning permission for that reason. So he would have then gone on to consider NPPF 112, together with the other relevant factors, as part of what he described as "*the second balancing exercise*" in AD 143, applying the weighted presumption in favour of granting permission as the development plan policies were out-of-date, just as he did in the decision under challenge. So, either way, the outcome would likely have been the same.

43. I consider that this two stage approach (which the Inspector adopted in respect of the restrictive policy in NPPF 134) was appropriate, even though somewhat repetitive. In a case such as this, with multiple factors and policies to be considered, it was an effective way of applying the differing requirements in NPPF 14. Support for such an approach was expressed in *R (Watermead Parish Council) v. Aylesbury Vale District Council [2016] EWHC 624 (Admin)*, where HH Judge Waksman QC (sitting as a Judge of the High Court) considered the application of NPPF 14 to development in "*locations at risk of flooding or coastal erosion*", cited in footnote 9 as an example of policies which indicated that development should be restricted. The NPPF policies are at NPPF 100 – 108. The Judge held, at [45] – [48], that the presumption weighted in favour of granting permission for development, set out in the second bullet point, should be initially dis-applied, as it would run contrary to the presumption against development contained in the restrictive policy. However, if after application of the restrictive policy, the outcome was in favour of development, then the weighted presumption in favour of development "*resurfaces and can be applied*".

Ground 5

44. The Council submitted that the Inspector erred in concluding that Policy CS7 on development in rural areas did not conform with the NPPF and so was not up to date. It avoided the absolute restrictions in the policy which preceded it, WLP Policy H9. It adopted a three tier approach, focusing growth in three sustainable villages; allowing limited development in other villages, and imposing strict controls (but not an absolute ban) on development in the open countryside.

45. Policy CS7 provided, so far as material, as follows:

" CS7 Rural Area

Development within the rural area will be limited to that necessary to meet the needs of the area. It will be focused on the settlements of High Ercall, Tibberton and Waters Upton. New housing development will be expected to deliver affordable housing to the level of 40% of all such development. Outside of these settlements development will be limited and within the open countryside will be strictly controlled."

46. The Inspector said:

"32. It is against this backdrop that I have to consider whether TWCS Policies CS1, CS3 and CS7 can be considered up-to-date and, if not, what weight should reasonably be given to them. I agree with the main parties that Policy CS1 is out of date as it refers to housing figures which were based on now-revoked Regional Guidance. The relevance of Policies CS3 and CS7 to the current proposal is that they seek to restrict development to existing urban areas, in particular Telford. Policy CS7 deals explicitly with the rural area, stating that development within that area will be focussed on the same 3 settlements which feature in saved WLP Policy H9, but goes on to say that outside these settlements development will be limited and, within the open countryside, will be strictly controlled.

33. However, this latter point, in itself, demonstrates that this policy is not up-to-date and in conformity with the more recent planning policy context established by the Framework, where there is no blanket protection of the open countryside and where there is a requirement to boost significantly the supply of housing. I consider it also of relevance that although the appeal site does lie outside the current settlement boundary, there was general agreement between the parties that, if allowed, the proposed development would function as an urban extension to Telford, and would not be considered as a rural settlement...

35. In view of all the above points, and notwithstanding the fact that the TWCS remains part of the statutory Development Plan, I have to conclude that Policies CS1, CS3 and CS7 are out-of-date, and should not be given full weight in this appeal, when assessed alongside the guidance in paragraph 215 of the Framework. Insofar as this conclusion differs to that reached by Inspector Hand, I have set out my reasons, above. Overall, these matters lead me to conclude that the appeal proposal should be assessed using the approach set out in the second bullet point of the decision-taking section of paragraph 14 of the Framework, regardless of whether the Council is able to demonstrate a 5 year supply of deliverable housing land."

47. In my judgment, the Inspector did not err in law in concluding that Policy CS7 was not in conformity with the NPPF and so was out-of-date. It is a core planning principle, set out in NPPF 17, that decision-taking should recognise "*the intrinsic character and beauty of the countryside and supporting thriving rural communities within it*". This principle is

reflected throughout the NPPF e.g. policy on the location of rural housing (NPPF 55); designation of Local Green Space (NPPF 76); protection of the Green Belt (NPPF 79 – 92) and Section 11, headed "Conserving and enhancing the natural environment" (NPPF 109- 125). However, NPPF does not include a blanket protection of the countryside for its own sake, such as existed in earlier national guidance (e.g. Planning Policy Guidance 7), and regard must also be had to the other core planning principles favouring sustainable development, as set out in NPPF 17. The Inspector had to exercise his planning judgment to determine whether or not this particular policy was in conformity with the NPPF, and the Council has failed to establish that there was any public law error in his approach, or that his conclusion was irrational.

Conclusions

48. Despite Mr Jones' excellent submissions, permission is refused on Grounds 1, 2 and 5 and the Council's application to quash the decision on Ground 3 is refused.

Footnotes

- 1 "134. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use."
- 2 "114. Local planning authorities should ...maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes, particularly in areas defined as Heritage Coast, and improve public access to an enjoyment of the coast."

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Appendix 18

Colman v Secretary of State for Communities and Local Government

Anita Colman v Secretary of State for Communities and Local Government, North Devon District Council, RWE Npower Renewables Limited



Positive/Neutral Judicial Consideration

Court

Queen's Bench Division (Administrative Court)

Judgment Date

9 May 2013

Case No: CO/12831/2012

High Court of Justice Queen's Bench Division Administrative Court

[2013] EWHC 1138 (Admin), 2013 WL 1904172

Before: Mr Justice Kenneth Parker

Date: 09/05/2013

Hearing dates: 19 April 2013

Representation

David Cocks QC and Zack Simons (instructed by Richard Buxton) for the Claimant.
Richard Honey (instructed by The Treasury Solicitor) for the First Defendant.
John Litton QC (instructed by Burges Salmon) for the Third Defendant.

Judgment

Mr Justice Kenneth Parker:

Introduction

1. This is a claim under [section 288 of the Town and Country Planning Act 1990](#) . The Claimant, **Anita Colman**, seeks the quashing of the decision of the Inspector, Mr R W N Grantham BSc(Hons) MRSC MCIWEM, appointed by the Secretary of State for Communities and Local Government, the First Defendant, contained in a decision dated 22 October 2012. The Inspector held an inquiry over 15 days from June to September 2012 and undertook both accompanied and unaccompanied site visits.
2. The Inspector granted planning permission for the construction of nine wind turbines of 103m in height to blade tip on land at Batsworthy Cross, Knowstone, North Devon. Planning permission had been refused by the North Devon District Council, the Second Defendant, in July 2011.

The National Planning Policy Framework (March 2012) (“the NPPF”)

3. Prior to the public inquiry, but after the Council had considered and refused the Applications, the Secretary of State published the National Planning Policy Framework (March 2012) (“the NPPF”) setting out the Government’s planning policies for England and guidance as to how it expects those policies to be applied. However, paragraph 2 of the Introduction to the NPPF makes clear that –

“Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions... ” (Footnotes omitted)

4. Paragraphs 11, 12 and 196 of the NPPF reiterate the approach required by [s. 38\(6\) of the Planning and Compulsory Purchase Act 2004](#) (“the 2004 Act”), namely that a proposed development which is in accordance with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused “unless other material considerations indicate otherwise”. Paragraph 13 identifies the guidance in the NPPF as a material consideration to be taken into account in determining applications for development.

5. Paragraph 14 of the NPPF refers to a presumption in favour of “sustainable development” as a central feature of the NPPF in relation to both plan-making and decision-taking. In the context of decision-taking, the presumption in favour of sustainable development is given expression in two ways. The first is by approving development proposals that accord with the development plan. The second is to grant permission where the development plan is absent, silent or where relevant policies are “out-of-date” unless any adverse impacts of granting permission for the proposed development “would significantly and demonstrably outweigh the benefits, when assessed against the policies in the [NPPF] taken as a whole”. Paragraph 211 in Annex 1 to the NPPF makes clear that for the purposes of decision-taking, the policies in the Local Plan should not be considered out-of-date simply because they were adopted prior to the publication of the NPPF.

6. Transitional provisions in Annex 1 to the NPPF permit decision-takers, for 12 months from the date of publication of the NPPF, to continue to give full weight to relevant policies in development plan documents adopted since, and in accordance with, the 2004 Act even if there is a limited degree of conflict between those development plan policies and the NPPF (see paragraph 214). However, where relevant policies are contained in development plan documents which have not been adopted in accordance with the 2004 Act (or the policies have been adopted under the 2004 Act but there is more than a limited degree of conflict with the NPPF) the weight to be given to them depends on the consistency of those policies with the NPPF, with greater weight being given to development plan policies which are consistent with the NPPF’s policies (see paragraph 215).

7. The policies relevant to determination of the appeals considered by the Inspector were not in development plan documents adopted in accordance with the 2004 Act. Any inconsistency between those policies and the NPPF would render them out of date and cause the approach set out in paragraph 14 of the NPPF to be engaged. In that case the decision-taker would be required to consider whether any adverse impacts of granting planning permission for the development would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

The Inspector’s Decision

8. At paragraph 19, the Inspector set out the planning policy context for the determination of the appeals noting that (a) the NPPF was a material consideration which could be given considerable weight if the relevant policies in the development plan were not adopted in accordance with the 2004 Act; and (b) the weight to be given to the NPPF would increase according to the degree of inconsistency between the relevant development plan policies and the NPPF (see paragraphs 214 and 215 of Annex 1 to the NPPF).

9. At paragraph 20, the Inspector identified the development plan as including RPG10 and the saved policies of the Local Plan (LP) and the Devon Structure Plan (SP) but noted that the development plan policies were not adopted in accordance with the 2004 Act. The Inspector stated that it was therefore necessary to consider the consistency of the individual relevant development plan policies with the policies of the NPPF for the purpose of deciding how much weight to give the development plan policies and those in the NPPF in his assessment of the merits of the development.

10. At paragraph 21, the Inspector noted that the NPPF replaced much of the previously published national planning policy guidance but that certain of the companion guides to those policy statements remained extant. At paragraph 22, he referred to the approach to be adopted in the assessment of on-shore wind farms in the context of the extant Overarching National Policy Statements for Energy (EN-1) and for Renewable Energy Infrastructure (EN-3).

11. At paragraph 23 the Inspector referred to the Government's commitment to reducing greenhouse gas emissions and increasing energy supply from renewable sources, including from on-shore wind farms. The Inspector also mentioned that not all renewable energy developments are sustainable and that the impacts of such developments (e.g. on the landscape) have to be taken into account.

12. At paragraph 26, the Inspector identified the main issues in relation to the wind farm as being the impact of the proposed development on the landscape, cultural heritage, living conditions of local residents, bats and highway safety and whether any impacts would be outweighed by the benefits of the scheme.

13. At paragraphs 30 – 214 the Inspector assessed the impacts of the proposed development against the identified issues in the context of the relevant development plan policies and arrived at his conclusions in relation to each of the relevant issues.

14. In addition to the impacts identified above, the Inspector considered the benefits of the scheme at paragraphs 215 – 229 and concluded that –

- i) On-shore wind was essential to meeting the UK's need for energy security and reducing greenhouse emissions (paragraph 219).
- ii) The savings in CO2 emissions were likely to be substantial and valuable over the lifetime of the scheme (25 years) (paragraph 227).
- iii) There would be economic benefits from employment during construction and operation of the wind farm with possible expenditure of more than £1 million to the local economy (paragraph 228).

15. At paragraphs 230 – 236, the Inspector weighed the harmful impacts against the benefits of the proposed development and concluded as follows –

“234. Some employment would be generated by the development, but this would be mostly during the construction phase. However, the benefits of reduced greenhouse gas emissions would be long lasting and the need for new renewable electricity generating projects is urgent. Whilst the CO2 savings which this wind farm would achieve would not be as great as anticipated, they would nevertheless be valuable and, as such, would outweigh the limited harm which the scheme would cause.

235. Development plan policies which seek to promote renewable energy schemes provide no direct support for these proposals. This is because they only allow for the benefits of the scheme to be balanced against the harm, if the energy generated would contribute towards meeting the county's 2010 target of producing 151MW of electricity from renewable sources. That target no longer applies and the development plan's approach is outdated when considered against the Framework's presumption in favour of sustainable development.

236. This is not a case where the harm caused would significantly and demonstrably outweigh the benefits. Indeed, subject to putting suitable controls in place, the impact of the Batsworthy Cross Wind Farm would be acceptable and, on that basis, permission should be granted for the Appeal A proposals.”

The Grounds of Challenge

16. For reasons that are apparent from the foregoing analysis it was common ground at the inquiry and in this appeal that the Inspector had first to identify and analyse the relevant policies in the development plan and, secondly, to determine the extent, if any, to which a relevant policy was consistent with the NPPF. The central ground of challenge in this appeal is that the Inspector failed properly to analyse a number of relevant policies and also reached conclusions on consistency that were wrong. Also the challenge was presented under two separate heads. The points are closely interlinked, and I shall deal with them together. I shall look in turn at the relevant policies.

A. Landscape Character

17. At paragraph 60 the Inspector stated:

“The impact would also be limited to a period of 25 years, or less. Although this is a matter to be considered in the overall balance, it does not reduce the degree of harm or alter my conclusion that the proposals run contrary to LP Policy ENV1 and SP Policy CO1. However, the Framework requires a judgment to be made as to whether an adverse impact, such as this, would be outweighed by the scheme's benefits. This approach is unlike that set out in Policies ENV1 and CO1; it therefore carries substantial weight.”

18. Given the background and earlier references it was plain that the Inspector was in the above paragraph concluding that relevant policies LP Policy ENV1 and SP Policy CO1 were significantly inconsistent with the NPPF and to that extent the overall “cost/benefit” approach of the NPPF was to be preferred.

19. Mr David Cocks QC, on behalf of the Claimant, submitted that there was no significant inconsistency between the relevant policies. At first sight that is a curious submission, given the express terms of the relevant policies. For example, SP CO1 expressly provides:

“Policy SP CO1

Landscape Character and Local Distinctiveness

The distinctive qualities and features of Devon's Landscape Character Zones, illustrated in Map 5, should be sustained and enhanced ... Policies and proposals within each part of Devon should be informed by and be sympathetic to its landscape character and quality .” (My emphasis)

20. The supporting text to Policy SP CO1 also refers to “conservation” and “maintenance”.

21. LP Policy ENV1 states:

“Policy ENV1 (Development in the Countryside) Development in the countryside will only be permitted where:

A rural location is required.

It provides economic or social benefits to the local community: and

It protects and enhances its beauty, the diversity of its landscape and historic character, the wealth of its natural resources and its ecological, recreational and archaeological value.”

22. These policies are, in my view, on their own express terms very far removed from the “cost/benefit” approach of the NPPF. The policies as such do not permit any countervailing economic or similar benefit to be weighed in the scales. A submission that such benefits may be implicitly taken into account would be immediately rejected as running directly contrary to both the language and rationale of the relevant policies. Mr Cocks QC sought to meet this formidable objection by submitting that such benefits, recognised as central to the NPPF, would always constitute a “material consideration” relevant to the grant of development permission, and should, therefore, be “read into” the relevant policies.

23. I reject that argument on two grounds. First, the NPPF in referring to “relevant policies” is plainly directing the mind of the decision maker to the express terms of the relevant policies and requiring the decision maker to compare, for consistency, the express terms with the “cost/benefit” approach of the NPPF. Secondly, and perhaps more importantly, it is a fundamental and long established principle of planning law that something identified as a “material consideration” (such as the putative economic and environmental benefit in the present context) is conceptually distinct from considerations identified in the development plan and does not *ceteris paribus* carry the same weight as an aim or consideration identified in the development plan itself. It is, therefore, essential, both analytically and in policy terms, to separate objectives or considerations specifically set out in the development plan from something else that can count only as another “material consideration”. Mr Cocks'

argument confounds elements that fall within different relevant categories, and which have a different character for planning purposes, and it cannot rescue the inconsistency that is obvious on its face between the relevant policies and the NPPF.

24. For these reasons I conclude that the Inspector properly directed his mind in the present context to the relevant policies and correctly analysed the inconsistency between those policies and the NPPF.

B. Historic Buildings and Ancient Monuments (Cultural Heritage)

25. SP policy CO7 is as follows:

“Historic Settlements and Buildings

The quality of Devon's historic environment should be conserved and enhanced . In providing for new development particular care should be taken to preserve the historic character of settlements, the character and appearance of conservation areas, the historic character of the landscape, listed or other buildings of historic interest and their settings and parks and gardens of special historic interest and their settings.” (My emphasis)

26. LP policy ENV17 is as follows:

“Policy ENV17 (listed buildings)

Development affecting a listed building will only be permitted where it preserves the architectural or historic interest of the building and its setting.” (My emphasis)

27. The relevant development plan policies are, therefore, expressed in very restrictive terms. Any harm, or anything less than preservation of the status quo, should lead to permission being refused. The policies admit of no express exceptions. They leave no room to accommodate harm without breaching the policy. Any development which did not at the least preserve the status quo would run counter to the relevant development plan policies.

28. On cultural heritage, the NPPF states that planning should “conserve heritage assets in a manner appropriate to their significance ”. (My emphasis; paragraph 17; paragraph 126).

29. The NPPF also applies a threshold of “substantial harm” and provides different tests where the impact of a development is above or below that threshold. Harm or loss can be allowed where there is clear and convincing justification (paragraph 132). Substantial harm should be exceptional (paragraph 132) but can be allowed where it can be demonstrated either that it is “necessary to achieve substantial public benefits that outweigh that harm” or where certain criteria apply (paragraph 133). Where there is less than substantial harm, the “harm should be weighed against the public benefits of the proposal” (paragraph 134).

30. The NPPF also provides that it is necessary to “avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal” (paragraph 129; my emphasis added).

31. It is clear from the foregoing that, unlike the highly restrictive relevant development plan policies, the NPPF takes a far more balanced approach, allowing an analysis of the significance or, where appropriate, of the substantiality of harm to the identified cultural interests, and a weighing of the identified harm against the actual benefits that could be expected to result from the benefits. Again I reject, for the reasons given above, the argument that the inconsistency that emerges from

an evaluation of the express terms of the relevant development policies, as against the balanced approach of the NPPF, can be rescued by seeking to “read into” the relevant policies a corresponding balance as a “material consideration”.

32. The Inspector summed up the position at paragraph 99 of the decision as follows:

“Development plan policies simply seek to protect the setting of listed buildings, and of scheduled monuments, against harm, whatever the circumstances. There is no suggestion here that such harm would be substantial, in terms set out in the Framework. Considerable weight therefore attaches to the Framework's requirement that any harm should be balanced against the public benefits of the proposals; a matter that I return to later.” (Footnotes omitted)

33. In the light of the matters that I have set out at length above, I endorse that summary as a fair and accurate statement of the position, and entirely reject the Claimant's criticisms of it.

Renewable Energy Developments

34. The main relevant policies of the development plan on renewable energy developments are SP Policy CO12 and LP Policy ECN15.

35. Policy CO12 states:

“Renewable energy development

Provision should be made for renewable energy developments, including offshore developments, in the context of Devon's sub regional target of 151MW of electricity production from land based renewable sources by 2010 , subject to consideration of their impact upon the qualities and special features of the landscape and upon the conditions of those living or working nearby.” (My emphasis)

36. Thus the Policy's support for renewable energy developments had to be assessed against the background of the target referred to which would determine whether permission would be granted.

37. Policy ECN15 states:

“Provision should be made for renewable energy developments to contribute towards Devon's sub regional target of 151MW of electricity production from renewable sources by 2010. In considering proposals for renewable energy, the benefits of the developments in meeting this target will be balanced against the impact on the local environment. A proposal for the generation of energy from a renewable source will be permitted where:—

The proposal, including any associated transmission lines, access roads and other related works does not adversely affect the visual character of its surroundings ; it does not significantly affect

the living conditions of the occupants of residential properties or the amenities of other users of the locality .” (My emphasis)

38. Accordingly, the relevant development plan policies not only supported renewable energy development only against the background of the 2010 target, but also expressly provided that planning permission should be refused where there was significant harm to important identified interests, including visual character, living conditions and landscape character. The central aim of the policies was to avoid such significant harm.

39. By contrast, the NPPF's policy is that the development of renewable energy is to be encouraged (paragraph 17) and supported (paragraph 93). The NPPF states that “this is central to the economic, social and environmental dimensions of sustainable development” (paragraph 93).

40. In particular, the NPPF says that policies should:

“maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily , including cumulative landscape and visual impacts.” (My emphasis)

41. The NPPF states that when determining planning applications a decision-maker should “approve the application if its impacts are (or can be made) acceptable” (paragraph 98).

42. In the same way, the Overarching National Policy Statement for Energy (EN-1), (applied by footnote 17 to paragraph 97 of the NPPF) provides at paragraph 5.9.12 that it is necessary to “judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project ”.

43. As already mentioned, the Inspector noted the approach of the NPPF to renewable energy developments at paragraphs 22-23, including the encouragement for renewable energy, the requirement that the impact need only be “acceptable” and that the delivery of renewable energy infrastructure was central to the presumption in favour of sustainable development.

44. At paragraph 235 the Inspector stated:

“Development plan policies which seek to promote renewable energy schemes [LP Policy ECN15 and SP Policy CO12] provide no direct support for these proposals. This is because they only allow for the benefits of the scheme to be balanced against the harm, if the energy generated would contribute towards meeting the county's 2010 target of producing 151MW of electricity from renewable sources. That target no longer applies and the development plan's approach is outdated when considered against the Framework's presumption in favour of sustainable development.”

45. Given the context, as explained above, the Inspector was in this paragraph making two separate points. First, policies ECN15 and CO12 are drafted so as to relate to the 2010 target of 151MW. As the Inspector noted, that target no longer applies. Secondly, “the development plan's approach is outdated when considered against the Framework's presumption in favour of sustainable development”.

46. Mr Cocks QC submitted that the Inspector in the present context did not have regard to all the relevant policies in the development plan, did not analyse these policies correctly and wrongly concluded that the policies were inconsistent with the NPPF and/or outdated. I reject that submission. It is clear from the foregoing that at a number of points in the decision the Inspector identified the relevant development plan policies. It would have been astounding if he had not done so: they were central to the relatively lengthy inquiry and were referred to, particularly in closing submissions, by the experienced advocates at the enquiry. Furthermore, there is nothing in the Inspector's description or analysis of the relevant policies that points to any misunderstanding by the Inspector. The 2010 target was no longer applicable. The whole thrust of the relevant development policies was restrictive, intended to ensure that any significant harm to important identified interests was avoided, and to that extent they were in substance discouraging; by contrast the NPPF encouraged and supported the development of renewable energy schemes, so long as any adverse impacts could be “addressed satisfactorily” and were “acceptable” – a wholly different framework.

47. The inconsistency that is plain between the relevant development plan policies and the NPPF cannot again be avoided by an appeal to any implicit limitation that could be read into the relevant policies (see paragraphs 22-24 above).

The second principal ground of challenge: the application of paragraph 14 of the NPPF was irrational/unlawful

48. This ground of challenge is closely related to the first principal ground of challenge.

49. Mr Cocks QC submitted that the Inspector:

“failed to observe the presumption in favour of the development plan and failed to give individual policies that conflicted with the proposal their proper weight.”

50. The high point of this submission was that the Inspector did not specifically mention [section 38\(6\)](#) of the 2004 Act. There was no legal requirement for him to do so: see *South Northamptonshire Council v Secretary of State for Communities and Local Government* [2013] EWHC 11 (Admin), paragraph 64. The test is one of substance, namely, whether the Inspector failed to apply the approach that is mandated by [section 38\(6\)](#).

51. In this case the Inspector began, as he was required, with the relevant policies set out in the development plan. As explained above, he assessed the planning application in respect of each of the main issues against the relevant policies. However, as

also explained above, he correctly concluded that in material respects some of the relevant policies were inconsistent, indeed strikingly inconsistent, with the NPPF and were to that extent also out of date.

52. Where relevant policies of the development plan are outdated, paragraph 14 of the NPPF provides that planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole. There is a valuable and recent consideration of paragraph 14 by Males J in *Tewkesbury BC v SSCLG* [2013] EWHC (Admin). The learned judge observed at paragraph 13 that the weight to be given to a development plan would depend upon the extent to which it was up-to-date and at paragraph 19 that paragraph 14 of the NPPF provides for what should be done when an existing plan was out-of-date. The result in practice would be that the relevant policies would be regarded as carrying little weight, and there would be a presumption in favour of granting permission (see paragraphs 20, 29 and 49).

53. Lest it be thought that the approach in paragraph 14 represents some fundamental shift in planning law or policy, it is perhaps worth recalling some general and well established principles. In *City of Edinburgh Council v Secretary of State for Scotland* [1997] 1 WLR 1447, the House of Lords considered the approach to the development plan in equivalent Scottish legislation. Their Lordships contemplated that there could well be a departure from the development plan where that policy had become outdated because of more recent national planning policy.

54. Lord Hope said at 1450B-G that a planning decision-maker:

“is at liberty to depart from the development plan if material considerations indicate otherwise. No doubt the enhanced status of the development plan will ensure that in most cases decisions about the control of development will be taken in accordance with what it has laid down. But some of its provisions may become outdated as national policies change, or circumstances may have occurred which show that they are no longer relevant. In such a case the decision where the balance lies between its provisions on the one hand and other material considerations on the other which favour the development, or which may provide more up-to-date guidance as to the tests which must be satisfied, will continue, as before, to be a matter for the planning authority.”

55. And Lord Clyde said at 1458E-F:

“If the application does not accord with the development plan it will be refused unless there are material considerations indicating that it should be granted. One example of such a case may be where a particular policy in the plan can be seen to be outdated and superseded by more recent guidance. Thus the priority given to the development plan is not a mere mechanical preference for it. There remains a valuable element of flexibility. If there are material considerations indicating that it should not be followed then a decision contrary to its provisions can properly be given.”

56. If the decision is read fairly as a whole, there was no arguable legal flaw in the Inspector's approach. For the reasons already given, he was entitled to conclude that the relevant policies in the development plan were outdated and that the provisions of the NPPF should be given decisive weight.

57. In that context it is also worth recalling that, where the provisions of the development plan become outdated, “the balance between the provisions of the plan and the considerations pulling against it is for the decision-maker to strike”: *Cala Homes v SSCLG* [2011] EWHC 97 (Admin) at paragraph 48, my emphasis. In this case the Inspector followed the appropriate legal approach and his ultimate decision, which it was for him to make as an expert planning judgment, cannot be impugned as irrational.

The Third Principal Ground: the Inspector was wrong to conclude that the proposed development did not conflict with Policy CO2

58. This is a discrete ground of challenge. The Claimant contends that the Inspector was wrong to conclude that the development would not conflict with Policy CO2 in relation to the Exmoor National Park. In essence it is argued that because at paragraph 71 of the decision the Inspector found that “the turbines would have an impact in views from the National Park” there was a clear conflict with Policy CO2.

59. The proposed development lies outside the National Park by more than 7km. Policy CO2 provides that development outside Devon's National Parks should not be permitted if it would “damage the natural beauty, character and special qualities” of the Parks.

60. At paragraph 70 of the decision the Inspector found that the development site was outside the setting of the National Park and also that the ridge on which the turbines would be seen lay “beyond Exmoor's obvious influence”. The question was then whether in these circumstances any impact in views from the National Park would tend significantly to undermine users' enjoyment of the Park's qualities and so cause damage to the Park's “natural beauty, character and special qualities”. That value judgment called for a classical application of planning expertise, which could be impugned only on grounds of legal error or irrationality. In my view, there is nothing to suggest that the Inspector misunderstood the reach of the relevant policy or that he came to a conclusion on its application that was not rationally open to him. It might be conceded that for an individual user the impact on the view from the Park might reduce that user's enjoyment of the Park's qualities, but the Inspector had to consider the matter more broadly and to assess whether, on such a broader consideration, the impact was so significant as to damage the Park's special character.

The Fourth Principal Ground: the Inspector failed to apply section 66 of the Planning (Listed Buildings and Conservation Areas Act) 1990 (“the PLBCA Act 1990”)

61. This is a new ground of challenge, for which permission to amend the grounds of appeal is required. I shall first deal with the substantive merits of this new ground.

62. [Section 66\(1\) of the PLBCA 1990](#) provides:

“In considering whether to grant planning permission for development which affects a listed building or its setting, the Local Planning Authority, or as the case may be, the Secretary of State, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”

63. Section 66(1) was recently considered in *East Northants DC and others v SSCLG and Barnwell Manor* [2013] EWHC 473 (Admin) where Lang J said at paragraph 39:

“In my judgment, in order to give effect to the statutory duty under section 66(1), a decision-maker should accord considerable importance and weight to the “desirability of preserving ... the setting” of listed buildings when weighing this factor in the balance with other ‘material considerations’ which have not been given this special statutory status. Thus, where the section 66(1) duty is in play, it is necessary to qualify Lord Hoffmann’s statement in *Tesco Stores v. Secretary of State for the Environment & Ors* [1995] 1 WLR 759 , at 780F-H, that the weight to be given to a material consideration was a question of planning judgment for the planning authority.”

64. In fact the Inspector gave careful and detailed consideration to the effects of the development on the settings of listed buildings at paragraphs 98-115 of the decision. He noted that the SEI identified significant impact on five such buildings (paragraph 102) and he focussed his attention on these buildings and on three others and a SAM.

65. In respect of five listed farmhouses that are less than 2km from the appeal site, the development would have no material effect on the asset’s significance (paragraph 106). The Inspector found that the development would have “minimal impact” on the landscape in which the grade II* listed farmhouse at Shapcott Barton, 3km from the nearest turbine, was set (paragraph 108). The Inspector then closely examined the setting of the Church of St Michael, a listed grade II building, converted to a dwelling now known as All Angels. At paragraph 113 he concluded as follows:

“... the wind farm would be harmful to the rural valley setting of All Angels and thereby to the historic significance of this heritage asset. This would be contrary to LP Policy ENV17 and SP Policy CO7. Nevertheless that harm would be less than substantial in terms of the Framework’s requirements.”

66. In respect of other buildings he concluded that there would be no harm or that the harm would be minor (paragraphs 114-119).

67. At paragraph 231 under the heading “Balance”, the Inspector stated:

“There would also be some harm to the setting of designated heritage assets and, in particular, to the historic significance of All Angels in Creacombe, but this would be less than substantial.”

68. That conclusion has, of course, to be read against the detailed findings that, apart from All Angels, insofar as there was any harm at all, it was “minimal” or “minor”. It is also notable that the Inspector concluded that the overall harm that would arise from the development was “limited” (paragraph 234). In my view, the Inspector did give in this case “special regard” to the consideration referred to in [section 66\(1\) of the PLBCA](#) . He did so by carrying out a careful and detailed assessment of the impact on the setting of the listed buildings in question. In all instances but one there was no such impact or the impact was such that it could in effect be discounted in the decision making. The Inspector did have real concern about one listed building and found that the impact was significant. However, he was then required, first, to evaluate the extent of that impact and to weigh the negative impact against the substantial benefits of the development in accordance with the NPPF. The impact on the one building was less than substantial, and even if special weight were attached to that impact, the overall negative effects were limited and could not outweigh the benefits of the development.

69. I conclude, therefore, that the proposed ground relying on [section 66\(1\)](#) is without merit, and I refuse permission to amend for that reason. There was, furthermore, no good explanation for not including this proposed further ground in the original claim. Bearing in mind the strict time limit in [section 288](#) and the public interest in having claims of this nature dealt with expeditiously, I would in any event have been reluctant to allow the amendment.

70. For completeness there was an additional ground advanced in respect of alleged inadequacy of reasoning in the Inspector's decision. As is very apparent from this judgment, the Inspector addressed each relevant issue, set out the material considerations in relation to each issue and explained how he reached his assessment in each case. The Claimant can be in no doubt why the issues were resolved adversely to the arguments put by the Claimant, and was in a position to challenge, albeit unsuccessfully, both the reasoning and conclusions in the decision.

71. This claim is accordingly dismissed.

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Appendix 19

19/02341/F Committee Report

Case Officer: Clare Whitehead

Applicant: Churchill Retirement Living

Proposal: Redevelopment to form 30 No apartments for older people (60 years of age and/or partner over 55 years of age), guest apartment, communal facilities, access, car parking and landscaping

Ward: Kidlington East

Councillors: Cllr Maurice Billington; Cllr Carmen Griffiths; Cllr Ian Middleton

Reason for Referral: Major development

Expiry Date: 19 June 2020 **Committee Date:** 4th June 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

Proposal

Full planning permission is sought for the redevelopment of the Kidlington Green Social Club site to create 30 apartments for older people (60 years of age and/or partner over 55 years of age) to replace an existing social club building. The proposal of 30 apartments comprises 19 x 1 bedroom units and 11 x 2 bedroom units. The development will also include a guest apartment, communal facilities, access, car parking and landscaping.

Consultations

The following consultees have raised **objections** to the application:

- Kidlington Parish Council

The following consultees have raised **no objections** to the application:

- CDC Arboricultural Officer, CDC Building Control, CDC Ecology, CDC Economic Development, CDC Environmental Protection, CDC Health Protection, CDC Landscape Officer, CDC Legal Rights of Way Officer, CDC Planning Policy, CDC Recreation and Leisure, NATS Safeguarding, OCC Local Lead Flood Authority, OCC Highways, Thames Valley Police, Thames Water

7 letters have been received from third parties. Of these 2 are letters of objection, 1 is a letter of support and 5 offer comments only with no expression of objection or support

Planning Policy and Constraints

The site is not allocated but is an existing community facility within the built-up limits of Kidlington, a Category A village. There is a public right of way running along the full length of the northwest boundary of the site.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issues arising from the application details are:

- Principle of development and loss of the social club
- Visual amenity, design/layout and impact on the character of the area
- Residential amenity
- Highway safety, access and parking
- Trees and landscaping
- Ecological/biodiversity issues
- Flood risk and drainage
- Crime prevention and security measures
- Sustainability and energy efficiency
- Developer contributions and affordable housing

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and a satisfactory S106 agreement including recreation and leisure, affordable housing and waste and recycling contributions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located in the centre of Kidlington and is currently occupied by the Kidlington Green Social Club with a small area forming part of the garden to 13 Green Road. The site measures approximately 0.43ha and is surrounded by residential properties on all sides.
- 1.2. It is accessed off Green Road to the south of the site and lies to the east of the busy Oxford Road and main thoroughfare through Kidlington.
- 1.3. To the southwest boundary are a number of mature and well established cypress trees. There are a number of existing trees on or adjacent to the site, some of which provide screening on the boundaries. To the northwest of the site public footpath no. 265/4/10 runs the full length of the boundary. It is separated from the site by fencing and some planting.
- 1.4. The site is largely flat and level with no unusual topographic constraints to development.

2. CONSTRAINTS

- 2.1. The application site is within the confines of Kidlington. A public right of way runs along the northwest boundary for its full length. The site is not located in a conservation area or any specially designated area. None of the trees are covered by preservation orders. There is an electricity sub-station adjacent to the access.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application seeks full planning permission for the demolition of the existing social club building and the redevelopment of the site to provide apartments for

older people. The proposal provides 30 apartments for older persons aged 60 years plus (and partners aged 55 years plus). Of these apartments 19 are proposed to be 1 bedroom units and 11 to be 2 bedroom units.

- 3.2. The apartments would be sold by the applicant (Churchill Retirement Living) with a lease containing an age restriction which ensures that only people of 60 years or over (or those with a partner of at least 55 years) can live in the development. The applicant has stated that the average age of purchasers of their apartments is 80 years old and typically 70% of the apartments are single occupancy, more often occupied by a widow.
- 3.3. In addition to the apartments themselves a guest apartment is included, communal facilities including a lounge and outside space, refuse storage facilities, an area for mobility scooters and bicycles to be stored and charged, access off Green Road and parking for 15 vehicles including 1 disabled space.
- 3.4. The apartment building itself is designed to be mostly 2 to 2.5 storeys in height with the third floor accommodated in the roof. A secure gate is proposed to connect to the public right of way to the rear of the site. The existing cypress trees along the boundary of the site are to be retained.

4. RELEVANT PLANNING HISTORY

- 4.1. There is no planning history directly relevant to the proposal.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. A pre-application submission was made by Kidlington Green Social Club for redevelopment of the site to form 9 dwellings and a social club (ref: 17/00301/PREAPP). Officer's considered that the two uses proposed on the site would not be compatible and the scheme was not pursued further.
- 5.2. In July 2019 another pre-application enquiry was submitted (ref: 19/01329/PREAPP) for the redevelopment of the site with apartments for older people. In summary, the officer stated that, subject to addressing the loss of the social club, it was considered that the site was suitable for the use proposed. The pre-application advice did however, raise a number of concerns regarding the scale and design of the building and the impact on visual and residential amenity which required more careful consideration.
- 5.3. In addition, comments were given about the relationship with the public footpath and the need to utilise this to provide links to the village centre and Oxford Road. The applicant was advised to enter discussions with the County Council as to whether any enhancements could be made (such as lighting, CCTV etc). It was also advised that the proposed flats themselves should provide surveillance through orientation and positioning of the building which may result in the building providing an active frontage to the public footpath.
- 5.4. In terms of the design concept, the advice given was that officers would be willing to consider something more contemporary in this location where the local vernacular is less well defined. The applicant wanted to pursue a more traditional approach and officers advised that this can sometimes be difficult to authentically achieve in a more suburban environment. It was commented that the current design (at pre-app stage) appeared a little confused and changes were required to window proportions, roof design, dormer design, more contemporary balconies alongside traditional features and materials. Advice was given during a pre-application meeting on how to refine this and the applicant was advised to consider the design further and provide

an explanation as to its concept within any submission for planning permission. Advice was also given on crime prevention and design.

6. RESPONSE TO PUBLICITY

6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **03 December 2019**, although comments received after this date and before finalising this report have also been taken into account.

6.2. The comments raised by third parties are summarised as follows:

- Overall the redevelopment of the site as a retirement complex is positive and would be beneficial to the local community.
- Provision of 15 parking spaces seems inadequate for 30 flats to include residents, visitors, staff and visiting services.
- Green Road has on street parking issues already and any likely additional on-street parking would cause a significant safety concern as well as being inconvenient for blocking driveways of local residents. Additional car park spaces within the complex should be provided.
- Contractors should not park on Green Road or leave mud and mess on the road during the construction phase.
- Working hours during construction should be restricted so as not to affect the neighbours.
- The height of the building is a concern. 2.5 storey high development would be out of character compared to the rest of Green Road.
- Reduction in neighbour amenity in terms of privacy and increased overlooking to gardens and rear facing windows due to the height of the new building.
- Request a reduction in height of the building.
- Additional information requested as to how contractors will minimise noise and disruption during the construction phase.
- Questions about maintenance of fencing and screening plans.
- Request that the conifer trees remain in situ.
- Swift bricks should be incorporated within the structure of the building (approximately 10 as recommended by Cherwell Swifts).

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. KIDLINGTON PARISH COUNCIL: No objection in principle but **object** on the grounds of insufficient car parking spaces on site. The Parish Council also request that any off-site financial contributions should be retained to be used within Kidlington Parish Council.

CONSULTEES

- 7.3. CDC ARBORICULTURE: **Comments.** From Desk based assessment the Arboricultural plans appear to be considerate to trees on site. Removal of T1/T2 will not be detrimental to the sites amenity. Appropriate measures to protect retained trees during development appear to have been considered.
- 7.4. CDC BUILDING CONTROL: **Comments.** A building regulation application with an access statement and fire engineers design will be required.
- 7.5. CDC ECOLOGY: **Comments.** The ecological report is sufficient in scope and depth however it has insufficient detail in terms of any biodiversity enhancements.
- 7.6. Suggestions made for biodiversity enhancements include bat and bird boxes/bricks, invertebrate "hotels", swift bricks and hedgehog highways. A method statement for enhancing biodiversity on site should be submitted and approved prior to the construction reaching slab level. A condition is recommended to secure this.
- 7.7. The suggested landscaping is fine although the inclusion of some species rich/flowering grassland areas would be preferable to amenity grass alone. A full landscaping and management scheme is required to ensure future management is appropriate and this can be secured by condition.
- 7.8. The net gain for biodiversity in terms of habitats is achievable at a reasonable level. An external lighting strategy will be needed.
- 7.9. CDC ECONOMIC DEVELOPMENT: **Comments.** Whilst the fabric of the building is now dated, the Kidlington Green Social Club and Institute Ltd has clearly provided a highly-valued community facility over many decades – supporting events and activities that contribute to society. The impact upon the wider local economy and community is unclear from the documents submitted. However, the content of the letter (Appendix C) from the Club's Agent illustrating the changing membership pattern and reduced viability of the operation/service is generally accepted. The desire to seek alternative premises locally to support the membership and, in so doing, to enhance the viability of this and potentially other such facilities is noted.

In terms of the long-term economic benefits of the proposed sheltered home development, it is expected that the development will - via its residents - generate additional expenditure in nearby shops and facilities as briefly indicated in the Design and Access Statement. It is unclear whether or not a limited number of employment opportunities on site may possibly also arise.

7.10. CDC ENVIRONMENT PROTECTION:

- Noise: **No comments**
- Contaminated Land: **Comments.** Due to the size and sensitive nature of the development (residential) the standard contaminated land conditions are recommended to be applied to any forthcoming consent.
- Air Quality: **Comments.** Measures should be in place to encourage the uptake of low emission transport including the provision of Electric Vehicle (EV) charging infrastructure. Ideally we would like to see EV charging points in place to allow for the uptake of EV's by visitors and residents to maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.
- Odour: **No comments**
- Light: **No comments**

7.11. CDC HEALTH PROTECTION: **Comments.** The plans show a 'coffee bar' on the ground floor and if this is to be operated as a food business then the applicant must ensure compliance with relevant food safety and health and safety legislation.

7.12. CDC LANDSCAPE OFFICER: **Comments.** Landscape visual mitigation of this development is important for surrounding residences. The existing boundary hedges (SW and NW boundaries) will contribute to this goal. These hedges must be retained and protected during the construction period (under BS5837) and incorporated in with the landscape masterplan proposal. A minimum maintenance height of 3 m will provide reassurance that resident's ground floor level/eyeline will be shielded. Obviously the development will be seen from 1st floor windows.

7.13. The building is somewhat out of scale with the surrounding residencies. The building footprint, the 'L'-shape, and orientation means that the northerly elevations will cause an uncomfortable cold, shady experience for residents using the garden. The 'L' should be rotated 180 degrees, and the build footprint reduced, to ensure a sunny aspect courtyard for the retired residents, a reduced visual impact, and an appropriate 'fit' for the site.

7.14. Multifunctional garden spaces are proposed that include fruit, vegetation and herb growing in sunny areas, seating areas, and a water feature. The trees and shrubs proposed on the JBA plan Sept 2019 are generally acceptable. Once the layout is revised hard and soft landscape proposals are required for our consideration.

7.15. CDC LEGAL RIGHTS OF WAY OFFICER: **Comments.** The proposal will not require any diversion to the public footpath (265/4) which extends along the rear of the development site and which is being retained along its current alignment.

7.16. CDC PLANNING POLICY: **No objection** in principle. However, detailed consideration of the impact on surrounding residential properties, affordable housing provision and the loss of the social club is required.

7.17. CDC RECREATION AND LEISURE: **Comments.** As the new residents will not benefit hugely from using off-site outdoor sports provision no contribution for this is being sought. With regards to other contributions please refer to paragraph 9.110 of this report for details.

7.18. NATS SAFEGUARDING: **No objection** to the proposal.

- 7.19. OCC HIGHWAYS: **No objections** subject to standard conditions in respect of width of the access, surfacing, drainage and visibility splays and an obligation to enter into a S278 agreement.
- 7.20. OCC LOCAL LEAD FLOOD AUTHORITY: **Objection.** Insufficient drainage, flood risk, SuDS usage data provided to enable a full technical assessment and audit of the proposal.
- 7.21. On receipt of further information the LLFA confirmed **no objection subject to conditions.**
- 7.22. THAMES VALLEY POLICE DESIGN ADVISOR: **No objection.** Offered advice on designing out crime and requires a standard condition for an application to be made for Secure by Design accreditation.
- 7.23. THAMES WATER: With regards to foul water **no objection.** As the application indicates that surface water will not be discharged to the public network Thames Water has no objection. However approval should be sought from the Lead Local Flood Authority. In regards to the water network and water treatment infrastructure capacity there is no objection.
- 7.24. CDC STRATEGIC HOUSING: **No objection.** Require a financial contribution in lieu of on-site affordable housing provision, recognising the proposed development is not suitable to accommodate affordable housing on site.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLPP1)

- PSD1: Presumption in Favour of Sustainable Development
- BSC1: District Wide Housing Distribution
- BSC3: Affordable Housing
- BSC4: Housing Mix
- BSC10: Open Space, Outdoor Sport and Recreation Provision
- BSC11: Local Standards of Provision – Outdoor Recreation
- BSC12: Indoor Sport, Recreation and Community Facilities
- ESD1-4: Relating to Sustainable Development
- ESD7: Sustainable Drainage System (SuDS)
- ESD13: Local Landscape Protection
- ESD15 - The Character of the Built and Historic Environment
- Policy Villages 1: Village Categorisation
- Policy Villages 2: Distributing Growth Across Rural Areas

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP1996)

- C28 – Layout, design and external appearance of new development
- C30: Design control
- S29: Loss of existing village services

8.3. Other Material Planning Considerations

- Kidlington Masterplan
- Cherwell Residential Design Guide Supplementary Planning Document (SPD) (July 2019)
- Developer Contributions Supplementary Planning Document (SPD) (Feb 2018)
- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development and loss of the social club
- Visual amenity, design/layout and impact on the character of the area
- Residential amenity
- Highway safety, access and parking
- Trees and landscaping
- Ecological/biodiversity issues
- Flood risk and drainage
- Crime prevention and security measures
- Sustainability and energy efficiency
- Developer contributions and affordable housing

Principle of Development (including loss of the social club)

- 9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 2 of the National Planning Policy Framework (NPPF) makes clear that it does not change the statutory status of the development plan as the starting point for decision making. However, the NPPF is a significant material consideration.

Housing - Policy Context

The Development Plan

- 9.3. The development plan comprises the saved policies of the 1996 adopted Cherwell Local Plan (CLP1996) and the 2015 adopted Cherwell Local Plan 2011-2031 – Part 1 (CLPP1). The Cherwell Local Plan was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for

the District to 2031. The policies important for determining this application are referenced above.

- 9.4. Policy BSC2 of the CLPP1 encourages the re-use of previously developed land in sustainable locations.
- 9.5. Policy BSC4 of the CLPP1 encourages the provision of extra care, specialist housing for older and/or disabled people and other supported housing for those with specific living needs in suitable locations close to services and facilities. Para B.121 states that there is a need to provide a mix of housing in Cherwell that reflects the needs of an ageing population.
- 9.6. Theme 2 of the Kidlington Adopted Masterplan is 'Creating a sustainable community' with an objective to "build a sustainable community with opportunities for all and access to housing, jobs and high quality community facilities". Opportunities for the provision of extra care, specialist housing for older and/or disabled people and those with mental health needs and other supported housing for those with specific living needs will be encouraged in suitable locations close to services and facilities.
- 9.7. Kidlington is classified as a Category A village in Policy Villages 1 of the CLPP1. The development proposed is within the village's built up limits. Paragraph C. 262 of the CLPP1 assists in gauging whether development can be considered to be minor. Criteria to be considered include the size of the village and level of service provision, the site context and the scale of development. Generally, Policy Villages 1 seeks to manage small-scale developments (usually of fewer than 10 homes). The current proposal does not comply with the type of development identified as being appropriate under this policy as it does not represent minor development being significantly over 10 dwellings.
- 9.8. Policy Villages 2 is therefore also of relevance. Policy Villages 2 identifies the Category A villages as being where planned development to meet District housing requirements to help meet local needs should be directed, subject to a detailed assessment as to the proportionate impact of development proposed upon the settlement in question (given the category A settlements vary in size and sustainability) and an assessment of the suitability of the specific site proposed.
- 9.9. The intention of this approach is to protect and enhance the services, facilities, landscapes and the natural and historic built environments of the villages and rural areas whilst recognising the need for some development. Policy Villages 2 advises that these sites would be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of applications for planning permission. A number of criteria are listed and particular regard must be had to these criteria when considering sites, whether through plan making or the planning application process.

National Policy

- 9.10. The NPPF confirms that there is a presumption in favour of sustainable development. For decision making this means approving proposals that accord with the development plan without delay. The Framework advises that there are three dimensions to sustainable development; economic, social and environmental. With regard to housing, the NPPF supports the need to boost significantly the supply of housing to meet the full, objectively assessed need for housing.
- 9.11. The Council's 2019 Annual Monitoring Report (AMR), approved by Members at the Executive meeting on the 6 January 2020, confirms that the District can

demonstrate a 4.6 year housing land supply (for the current period 2019-2024) with a 5% buffer and a 4.4 year housing land supply for the next 5 year period (2020-2025).

- 9.12. In the circumstances that a LPA cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer), there is a presumption in favour of sustainable development and ordinarily the circumstances at paragraph 11d of the NPPF are engaged – in short development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- 9.13. However, in respect of the Oxfordshire Authorities including Cherwell there is a Written Ministerial Statement (“WMS”) made in September 2018 concerning the Housing and Growth Deal, which is a significant material consideration. This sets out the requirement for a 3 year supply of deliverable housing sites (with the appropriate buffer) from the date it was made (12/09/2018) until the adoption of the Joint Statutory Spatial Plan in each area, providing the timescales in the Housing and Growth Deal are adhered to.
- 9.14. Therefore in this case, the tilted balance set out by Paragraph 11d is not engaged because the Housing Supply requirement for the District should be taken to be 3 years in accordance with the WMS.

Housing - Monitoring and recent appeal decisions

- 9.15. The Council’s most recent AMR (December 2019) sets out that 953 dwellings have been identified for meeting the Policy Villages 2 requirement which are sites with either planning permission or a resolution to approve and are identified, developable sites. This is made up of 582 dwellings either complete or under construction, 333 dwellings with planning permission and 38 dwellings that are considered developable (this 38 is made up of two sites – one with a resolution for approval and one for which the planning permission has lapsed).
- 9.16. In recognition that not all sites will necessarily be developed or will not necessarily deliver the full number of dwellings granted, a 10% non-implementation rate has been applied to sites with permission but on which development has not yet started. This reduces the 333 dwellings (i.e. those with planning permission but not implemented) reported in paragraph 9.15 to 300 dwellings. This would give the number of dwellings identified under Policy Villages 2 either completed, under construction, with planning permission or developable as 920 dwellings. There was also a further resolution for approval granted for a site at Fritwell at the December 2019 Planning Committee for 28 dwellings, which would be additional to the 920 dwellings.
- 9.17. Five appeal decisions have been received over the past year which have considered the application of Policy Villages 2. These are for sites at Launton, Ambrosden, Bodicote, Sibford Ferris and Weston on the Green. The first four were allowed, and the numbers approved at those four sites are included within the figures. The key conclusions resulting from the Launton, Bodicote, Weston on the Green and Sibford Ferris appeals can be summarised as:
- The Policy Villages 2 number of 750 dwellings has not been ‘delivered’ yet.
 - The number of 750 has development management significance in terms of the Local Plan strategy.

- Not all dwellings approved might be delivered (hence the Council's inclusion of a 10% non-implementation rate in the most recent AMR)
- The number of dwellings proposed must be considered as to whether that number would undermine the strategy of the Local Plan
- There is no spatial strategy to the distribution of the 750 houses allocated in the rural areas under Policy Villages 2 beyond distribution to the Category A villages.
- Assessment of the sustainability of the settlement in question is required, and indeed this has been a primary consideration in a number of appeals relating to major housing development at Category A villages, with appeals at Finmere, Fringford and Weston on the Green having been dismissed, in each case the sustainability of the settlement being a key issue.

9.18. The Government aims to “significantly boost the supply of housing”; with there being a “critical” need to address the housing needs of older people. The recent update to the PPG (June 2019) states “where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need”.

Housing needs

9.19. The Council's Housing Strategy 2019-2024 notes that the life expectancy of people in Cherwell is higher than the national average and that the District is expected to see a substantial increase in the older person population. The age group that will see the greatest increase is people over 85, with an increase of 142%, resulting in a significant increase in the demand for accommodation that is suited to an older population and the need for associated care and support services. Oxfordshire as a whole is expected to see a substantial increase in the population of older people with the total number of people aged 55 and over expected to increase by 49% over 20 years.

9.20. The 2014 Oxfordshire SHMAA suggests that in Cherwell the 55+ population will increase by 58% - the highest of the Oxfordshire districts. Whilst the SHMAA suggests that one of the implications of this demographic change is likely to be a growing need for specialist older persons housing, such as sheltered or extra care provision, it is not specific about the types of specialist housing needed. It also recognises that there may be an option to substitute some of this specialist provision with a mix of one and two bedroomed housing aimed to attract ‘early retired’ older people which could be designated as age specific or not. Such housing could be part of the general mix of one and two bedroomed homes but built to Lifetime Homes standards in order to attract retired older people looking to ‘down size’ but perhaps not wanting to live in specialist retirement housing.

Housing Assessment

9.21. The proposed development falls to be considered in the above context. Kidlington is recognised as a ‘Category A’ village and is the largest settlement in the district after the towns of Banbury and Bicester. The application site is previously developed, surrounded by existing residential development and lies close to the village centre. There is a public right of way immediately to the rear which affords pedestrian access in either direction towards the village centre. This is a relatively short work on flat terrain. There are some local services (including the Parish Council offices and doctor's surgery) within a reasonable distance along Oxford Road. In addition,

there are bus stops nearby on Oxford Road affording travel both locally and further afield into Oxford.

- 9.22. Overall, Kidlington is considered to be the most sustainable of the Category A villages. The acceptability of the proposal therefore needs to be tested against the criteria listed in Policy Villages 2 of the CLP 2015, as well as other material planning considerations.
- 9.23. The position with regards to the Council's Housing Land Supply and progress against Policy Villages 2 is outlined above. The proposal would add to the number of dwellings that have been granted planning permission at Category A villages in exceedance of the 750 specified in Policy Villages 2. However, officers do not consider in this particular instance, given the scale of the development and its specific type of end user (i.e. it provides suitable accommodation for the elderly in the form of retirement apartments), and the sustainability of Kidlington, that the proposal could be regarded as a departure from the Council's housing strategy.
- 9.24. The criteria in Policy Villages 2 include consideration of whether the site is well located to services and facilities and also whether satisfactory pedestrian access/egress can be provided. The application site is located to the south of the village centre but within the existing built up area. It is close to a variety of local services and facilities as well as bus stops. It has good pedestrian connections with a public right of way running to the northern boundary. Improvements are proposed to the public right of way which are discussed in later sections of the report. The site is sustainably located within the built up area for the use proposed and the proposal assists with meeting overall Local Plan housing requirements.

Loss of the social club – Context

- 9.25. The site is occupied by a (currently) active social club and is therefore a brownfield site. The NPPF identifies at Paragraph 118(c) that decision makers should give "substantial weight to the value of using suitable brownfield land within settlements for homes". It is in this context in which it is considered that the proposal complies with Policy Villages 2. The proposal is appropriate in relation to the size of the settlement and the level of service provision.
- 9.26. However, the loss of a community facility is also a consideration. Policy BSC12 of the CLPP1 recognises the importance of community facilities and states that the Council will encourage the provision of community facilities to enhance the sustainability of communities and will seek to protect and enhance existing facilities. Policy S29 of the CLP 1996 states that "Proposals that will involve the loss of existing village services which serve the basic needs of the local community will not normally be permitted". In addition, paragraph 83 of the NPPF seeks to retain accessible local services and community facilities and paragraph 92 seeks to guard against the unnecessary loss of valued services and facilities.
- 9.27. The planning application is supported by a Planning Statement which includes information regarding the social club, its finances and its future. According to the planning statement the social club is facing significant financial difficulty which means it is facing closure. According to the planning statement there are less than 1500 similar clubs across the UK with approximately 2 to 3 closures per month. At its peak the Kidlington Green Social Club had 700 members however in the current age the club has a membership level of approximately 200 members of which 30 are actively regular. This is not sufficient to support the financial demands of running the club from the current premises.

- 9.28. In 2013 the club was forced to close for a short period of time in order to sort out its indebtedness and it has lived “hand to mouth” ever since. The club has recently lost its Brewery Company because it was no longer fulfilling the barrelage commitments it gave in return for financial support and provision of equipment. The club cannot fulfil the barrelage commitments simply because of the drop-off in membership and attendance.
- 9.29. In addition, the premises are in a poor state of repair and are too large for the current membership. The club used to be used for weddings, birthdays and anniversary celebrations which all provided extra income. However, there is no longer such a demand, in part because the premises are no longer considered “fit for purpose” and also because of different venue choices and different aspirations from those who may have historically used such premises. The Planning Statement claims that the club is facing imminent and permanent closure at its current location.
- 9.30. The club aims to continue in premises more appropriate to the size of the current membership. However, no details of alternative premises have been put forward as part of the planning application as the applicants have not yet been able to secure such premises with no funds or a timescale to offer anyone any certainty at this stage. The proposal seeks to facilitate the future of the club by enabling its move to alternative premises by selling its existing asset; the land.

Loss of the social club – Assessment

- 9.31. Kidlington has a thriving town centre with many existing and well-established services and facilities for the community. It also has excellent connections to Oxford with regular bus services, cycle route connections and access via private motor vehicle. There are many more services and facilities in Oxford in addition to those provided in Kidlington. Considering the contents of the planning statement, including the letter from the social club’s representatives at Appendix C, officers are of the opinion that although the loss of the social club is regrettable, the intention to set up elsewhere is relevant and to enable this the applicant requires the land to be sold to be developed. Given the existing services and facilities available locally and the good access to further services and facilities in neighbouring areas, the loss of the social club does not outweigh the benefits the proposed development brings.

Conclusion

- 9.32. Overall, on balance, and having regard to the factors above it is considered that the principle of this scale of growth for retirement apartments could be acceptable in Kidlington in the context of the Council’s housing strategy. Regard also must be had to the proposal being assessed against the other relevant criteria of Policy Villages 2 and the other relevant policies and guidance, which is discussed below.

Visual amenity, design/layout and impact on the character of the area

Policy Context

- 9.33. Policy ESD13 of the Cherwell Local Plan advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is not expected to cause visual intrusion into the open countryside, must be consistent with local character and must not harm the setting of settlements, buildings or structures.
- 9.34. Policy ESD15 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context

through sensitive siting, layout and high-quality design meeting high design standards and complementing any nearby heritage assets.

- 9.35. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.
- 9.36. The Framework highlights that the protection and enhancement of the natural, built and historic environment is part of the environmental role of sustainable development and one of the core planning principles also refers to recognising the intrinsic character and beauty of the countryside. The Framework also emphasises the importance of development responding to character and history with good design being a key aspect of sustainable development.

Assessment

- 9.37. The building has been designed to be 2-2.5 storeys in height with the second floor accommodated in the roof and the roof height kept as low as possible whilst complying with Building Regulations. The proposed building is at its highest points between 500mm to 800mm higher than the existing dwellings on Green Road. This is detailed on drawing no. 10105KT/PA09. Around the edges of the building the heights have been reduced to single storey in order to successfully reduce the scale, mass and bulk of the building overall. The landscaping officer has commented that the building is out of scale with the surrounding residences. However, it has been demonstrated (as stated above) that the careful design of the building mitigates the overall impact with a considered balance between the footprint and the overall height of the buildings. Reducing the build footprint would likely lead to an increase in height which would increase its impact in the surrounding area overall. The surrounding buildings are of a domestic scale where this is clearly not yet the visual impact from outside the site is not significant due to its positioning, orientation and screening from existing development and boundary trees. In addition, there is a requirement for a minimum number of units to make the scheme work. Considering the need for the communal lounge and spaces, the lodge managers office and back office spaces there needs to be around 30 units for the scheme to be deliverable.
- 9.38. A reasonable amount of screening of the site from Oxford Road is provided by the existing trees on the southern boundary. The trees are in the control of the landowners/developers and are proposed to be retained to ensure continued screening. A condition is recommended to retain the trees and to ensure a management and maintenance plan. This is not necessarily to ensure provision of screening of the building as its impact when viewed from Oxford Road is not considered significant, but more in relation to protection of residential amenity of neighbouring properties which is discussed in greater detail in following sections.
- 9.39. The landscape officer has recommended the building be rotated 180 degrees as the 'L' shape and proposed orientation means that the northerly elevations will cause an uncomfortable cold, shady experience for residents using the garden. The landscape officer comments that the rotation as well as reduction in build footprint, would ensure a sunny aspect courtyard for the retired residents, reduced visual impact and an appropriate fit for the site. Planning officers do not share the same concerns and are satisfied with the proposal as it currently stands. The reorientation of the building would likely cause unacceptable levels of overlooking to the private amenity space of properties on both Green Road and Sterling Road. Furthermore, the provision of shade is also considered a benefit given that residents are most likely to want to utilise the garden in warmer, sunnier weather. The outside space is sufficient for different aspects of sun and shade and the provision of a south facing garden is not considered necessary in this instance.

- 9.40. In terms of the detailed design and style, this is considered appropriate considering the backland site and surrounding development. This is a suburban area with a mix of ages, styles and design of development included more contemporary and more suburban buildings. Since the preapplication proposal the detailed design has been improved by way of a more holistic approach, changes as follows:
- More symmetrical front elevation with centrally positioned main entrance emphasized by a projecting stone portico.
 - Feature gabled bays are now rendered and help to break up the elevation by adding vertical emphasis.
 - Elevation facing towards Oxford Road has also been broken up by projecting bays so it appears as 3 “detached” buildings.
 - The palette of materials has been reduced and the previously proposed boarding has been removed.
 - Flat roof dormers are proposed rather than pitch roof which reduces the size and visual impact.
 - Where possible the dormers have been replaced with roof lights.
 - Matching brick window heads and cills are used throughout.
- 9.41. The scheme as currently presented reflects the local distinctiveness by reflecting detailing, ridge and eaves heights and the existing palette of materials used in the area.
- 9.42. The majority of the proposed building is predominantly brick with render and orange brick accents. Dorset Red Stock is proposed as the main facing brick with Leicester Orange Stock used for the window head, cills and banding to create contrast and emphasise proposed detailing and help break up the elevations between floors. In terms of the roofing, the main roof will be Marley Ashmore Old English Dark Red and Marley Ashmore Smooth Grey to the lower roofs at either end of the development. Windows will be white UPVC throughout. Dormer window cheeks and roofs will be grey and white GRP with white UPVC windows. Render will be ivory. Balconies will be black painted metal with blue grey toughened glazing. The proposed materials throughout are acceptable and compatible with the surrounding development. The materials will be conditioned as per the submitted design and access statement.
- 9.43. The pre-application advice given requested that improvements to the public right of way to the north of the site be investigated and included in the proposal. The proposed building has been orientated as such to provide active surveillance from the majority of the rear elevation of the building from ground floor and upper floor windows and some external balconies. Amended plans were received during the course of the application to include a pedestrian door and a ground floor window facing northwest to improve the active surveillance to the public right of way and its access gate.
- 9.44. In addition, the communal outside space has been designed and laid out so it is on the northern side of the proposed building again to provide some surveillance to the public right of way. A balance needs to be achieved by the proposed landscaping and planting in providing privacy and security to the future occupants of the development whilst not creating an increased sense of enclosure to users of the public footpath. This is discussed further at paragraphs 9.61 and 9.67.

Conclusion

- 9.45. Whilst the proposed building is large and occupies the majority of the site, it has been sensitively designed and orientated to reduce its visual impact on the site and when viewed from the wider area. The detailed design and materials palette is appropriate for the backland suburban location. In summary, officers consider that the proposed development complies with the relevant plan policies as listed above.

Residential amenity

Policy Context

- 9.46. Policy ESD15 advises of the need for new development to consider the amenity of both existing and future development and this reflects the Core Principle of the Framework, which confirms the need for a good standard of amenity for all existing and future occupants of land and buildings to be secured.

Assessment

- 9.47. The building has been orientated and window openings located so as to minimise the impact on the residential amenity of neighbours. The proposed building is large and does cover the majority of the land available to it but where it is closer to shared boundaries with residential properties the building steps down in height to one and two stories with hipped roofs to reduce the impact. Window openings have been arranged so they are set away from boundaries and where elevations are closer to the private rear gardens they do not have clear window openings at the upper levels. In addition, the flat roof dormer windows have been kept away from the boundaries to reduce overlooking and the roof design reduces their size and visual impact. Where possible dormers have been removed and rooflights used instead.
- 9.48. The separation distances between the proposed building and surrounding existing residential properties meet the requirements of the Cherwell Design SPD with a minimum distance of 22 metres provided back to back between properties. There is a separation distance of around 28 metres to 30 metres between the very rear of the properties on Sterling Road to the north and the proposed windows facing them. The north-western side elevation is 16.8 metres away from the rear properties on Sterling Road which is greater than the minimum 14m required by the SPD. In addition, no upper floor windows are within 7 metres of any neighbouring property.
- 9.49. The private gardens to the dwellings on Green Road are all in excess of 28 metres in length. Although there are facing windows at the upper levels it is considered that due to the offset to the boundaries (19.5metres) and the length of the private rear gardens that residential amenity in terms of reduction in privacy and overlooking is not significantly adversely affected. The separation distances are approximately 47 metres or more elevation to elevation. This also applies in terms of the buildings size and scale and it is not considered to be overbearing to neighbouring occupiers due to the separation distances and size of private rear gardens to properties along Green Road. The closest section of the proposed building to a boundary is the north eastern elevation which faces the private rear garden of no. 13 Green Road. The dwelling itself is over 38 metres from the built development but the elevation is 2.6metres from the side boundary to the private rear garden. This elevation has been designed to minimise the impact upon this section of garden by reducing its height to two storey and then one storey in a gradual fashion as it moves closer to the boundary, no upper floor windows facing the direction of the garden and a hipped roof design. As such there is no significant adverse impact on the amenity of no. 13 Green Road as a result of the proposed development.

- 9.50. The properties to the north on Sterling Avenue are orientated so as to be slightly offset to the proposed building and in conjunction with the set back of the development from the boundary there will be no significant adverse impact upon the enjoyment of the private rear gardens or internal living spaces from overlooking.
- 9.51. The properties to the south and southwest are along Oxford Road. These also have reasonably large rear gardens over 25 metres in length. The separation distances between the dwellings and proposed building are around 40 metres which is almost double the requirement of the SPD. More so they are protected from overlooking and other amenity issues by the presence of the existing bank of trees on the site which are proposed to be retained and managed as part of the sites overall landscaping scheme. A planning condition is recommended to ensure the trees are retained and maintained and should they die be replaced with mature or semi mature native species to retain the screening element of the trees. There are no significant issues in terms of overlooking or reduction in privacy to the neighbouring residential properties on Oxford Road.
- 9.52. In respect of noise impact upon existing residents it is considered that the proposed use would have less of an impact than the existing use. Being a social club and having hosted celebrations and gatherings previously there is an increased potential for anti-social noise disturbance than with a residential scheme. There are no concerns about noise impact on residential amenity once the development is operational and the flats occupied.
- 9.53. A condition is recommended for the submission and agreement of a lighting scheme prior to the development being occupied in order to minimise light disruption to neighbours and contribution to further light pollution.
- 9.54. To minimise the impacts during the construction phase a condition is recommended for a construction management plan to include details of dust management during construction and demolition of the existing building, hours of operation, contractor parking and delivery hours. In addition, a standard condition restricting the hours of construction is recommended with no working on Sundays or bank holidays to protect the amenity of existing residents.

Conclusion

- 9.55. Overall it is considered that the proposal complies with policy ESD15 and no significant detrimental harm is caused to neighbour amenity by the proposed development. Furthermore, the amenity of future residents has been considered and is also safeguarded.

Highway safety, access and parking

Policy Context

- 9.56. The National Planning Policy Framework is clear that transport policies have an important role to play in facilitating sustainable development with encouragement provided to sustainable modes of transport to reduce reliance on the private car. It is also clear that applications should be accompanied by a transport statement if the development would generate significant amounts of movement. This is reflected in Policy SLE4 of the Local Plan. Policy SLE4 and Villages 2, both emphasise the need for consideration to be given to whether safe and suitable access can be achieved.

Assessment

- 9.57. The application is accompanied by a Transport Statement which has considered the existing use of the site as a social club. In order to do this the TRICS database has been reviewed for community centre uses in similar locations and when adjusting for the size of the Social Club building estimates vehicle trips as up to 10 two-way movements in the network peak hours and approximately 80 two-way movements daily. In comparison the same methodology has been used to estimate the number of vehicle movements associated with the proposed development which results in estimates of approximately 6 two-way movements in network peak hours and 60 daily movements. The Transport Statement further states that research suggests that Churchill developments have lower trip generation than suggested by the TRICS estimates. The proposed land use could have a different end user and so the future TRICS is considered more appropriate.
- 9.58. The Local Highways Authority (LHA) have assessed the submitted Transport Statement and are content with the conclusion that the proposed land use would generate a similar or slightly lower number of vehicle movements than the existing social club use.
- 9.59. Vehicle and pedestrian access is gained from Green Road. It is proposed for the access to be a shared surface and widened to a total of 6 metres with 1.2 metres provided as a footpath. The LHA has commented that the facilities for pedestrians are considered inadequate given this location. Pedestrians should be prioritised over other modes and a minimum of 1.8m should be provided to allow for wheelchair users. The LHA officer suggests that this could be accommodated with minimal amendments and be secured by planning condition.
- 9.60. As the proposed access is intended to be a shared surface all one level with no kerbing to separate vehicles and pedestrian, planning officers do not consider the widening to be strictly necessary. The use of the access will be lower and this is demonstrated by the submitted TRICS data. The likelihood of both pedestrians/wheelchair users and vehicles using the shared surface at the same time is lower because of the lower amount of hourly and daily movements along the access. In addition, there is a stretch of additional hard surfacing proposed as a passing place should the need arise. The grass verge as currently proposed is 0.9m in width and by widening the shared surface to provide 1.8metres of pedestrian access the grass verge will be reduced to 0.3metres. This is not an amount that is easily manageable for maintenance and would not likely survive or be retained as such the entire width of the access would be hard surfaced. This would have a detrimental impact upon the visual quality of the main entrance to the development which is not supported by officers. As such and on balance it is not deemed appropriate to request the widening of the access via condition and the proposal is satisfactory without causing detriment to highway safety as is currently presented.
- 9.61. A secondary pedestrian access is made from the public right of way to the North West which will be padlocked and opened on request for residents. Pre-application discussions were undertaken between the agent and the County Rights of Way Officer surrounding the public right of way. County Officers were approached by the agent as to potential improvements to the public right of way but no feedback was offered other than the suggestions were positive. These suggestions included designing the building to provide active surveillance and reducing the amount of hedgerow screening the length of the boundary. County Officers have made no other requests via the planning consultation period save for a recommended informative by the Local Highways Officer that the barriers be removed at either end of the public right of way as part of the highways works. This would come under a Section 278 agreement separate from the planning process.

- 9.62. In terms of parking, there are currently no parking standards for this particular type of use and so reference has been made to parking surveys undertaken at a number of other properties run by the developer which indicate a demand of 0.28 spaces per apartment. The proposed provision is higher than this with 15 non-allocated parking spaces (including 1 disabled space) allowing for 0.5 spaces per dwelling and so catering for staff, visitors and carers in addition. There is also a proposal for 6 electric mobility buggies and 2 external cycle spaces. The Local Highways Authority agree with the amount of parking provided given that the nature of this particular development means the level of car ownership is unlikely to be significant. A similar methodology has been used for the number of cycle parking spaces which has found a very low demand. Two spaces are to be provided which allows use by staff and residents. The likelihood of use of the electric buggies is considered higher on a site with this use and end user and so the provision for storage on site is welcomed.
- 9.63. Local residents have expressed concern about the quantity of parking provision on site and that this could lead to an increase in on-street parking which in this location could be problematic for highway safety. However, in the absence of an objection from the Local Highways Authority it is difficult for the planning authority to refuse the application on this basis. The Local Highways Officer comments that there is no evidence to suggest that the parking is likely to impact on local streets. Parking provision has primarily been based on surveys of other sites and the proposed figures fit with similar evidence from elsewhere. Given the location of this particular proposal is close to regular bus services, in walking distance of shops and other services then the requirement for additional onsite parking would be difficult to maintain and moving away from other wider strategies promoting sustainable travel options and reducing the reliance on the private motor vehicle.
- 9.64. In addition, strategies are in place to promote sustainable travel options and reduce the dependency on the private motor vehicle. Residents will be provided with a Travel Information Pack when they move in to the development which outlines the sustainable travel options for residents living in Kidlington. The Travel Plan provides details of local bus stops and routes as well as information on how to apply for a concessionary bus pass. In addition, the pack contains details on local train routes, senior railcards, taxi companies, walking routes as well as community transport options including Oxfordshire Comet, Bus Bartons and the Volunteer Community Connect Transport.
- 9.65. The Local Highways Authority do not object to the planning application on the grounds of parking provision, access arrangements or highway safety. The LHA request conditions for a Construction traffic Management Plan, pedestrian and vehicle visibility splays, provision of cycle parking and vehicle parking to be provided prior to occupation of the new development and that the development be restricted to retirement living only.

Conclusion

- 9.66. In respect of the issues discussed above, officers consider that the proposal as presented is acceptable on balance. The proposed use of the site and the nature and circumstances of the end user mean the requirements in terms of access and parking are slightly adjusted. Whilst the LHA requests the access be widened to better accommodate pedestrians, in this instance due to the low traffic rates, the proposed shared surface of the access and the impact that would have on the visual quality of the main entrance planning officers do not consider this necessary on the basis of highway safety. In terms of parking, the requirements are reduced due to the village centre location, access to services and the likely reduced car ownership rate due to the circumstances of the prospective residents.

- 9.67. The improvements to the public right of way to the rear of the site are welcomed and increase the likelihood of residents using walking as a mode to and from the development.
- 9.68. In summary, the proposed development complies with the relevant planning policies and there are no sustainable reasons for refusal on highway safety, access or parking grounds.

Trees and Landscaping

- 9.69. Policy ESD10 of the Local Plan refers to the protection and enhancement of ecology and the natural environment. It requires the protection of trees amongst other ecological requirements. Policy ESD13 also encourages the protection of trees and retention of landscape features. Policy BSC11 sets out the Council's requirements for local outdoor space provision and play space.
- 9.70. The proposal will result in the loss of two small trees located on the eastern side of the existing access driveway. The arboricultural report advises that all the significant boundary tree cover will remain intact and no moderate quality trees need to be removed. The report outlines the precautions taken to protect retained trees during the construction period. The Arboricultural Officer confirms that the report and plans are considerate of the trees on site and that the removal of the two small trees will not be detrimental to the sites amenity.
- 9.71. For these reasons officers conclude that the proposed development would not cause an unacceptable impact on tree health or the contribution of tree character to the wider setting. Provided the adequate precautions to protect the retained trees as specified in the report are implemented then the development proposed will not cause an unacceptable or adverse impact on the long-term viability of the retained trees and therefore the character and appearance of the area.
- 9.72. Policy BSC11 states that development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The amount, type and form of open space will be determined having regard to the nature and the size of development proposed and the community needs likely to be generated by it. The policy guidance requires the provision of open space for a development of the scale proposed (over 10 urban dwellings). The site provides a small area of open space in the form of the private amenity space for the retirement flats. However, given the nature of the proposed use and the potential end user it is considered that the community needs for this publicly accessible open space is not high and so the provision of the private amenity space is sufficient. The development of 30 residential units triggers the requirement for on-site play space however, once again, considering the nature of the proposal and the potential end user it is not deemed appropriate nor necessary to request this. The site does not exceed the threshold for the onsite provision of formal outdoor sports facilities or for allotments.
- 9.73. A Landscape Strategy Plan has been submitted as part of the planning application which is broadly acceptable. Officer's requested that the northern hedgerow bordering the public right of way be reduced in length and height to allow for active surveillance and this can be secured by condition. Details of the planting and maintenance of any shrubs and hedgerow along this boundary will be required by condition to ensure it remains well managed and the public right of way remains visible, open and appealing to potential users.

Ecological/biodiversity issues

Legislative context

- 9.74. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.75. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.76. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.77. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.78. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.79. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological

value and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 9.80. Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.81. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.82. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.83. Policy ESD11 is concerned with Conservation Target Areas (CTAs), and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.84. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.85. The Planning Practice Guidance dated 2014 post dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.86. In this case the site is brownfield with an existing building in current use. There are a number of trees and hedgerow within and to the boundaries of the site. There are few ecological constraints on site in terms of protected species and habitats. The application was supported by an Ecological Assessment (report no. 12532_R02_SB_MM) prepared by Tyler Grange. The Council's Ecologist has confirmed that the surveys within the assessment that have been carried out to date are satisfactory and permission should be granted.
- 9.87. However, whilst it appears a net gain for biodiversity in terms of habitats is achievable at a reasonable level there is insufficient detail contained within the

report to show where and what type of enhancements will be installed. The Council would expect at least some of the provisions to be integrated into the fabric of the new buildings which assists in their retention. In this location, swift bricks would be an ideal option given local records and the type of building proposed. Cherwell DC currently seek an equivalent of 1 integrated brick or box per residence. This should inform the Biodiversity Enhancement Plan which is required by condition.

- 9.88. In addition, the landscaping is generally acceptable although the Council's ecologist has suggested the inclusion of some species rich/flowering grassland areas would be preferable to amenity grass alone to increase biodiversity rates. A full landscaping and management scheme is required by condition.
- 9.89. The Council's ecologist has recommended conditions to ensure the development is undertaken in line with the recommendations set out in the submitted Ecological Assessment.

Conclusion

- 9.90. Officers are satisfied, on the basis of the advice from the Council's Ecologist that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged. As such, there are no objections to the proposal on the grounds of ecology and biodiversity.

Flood Risk and drainage

- 9.91. A drainage statement is submitted with the application in line with the requirements of Policy ESD6 of the Local Plan and the Framework. Given that the site is less than 1ha in area and is in Flood Zone 1 a Flood Risk Assessment is not required. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems to manage surface water drainage systems. This is all with the aim to manage and reduce flood risk in the District.
- 9.92. Oxfordshire County Council have been consulted and once further information was submitted the LLFA confirmed no objections subject to conditions. On this basis Officers are satisfied that flood risk and drainage will be suitably addressed and there are no sustainable reasons for refusal on this basis.

Crime prevention and security measures

- 9.93. The National Planning Policy Framework 2019, Section 12 'Achieving well-designed places', point 127 (part f), states that; 'Planning policies and decisions should ensure that developments... create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'.
- 9.94. HMCLG's Planning Practice Guidance on 'Design', states that; 'Although design is only part of the planning process it can affect a range of objectives... Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered: safe, connected and efficient streets... crime prevention... security measures... cohesive & vibrant neighbourhoods.'
- 9.95. The application is supported by a Design and Access Statement which contains a section headed 'Security, Boundaries' but this does not adequately address all of

the crime prevention and security measures discussed with the applicant at pre-application state. Nor does it provide a commitment to achieving Secured By Design accreditation as recommended previously.

- 9.96. The Crime Prevention Design Advisor has not objected to the application but, to ensure that the opportunity to design out crime is not missed, has offered advice on how to achieve SBD accreditation and a condition requiring evidence of such an application. Conditions are also included which are linked to crime prevention including the requirement for a lighting scheme, details of the bin and buggy store and details of boundary treatments including the security of the rear access gate to the footpath.
- 9.97. In light of the above, and in the absence of an objection from the Crime Prevention Design Advisor, the application proposal is considered to be acceptable subject to conditions in terms of the security and crime prevention design aspects.

Sustainability and energy efficiency

- 9.98. The Cherwell Local Plan includes a number of energy policies in order to seek development which mitigates and adapts to the future predicted climate change. This relates to locating development in sustainable locations as well as seeking to reduce energy use, making use of renewable energy and sustainable construction techniques as well as achieving reductions in water use. Mitigating and adapting to climate change in order to move to a low carbon economy is a key part of the environmental role of sustainable development set out in the Framework.
- 9.99. The application is not accompanied by a Sustainability or Energy Statement but sustainability is important with regard to how development adapts to future climate change. A section of the design and access statement addresses the relevant policies in the local plan and is outlined below.
- 9.100. Policy ESD1 Mitigating and Adapting to Climate Change: The proposed development will reuse a previously developed site rather than an undeveloped greenfield site. Its location is sustainable as defined in the Local Plan. The site is in walking distance to Kidlington village centre and close to shops and other community facilities as well as bus stops. The location of the proposed development is well placed to reduce the need to travel and encourages sustainable travel options including walking, cycling and public transport. A condition is recommended for the installation of electric vehicle charging points; this has been agreed by the applicants.
- 9.101. Policy ESD2 Energy hierarchy and allowable solutions and ESD3 Sustainable Construction: Churchill have confirmed that all their schemes are designed and built beyond the national minimum standards as set within Building Regulations with particular emphasis given to an energy efficient fabric first approach. The scheme will maximise the benefits of service technologies adopted therein. Inclusive of the building's design is the emphasis on reducing exposed external wall areas and consequently improving thermal efficiency.
- 9.102. The development seeks to maximise passive solar lighting and natural ventilation. In terms of water, the proposal seeks to achieve a higher level of water efficiency at 110litre per person per day through the installation of water saving and water restricting appliances in all apartments. All areas of the building internally and externally will be lit using low energy lighting and where applicable utilise appropriate daylight and movement sensor controls. A condition is recommended for an external lighting scheme to ensure the lighting is appropriate for the location and considering climate change issues.

- 9.103. ESD5 Renewable Energy: Ground source heat pump technology is proposed. A high efficiency heat pump can provide up to four times as much heat as an electric heater using the same amount of energy.
- 9.104. In terms of waste and recycling, Cherwell DC require 1.4sqm of bin space per property so for 30 flats 42sqm of space is required.
- 9.105. In the Design and Access Statement Churchill Retirement claims that retirement schemes in general have occupancy rates which are typically 50% lower than open market housing. As such Churchill Retirement propose a waste and recycling scheme which differs from Cherwell DC requirements. The typical waste requirements of the retirement schemes are as follows:
- Total waste generation rate of 100 litres per week for one bed apartments is 19 x 100L = 1900L
 - Total waste generation rate of 170 litres per week for two bed apartments is 11 x 170L = 1870L
 - Total capacity required would be 3770L.
- 9.106. Churchill proposes the provision of 6 x 1100L bins totalling a capacity of 6660L capacity which would be more than sufficient based upon Churchill's understanding of the waste requirements of retirement living. Two bins for mixed recycling, one bin for paper, one bin for glass, one bin for food waste and one bin for residual general waste. These will be stored in a communal refuse store on site. This is to be located externally to the main building, at ground level and close to the car park.
- 9.107. Garden waste will be managed by the management Team who also manage the upkeep of the grounds. The entrance drive has been designed to allow a refuse vehicle to easily enter and exit the site in a forward gear. No comments have been received from the Council's Waste and Recycling Team. As such, and considering the applicants detailed analysis of waste and recycling practices across their schemes, on balance the provision proposed is acceptable.
- 9.108. In summary, the proposed development is considered to comply with the relevant development plan policies in regard to sustainability and energy efficiency.

Developer contributions and affordable housing

- 9.109. Should the application be approved, improvements to local infrastructure will need to be provided in order to mitigate the impact of the development and make it acceptable in planning terms. A S106 Legal agreement would be required to be entered into to secure mitigation resulting from the impact of the development both on and off site. This would ensure that the requirements of Policy INF1 of the Local Plan can be met, which seeks to ensure that the impacts of development upon infrastructure including transport can be mitigated. This also includes the provision of affordable housing. The Authority is also required to ensure that any contributions sought meet the following legislative tests, set out at Regulation 122 of the Community Infrastructure Regulations 2011 (as amended):
- Necessary to make the development acceptable in planning terms;
 - Directly relate to the development; and
 - Fairly and reasonable related in scale and kind to the development

9.110. The following are sought through this application:

- Payment of a financial contribution, towards off site indoor sports and recreation provision in the locality, of £12,876.29. This is based on an occupancy rate of 38.4. This is towards improvements at Kidlington and Gosford Leisure Centre. The sports studies identified a need for increased pool space, fitness provision and additional sports hall space to meet the needs of residents as a result of the increased housing provision.
- Payment of a financial contribution towards community facilities being the refurbishment of Exeter Hall of £17,622.20. This is based on an occupancy rate of 38.4 and the requirement for 0.185metre square of community space required per resident.
- Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £106.00 per dwelling plus £5.00 per dwelling towards recycling banks. This based on an occupancy rate of approximately 38 people would total £4,218.00.

9.111. A contribution to off-side sports provision is not sought as it is considered that the new residents will not benefit from using facilities such as Stratfield Brake Sports Ground.

Affordable Housing

9.112. With regard to affordable housing, policy BSC3 requires development within locations such as at Kidlington to provide 35% affordable housing on site and provides detail on the mix that should be sought between affordable/ social rent and shared ownership. Where this policy would result in a requirement that part of an affordable home should be provided, a financial contribution of equivalent value will be required for that part only. Otherwise, financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances.

9.113. Officers accept that on-site provision is not suitable due to the management complexities and the potential unaffordability due to service charge costs. Strategic Housing Officers request a financial continuation in lieu of on-site provision of 40% of open market value for 35% of the units. This equates to £1,340,000. An affordable housing statement was submitted to accompany the application and sets out why the applicant supports the principle of the contribution, but in this instance claims the provision of a fully policy compliant affordable housing contribution would make the scheme unviable.

9.114. In terms of the proposed scheme, due to the fact that the affordable housing requirement is not met (on site or a contribution in lieu) the development is not technically policy compliant. A negotiated discussion and a thorough independent 'open book' analysis of the viability of the scheme has been undertaken by Bidwells. It is clear through the analysis of the viability of the scheme that officers are unable to secure a policy compliant scheme due to there not being enough funds to pay the full commuted sum. However, provided some contribution can be secured Officer's consider that the benefits of the scheme are enough to enable officer support. These benefits include redevelopment of a brownfield site, delivering much needed housing and retirement housing in one of the District's most sustainable settlements which is projected as highly relevant for the district and Oxfordshire area over the coming years, reduction in potential neighbour disturbances through a change of use from the social club and biodiversity net gain.

- 9.115. Following extensive negotiation, it has been agreed that a contribution of £348,147 is acceptable. This is based upon the money left available when a viable development is delivered. The agent and applicant are accepting of this requirement.
- 9.116. On this basis, Officers are minded to accept the proposed contribution of £348,147 as reasonable, taking into account the likely margins of viability for the proposed scheme.

Human Rights and Equalities

- 9.117. The Human Rights Act 1998 (“HRA”) sets out fundamental freedoms which have been laid out by the European Convention on Human Rights (“ECHR”). In making any decisions, Cherwell District Council (“the Council”) should have due regard to and take into account any implications that may arise under the HRA. As a public authority, it is unlawful for the Council to act in a manner which is incompatible with the ECHR.
- 9.118. The rights under the ECHR which the Council views as being the most likely to affect planning matters are: Article 6 (the right to a fair trial); Article 8 (right to respect for private and family life); Article 14 (prohibition of discrimination); and Article 1 of the First Protocol (protection of property).

Article 6

- 9.119. Officers have considered these matters and have resolved that, whilst there are potential rights in play, these will not be affected by the application due to the application being publicised by way of neighbour letter, site notice and in the local press giving affected third parties the opportunity to comment on the application and their views taken into account when considering the application. In this case any comments/concerns raised by third parties are listed above and have been taken into account in assessing the application. In addition, third parties will be invited to the public meeting of the Planning Committee and have the opportunity to speak. Furthermore should a third party be concerned about the way the application was decided they could complain to the Local Government Ombudsman or if they question the lawfulness of a decision can appeal to the Courts for Judicial Review of the application.

Article 8 and Article 1 of the First Protocol

- 9.120. Officers have considered the duties under both Article 8 and Article 1 of the First Protocol and have resolved that the application does respect the private and family life of neighbours and does not fail to protect the neighbours’ property.

Duty under The Equalities Act 2010

- 9.121. S149 of the Equalities Act 2010 (“EA”) sets out what is known as the Public Sector Equality Duty (“PSED”). Under the PSED, the Council, as a public authority, must have due regard to the need to, inter alia, advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and has to foster good relations between persons who share a relevant protected characteristic and persons who so not share it. The protected characteristics to which the PSED refers are: (a) age; (b) disability; (c) gender reassignment; (d) pregnancy and maternity; (e) race; (f) religion or belief; (g) sex; (h) sexual orientation.

9.122. Officers have considered the application and resolved that none of the protected characteristics

10. PLANNING BALANCE AND CONCLUSION

10.1. Paragraphs 7 and 8 of the NPPF state that the purpose of the planning system is to contribute to the achievement of sustainable development. This means the planning system has three overarching objectives – economic, social and environmental – which are interdependent and need to be pursued in mutually supportive ways.

10.2. The proposed development will contribute to the economic objective through the creation of jobs and - via its residents - additional expenditure generation in nearby shops and facilities. Whilst the loss of the social club is regrettable, this has been justified and given the availability of other community facilities within the local area, is not considered to cause significant harm to the social objective. The provision of much needed specialist accommodation for older people in one of the District's most sustainable settlements is considered a significant benefit of the scheme and contributes to meeting the social objective. The development will meet the environmental objective as outlined in this report, with limited impacts on the amenity of neighbours. The Local Highways Authority is satisfied that the proposal is acceptable in transport and parking terms, with limited environmental impacts anticipated in this regard.

10.3. All in all, the proposal is considered to be sustainable development and is recommended for approval, subject to the completion of a satisfactory S106 agreement and the conditions detailed below.

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO **GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW** (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) **AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106** OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- a) Payment of a financial contribution towards affordable housing of £348,147.
- b) Payment of a financial contribution, towards off site indoor sports and recreation provision in the locality, of £12,876.29 (index linked).
- c) Payment of a financial contribution towards community facilities being the refurbishment of Exeter Hall of £17,622.20
- d) Payment of a financial contribution towards the provision of refuse/recycling bins for the development of £111 per dwelling (index linked)
- e) Payment of the Council's monitoring costs of £3,819.46
- f) Improvements to the access (to be secured via a S278 agreement)

CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason : To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory

Purchase Act 2004.

2. The development shall not be carried out otherwise than in complete accordance with the approved plans being drawing nos. 10105KT/PA10 received by the Local Planning Authority on the 22 October 2019 and drawing nos. 10105KT/PA01, 10105KT/PA02, 10105KT/PA03, 10105KT/PA04, 10105KT/PA05, 10105KT/PA06, 10105KT/PA07, 10105KT/PA08 all received by the Local Planning Authority on 17 February 2020 unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

Reason : To clarify the permission and for the avoidance of doubt.

3. The development hereby permitted shall be carried out in accordance with the recommendations set out in sections 4.8 and 4.10 of the Ecological Assessment (reference 12532_R02_SB_MM) prepared by Tyler Grange and dated 14th October 2019 unless otherwise agreed in writing by the Local Planning Authority.

Reason : To protect habitats and/or species of importance to nature conservation from significant harm in accordance with the Government's aim to achieve sustainable development as set out in Section 15 of the National Planning Policy Framework.

PRE-COMMENCEMENT CONDITIONS

4. No development shall take place until the existing tree(s) to be retained as identified on the 'Tree Protection Plan' drawing no. 19085-BT5 have been protected in accordance with the approved Tree Protection Plan and Arboricultural Assessment and Method Statement (reference 19085-AA2-PB) prepared by Barrell Tree Consultancy dated 4th October 2019 unless otherwise agreed in writing by the Local Planning Authority. The barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and demolition and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Reason : To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

5. No part of the development hereby permitted shall take place until a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

6. If a potential risk from contamination is identified as a result of the work carried out under condition 5, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

7. If contamination is found by undertaking the work carried out under condition 6, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

8. No development shall take place, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall provide for at a minimum:
- a) The parking of vehicles of site operatives and visitors;
 - b) The routing of HGVs to and from the site;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used in constructing the development;
 - e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - f) Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;

- g) Measures to control the emission of dust and dirt during construction;
- h) A scheme for recycling/ disposing of waste resulting from demolition and construction works;
- i) Delivery, demolition and construction working hours.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason : To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

9. No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods has been submitted to and approved in writing by the Local Planning Authority. The approved drainage system shall be implemented in accordance with the approved detailed design prior to the use of the building commencing.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal in compliance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

10. Prior to the first occupation of the development, a scheme for the provision of at least 10 vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the development and retained as such thereafter.

Reason – To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE

11. The external walls, dormers and roof(s) of the development shall be carried out in accordance with the schedule of materials and finishes referred to in the Design and Access Statement (page 30) prepared by Planning Issues and Churchill Retirement Living dated 12 February 2020 or in accordance with an alternative schedule of materials that have been first submitted to and approved in writing by the Local Planning Authority prior to the commencement of that work.

Reason : To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

12. A scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include:-

(a) details of the proposed tree and shrub planting including their species, number,

sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the commencement of those works or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the end of the first planting season following occupation of the development.

Reason : To ensure that a satisfactory landscape scheme is provided in the interest of well planned development and visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

13. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

14. Details of the external lighting/security lighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The lighting shall be installed and operated in accordance with the approved scheme at all times thereafter.

Reason : To protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C28 and C30 of the Cherwell Local Plan 1996

15. A method statement for enhancing biodiversity on site, to include features integrated into the fabric of the buildings and to include colonial provision for swifts and features for bats, shall be submitted to and approved in writing by the Local Planning Authority prior to the development reaching slab level. Thereafter, the biodiversity enhancement measures approved shall be carried out prior to occupation and retained in accordance with the approved details.

Reason : To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION

16. A schedule of landscape maintenance for a minimum period of 5 years shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule unless otherwise approved in writing by the Local Planning Authority.

Reason : To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

17. A plan detailing the proposed parking and turning/loading/unloading provision for vehicles to be accommodated within the site (including details of the proposed surfacing and drainage of the provision), shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of those works. The approved parking and turning/loading/unloading facilities shall be laid out and completed in accordance with the approved details before the first occupation of the building. The car parking, turning/loading/unloading spaces shall be retained for the parking, turning/loading/unloading of vehicles at all times thereafter.

Reason : In the interests of highway safety, to ensure the provision of adequate off-street car parking and turning/loading/unloading and to comply with Government guidance in Section 12 of the National Planning Policy Framework.

18. Prior to the first use or occupation of the development hereby permitted, a minimum of 2 covered cycle parking spaces shall be provided on the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The covered cycle parking facilities so provided shall thereafter be permanently retained and maintained for the parking of cycles in connection with the development.

Reason : In the interests of promoting sustainable transport modes in accordance with Government advice in the National Planning Policy Framework.

19. Prior to first occupation of the development hereby permitted, vehicular visibility splays shall be provided in both directions at the point of access from Green Road in accordance with submitted drawing 536.0006.001 E (Appendix F to the Transport Statement by Paul Basham Associates Ltd dated October 2019). Thereafter, the visibility splays shall be kept permanently free from obstruction to vision above 0.6 metres in height over the whole of each visibility splay area.

Reason : To ensure that adequate visibility is retained in the interest of road safety in accordance with Government guidance in Section 12 of the National Planning Policy Framework.

20. Prior to first occupation of the building the bins stores as shown on the approved plans shall be provided in accordance with those approved details and permanently retained as ancillary to the development and used for no other purpose whatsoever.

Reason: In the interest of well planned development and visual amenity of the area in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1,

Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

21. If remedial works have been identified in condition 6 the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 7. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

22. No building or use hereby permitted shall be occupied or the use commenced until the sustainable drainage scheme for this site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in perpetuity in accordance with the agreed management and maintenance plan. A stand-alone Management and Maintenance document to be submitted

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

ONGOING REGULATORY CONDITIONS TO BE COMPLIED WITH AT ALL TIMES

23. No construction work including site clearance and delivery of materials shall be carried out except between the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays and at no times on Sundays, Bank and Public Holidays.

Reason : In order to protect the amenities of occupiers of nearby properties from noise outside normal working hours and to comply with Saved Policy ENV1 of the Cherwell Local Plan 1996

24. None of the residential units hereby approved shall be occupied other than by a person of an age of 60 years or over (and partners aged 55 years plus).

Reason: In the interest of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in Section 12 of the National Planning Policy Framework.

NOTES TO DEVELOPER

1. In relation to condition 9, development shall be based upon the principles as laid out in the CEP Drainage Statement V1.1 dated October 2019, reference 23247 and as per drawing Preliminary Drainage Strategy Plan DS 04. Discharge to be limited to 2l/s at the 1:100 + 40% Climate Change Factor. Additional information required:

- Pre and Post development overland surface water flow plan required.
- Safe ingress/egress needs to be demonstrated.
- Sacrificial areas in the event of exceedance should be considered.
- Further thought needs to be given to maximising use of green space on site for SuDS incorporation.
- All hardstanding should be of a permeable construction, where this is not

considered

- practical full explanatory justification to be provided.
- Justification as to whether 10% Urban Creep allowance has been applied required.
- Phasing – to be detailed on plan including descriptive methodology as to how
- surface water will be managed during construction, the mobilisation of sediments
- and any contaminants.
- Exceedence – justification as to how surface water will be managed on site in event of failure or exceedance event.
- Evidence of safe ingress/egress to be provided.
- Justification that damaged pipework as identified in the Utility Surveys Ltd CCTV survey will be replaced where appropriate and abandoned where no longer required.
- Fully detailed numbered pipe network plan to be provided for assessment against MicroDrainage calculations.
- Stand-alone Surface Water Management Strategy document to be submitted.

CASE OFFICER: Clare Whitehead

TEL: 01295 221650

Appendix 20

Launton Appeal Decision 3188671



Appeal Decision

Inquiry Held on 10, 11 and 12 July 2018

Site visit made on 12 July 2018

by Kenneth Stone BSc Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2018

Appeal Ref: APP/C3105/W/17/3188671

Land off Blackthorn Road, Launton OX26 5DA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Manor Oak Homes (Mr William Main) against the decision of Cherwell District Council.
 - The application Ref 17/01173/OUT, dated 24 May 2017, was refused by notice dated 4 August 2017.
 - The development proposed is the development of up to 72 dwellings with associated large area of Public Open Space.
-

Decision

1. The appeal is allowed and outline planning permission is granted for the development of up to 72 dwellings with associated large area of Public Open Space at Land off Blackthorn Road, Launton OX26 5DA in accordance with the terms of the application, Ref 17/01173/OUT, dated 24 May 2017, subject to the conditions contained in the schedule at the end of this decision.

Procedural matters

2. The application was submitted in outline with all matters except for access to be reserved for future consideration. The application was supported by various plans and these are identified in the final signed Statement of Common Ground (CDC2) at paragraph 4. It was confirmed that the Feasibility layout, as it is referred to there (the drawing title on the plan is illustrative layout) was for illustrative purposes only to demonstrate one way in which the site could be developed.
3. During the conditions session it was also confirmed that JPP Consulting Plan T7866PM-01-A, from the Transport Assessment revision A, formed part of the plans for which permission was sought. The Council originally refused planning permission for five reasons; by the start of the Inquiry the Environment Agency and the Oxford County Council Drainage Officer withdrew their objections. This resulted in the Council no longer pursuing its objections on grounds of flooding or drainage. The Council confirmed that if a satisfactory obligation was provided to ensure the provision of infrastructure necessary to serve the development it would no longer contest that issue.
4. A completed and executed planning obligation in the form of a planning agreement pursuant to section 106 of the Town and Country Planning Act 1990

was provided by the close of the Inquiry. I return to the planning obligations secured below.

5. The revised National Planning Policy Framework (the Framework) was published on 24 July 2018 and the parties were given the opportunity to comment on the relevance this will have on their case.
6. The Government published a Written Ministerial Statement in relation to Housing Land Supply in Oxfordshire. I have had regard to the Statement.

Main Issues

7. The main issues are:
 - Whether the location and scale of the proposed development would conflict with the development plan's strategy for the distribution of housing in the district; and
 - The effect of the proposed development on the character and appearance of the settlement of Launton and the surrounding area.

Reasons

8. The development plan for the area comprises the saved policies from the Cherwell Local Plan 1996 (CLP 1996) and the Cherwell Local Plan 2031 part 1 (CLP 2031 (part 1)).
9. The Council is in the process of a partial review of the CLP 2031 (part 1) to address the apportionment of Oxford's identified unmet need to the surrounding district Councils. The Council submitted the Local Plan Part 1 Partial Review (Oxford's Unmet Housing Need) to the Secretary of State on 5th March 2018. This has not been the subject of public scrutiny. Whilst the Council may have agreed the level of unmet need it is to receive from Oxford in terms of the proportionate apportionment in the context of this appeal the review carries only little weight at this point in time.
10. Reference is made in the CLP 2031 (part 1) to the Cherwell Local Plan 2031 part 2 (CLP 2031 (Part 2)) however this appears to be in the very early stages of preparation with an issues consultation paper being published in January-March 2016. I have no evidence before me of any further progress on that plan and therefore I am of the view it carries very little weight in the determination of this appeal.

Location and scale of development

11. Underpinning the CLP 2031 (part 1) is a spatial strategy for Cherwell District which focusses the bulk of the proposed growth in and around Bicester and Banbury. It limits growth in the rural areas, directs it towards larger and more sustainable villages and aiming to strictly control development in open countryside.
12. Policy BSC1 identifies that 22,840 dwellings will be provided for between 2011 and 2031; distributed between Bicester, Banbury and the Rest of the District. A significant proportion of the 'rest of the district' figure relates to a strategic allocation at RAF Upper Heyford, the remainder distributed through the categorisation of Villages in Policy Villages 1: Village categorisation and Policy Villages 2: Distributing Growth Across the rural areas. The plan seeks to alter

the local pattern of recent housing growth, as a disproportionate percentage (almost half) has taken place in smaller settlements, adding to commuting by car and congestion on the road network at peak hours. The number of new homes outside the two main towns would be around a quarter of the overall plan total.

13. Launton is identified as a category A - service village in Policy Villages 1. Policy Villages 2 confirms that over the plan period a total of 750 homes will be delivered at category A villages. There is no further distribution of delivery within the villages and there is no timeframe or trajectory for delivery associated with the overall figure. All parties accept that the headline figure is not a ceiling and that conflict would only arise if there was a material increase over and above the identified 750 dwellings. This is consistent with the Framework's approach to significantly boost the delivery of housing.
14. The 2017 Annual Monitoring Report for the district identifies that a total of 664 dwellings have been identified for meeting the Policy Villages 2 requirement. By March 2017 there had been 103 completions on those sites. The proposed development would make provision for up to a further 72 dwellings taking the total to 736 (664 + 72). The 750 figure in the policy would not be breached. Furthermore the 750 figure refers to dwellings delivered, of which to date there are only 103, substantially below the 750 figure. As a matter of fact allowing this appeal would not breach this aspect of Policy Villages 2, I return to the criteria based aspects below.
15. My attention is drawn to the dismissal of an appeal in 2015¹ on the grounds that the provision of 95 homes in one location at that early stage of the local plan period would leave little scope for development in other category A villages either in terms of numbers or timing and would thus not be in accordance with the Plan's housing strategy. This was shortly after the plan had been adopted in 2014. Matters have moved on and information is available to consider whether performance across the rest of the district is meeting the aspiration of the strategy.
16. This proposition has been taken forward in more recent appeal decisions² however none of these have been the subject of the full scrutiny of Public Inquiry. Further, there are also significant site specific differences between those decisions and this appeal related to heritage concerns, sustainability and harm to character and appearance.
17. Whilst the level of planning permissions and resolutions to approve is approaching 750 the number of units built is still substantially below that figure. That equates to a delivery rate of some 34 units per annum based on the delivery since 2014. If that were continued the delivery would be too low to reach 750 in the plan period. The latest AMR figures demonstrate that completions and planning permissions outstanding in the two principle towns of Bicester and Banbury amount to in the region of two thirds of housing delivery. The remaining one third being delivery in the rural areas, a substantial proportion of which is at a strategic allocation location. This demonstrates that the overall intention of the strategy to deliver housing in the most sustainable locations of the main towns and strategic allocation and to limit development in the rural areas is succeeding. The proportion of housing being delivered at the

¹ APP/C3105/W/14/3001612

² APP/C3105/W/16/3158925, App/C3105/W/17/3169168 and APP/C3105/W/17/3187461.

smaller villages is significantly less than half of delivery as was identified as a main driver for the development of the strategy.

18. The 750 figure is not an upper limit and it would require a material exceedance to justify arriving at a conclusion the policy was being breached. Whilst the figure is moving towards the actual figure there is still some headroom available. Time has moved on and we are now further into the plan period, any permissions that are now granted will take time to produce the delivery of housing and therefore it is likely that the delivery of the units identified in this appeal would not arise until the plan was in the second half of its term. It is in my view no longer appropriate to characterise this as early in the plan period. The CLP 2031 (part 2) plan has the potential to review the implications of these policies or a formal review of the part 1 plan could come forward.
19. On the basis of the evidence before me I am satisfied that the proposed development would not lead to a breach of this aspect of Policy Villages 2 or the overall plan strategy.
20. In any event, there is evidence to demonstrate that housing delivery is strengthening. That it is focussing in the main towns of Bicester and Banbury and the strategic allocation and that the contribution from the more sustainable villages (category A villages) in the rural area to the overall delivery of housing is achieving the plans overall need in a manner consistent with the strategy. Whilst I accept that the delivery of all of the level of housing anticipated through Policy Villages 2 could reduce the flexibility later in the plan period I have been provided with no evidence that the granting of permission here would prevent development at a more sustainable location in another Category A village.
21. Indeed it is no part of the Council's case that Launton is not a sustainable village and does not have the services and facilities to meet the day to day needs of the future residents of the proposed development. The number of units proposed would not be excessive in relation to the services and facilities available in the village. The village contains a number of facilities including two pubs, a convenience store, farm shop, primary school, community hall and small business enterprises. It is categorised as a Category A village which are those villages in the district with the highest sustainability credentials in the rural area. The village is also well served by public transport. The additional demands placed on existing facilities would be addressed through the provision of the planning obligation. The scale of the development would not substantially detract from the character of the village as I conclude below. The increase in the number of new homes would not therefore result in materially harmful effects.
22. Any future developments at Category A villages in the future would need to be considered in the context of the circumstances pertaining at that time which would include, but not be limited to, matters such as whether the 750 figure had been materially exceeded, the specific needs for that development in relation to the village and the effect on the overall settlement strategy.
23. On the basis of the above conclusions I am satisfied that the location and scale of the proposed development would not conflict with the development plan's strategy for the distribution of housing in the district. The development would not conflict with policy BSC1, Policy Villages 1 or Policy Villages 2 and would

not undermine the overall strategy of the development plan, with which it would comply.

Character and appearance

24. The Council's reason for refusal alleges that the application contained insufficient information to enable it to assess the impact of the proposed development on its surroundings.
25. I have had regard to the advice in the Planning Practice Guidance with regard to Design and Access Statements (DAS) and to the two court cases³ submitted in Closing by the appellant to address the concern of the adequacy of the DAS. Given that the application is in outline with all matters reserved, other than access, much of the detailed layout, design and appearance are matters more properly considered at reserved matters stage. With the application before me the focus is on whether the scale and quantum of development could be satisfactorily accommodated on the site. As the PPG advises DASs are concise reports to provide a framework for applicants to explain how the proposed development is a suitable response to the site.
26. The PPG goes on to advise that the DAS must explain the design principles and concepts and demonstrate the steps taken to appraise the context and how the design takes that context into account. There is no prescriptive formulaic sequencing or ordering of steps that are to be undertaken or how these are to be ordered or reported in the final report. Given the outline nature of the application I am satisfied that there is sufficient depth and detail of analysis of the site and context and how the scheme has taken these matters on board in reaching its proposed outcome. The illustrative master plan is also just that, illustrative as one way in which the scheme could come forward, and is not set in stone.
27. The Council's witness Mr Stock confirmed under cross examination that he accepted that there was sufficient information before the Inquiry to enable me to make a proper assessment of these matters. I am satisfied that the amended DAS, the proofs of evidence of the various witnesses, the additional information submitted during the Inquiry including APP 8, along with my visits to the site and surrounding area enable me to come to an informed conclusion on the effect of the development on the character and appearance of the surrounding area.
28. Launton is a category A larger village in the rural area of the district. Its historic form was based on a linear settlement pattern focused predominantly along Station Road and West End. There was some consolidation of built form around the cross roads created by Blackthorn Road and Bicester Road. There remain a number of historic buildings fronting primarily onto Station Road and West End with a scattering along Bicester Road and a number at the junction of Blackthorn Road and Station Road. The historic core and buildings are identifiable and visible along the main roads and it is from these vantage points that the visual contribution the historic buildings make is most readily apparent. To the north and west Launton has significantly increased in density, depth of development and form which readily detaches the historic linear form

³ Two High Court Decisions: Michael Jonathan Parker v Secretary of State for Communities and Local Government and Rother District Council and Peter Bull [2009] EWHC 2330 (Admin). & [2011] EWHC 2325 (Admin) the Queen on the application of Bizzy B Management company Limited v Stockton-on-Tees Borough Council v Python Properties (A Firm).

- of the village from the countryside and surrounding fields. Similarly to the south much of the physical relationship to the rural hinterland has been interrupted with more modern development.
29. The appeal site is located to the east and south of Station Road. The site is open fields. However the site is not readily appreciated or viewed from Station Road and there are limited views when the historic core and field pattern surrounding the village would be read in the same views. There have been some modern developments to the rear of these properties in Station Road including at The Green which further detaches the rural fields from the historic core of the settlement.
30. Approaching the village from the south along Blackthorn Road there is modern development on one side of the road up to the point where the entrance feature demarking the entrance to the village is located. On the opposite side of the road the land is also developed, in the form of a pumping station and water works. The proposed development would abut the built development of the edge of the village and provide for a significant area of retained open space. The site is reasonably well screened from the wider countryside, with significant areas of tree planting and hedge boundaries. In this regard I am satisfied that, designed with care, the proposed development would not be unduly assertive or excessively intrusive such that it would undermine the intrinsic character and beauty of the countryside at this location. A suitable layout arrangement could address Blackthorn Road in a manner consistent with the existing development fronting the road. The development would not, in my view, result in the appearance that the village boundary had appreciably extended into the open countryside as the development would be within the village entrance demarcation and would be well contained by landscape features.
31. The development is proposed with a single point of access. It would therefore be a cul-de-sac of some 72 units. The illustrative layout suggests this would be with a principle spine with roads off it. I saw a number of Culs-de-sac in the village. Whilst none contained as many dwellings as that proposed in this scheme, there were a number with a similar pattern (single point of entry and accesses off a central spine) and a comparable size, eg at Sherwood Close (57 properties) and Skinner Road and Ancil Avenue (46 properties). I do not consider that the scale of development would inevitably lead to an excessively complex road layout.
32. It is no part of the Council's case that the setting of individual listed buildings would be affected by the proposed development. Further, the Council does not object to the effect of the development on landscape character. The design and appearance of the buildings, the materials to be used, the layout of the scheme are all matters that would be considered at the reserved matters application. I have neither seen nor heard anything to suggest that a competent architect could not design a scheme that would be in keeping with its surroundings.
33. I am satisfied that the provision of a Cul-de-sac including development fronting Blackthorn Road could be made to reflect the character and appearance of the surrounding area and the village. There would be change, that is not in dispute; a field would be developed for housing but that would not in my view result in material harm to the character and appearance of the village. There is

no identified landscape harm and any residual impact can be addressed by condition, the reserved matters can ensure the design and appearance of the scheme is compatible with and reflects local distinctiveness.

34. For the reasons given above I conclude that the proposed development would not harm the character and appearance of the settlement of Launton and the surrounding area. Consequently the proposal would not conflict with policies ESD15 of Policy Villages 2 in the CLP 2031 (part 1) or policies C28 and C30 in the CLP 1996. The development would therefore comply with the development plan in these regards.

Planning Obligations

35. The appellant has provided a planning obligation in the form of a deed of agreement under section 106 of the Town and Country Planning Act 1990, Section 111 of the Local Government Act 1972 and section 1 of the Localism Act 2011.
36. Overall the Obligations of the agreement are related to requirements of development plan policies and are all necessary to make the development acceptable in planning terms. They are all, furthermore, directly related to the development, are fairly and reasonably related in scale and kind to the development, and are in place to mitigate the effects of the development where appropriate. The planning obligations therefore comply with the tests set out in the Framework, the advice in the National Planning Practice Guidance and with Regulation 122 of the CIL Regulations 2010 (CIL). There is no conflict with CIL Regulation 123(3).

Other matters

37. At the outset of the Inquiry in my opening I identified whether the Council can demonstrate a five year supply of deliverable housing sites as a main issue to address. I dealt with housing land supply as a discreet topic and conducted this as a hearing style discussion session. I have taken account of the latest Written Ministerial Statement in relation to Housing Land Supply in Oxfordshire. However, given my conclusions in respect of the main issues above, if I accept the Council's position on its Housing Land Supply, my overall conclusion would be that the proposals accord with an up-to-date development plan. They would therefore benefit from the presumption in favour of sustainable development under paragraph 11 c of the Framework. This overall conclusion would not change taking on board the governments WMS on Housing Land Supply in Oxfordshire. It is therefore not a matter on which my decision turns.
38. The proposed development would provide for market housing and affordable housing. The positive contribution to the supply and delivery of housing in the district given the Government's objective of significantly boosting the supply of homes (Framework paragraph 59) is a benefit of significant weight. The District has identified it has a high need for affordable housing. Securing the provision of affordable housing, through the planning obligation, therefore is also a significant positive benefit of the scheme.
39. The appeal scheme identifies a significant area of public open space the scheme would include details to enhance the biodiversity and conservation target area landscape qualities in the area. In this regard this would assist in fulfilling policy ESD11 and a minor benefit is derived from the scheme as a

result of the enhancements to biodiversity that could be secured through the development of the site.

40. The additional traffic generated by the proposed development would not result in material harm to highway safety. There is no objection from the Highway Authority and the design of the access has been accepted on the basis of the information submitted. There was no evidence to demonstrate that there would be significant inconvenience or hazard that would be caused by the proposed access location or the additional traffic that would pass through the cross roads in the centre of the village.

Conditions

41. A list of draft conditions was provided by the Council (CDC1) and updated during the Inquiry (CDC 6). I have considered the conditions in the context of the advice in the Planning Practice Guidance and the model conditions set out in the annex (which remains extant) to the otherwise now cancelled Circular 11/95, the use of conditions in Planning Permissions. A number of the suggested conditions are in effect informative or advisory indicating the content of future submissions under the reserved matters, or cover matters that fall squarely within the ambit of the reserved matters. Unless it is necessary to restrict the discretion of both applicant and local planning authority at this outline stage, I have not imposed such conditions, as the submission of details/reserved matters would be the subject of evaluation.
42. Conditions 1 to 3 are the standard outline conditions and there is no reason to vary these other than removing access as a reserved matter as that was the basis of the application. Conditions 4 through to 8 address matters related to access, parking and travel. They are required to ensure the development is satisfactorily accessed and that suitable parking provision (both car and cycle) is provided and maintained on site and to ensure that the site is accessible by a range of modes of transport.
43. Conditions 9 through to 11 are required to ensure that the development is safe from flooding and does not result in an increased risk of flooding elsewhere. Launton is not connected to mains gas. Conditions 12 and 13 are required to avoid an excessive proliferation of above ground fuel tanks that could compromise the design and appearance of the final development. It could be argued that this could be left to the reserved matters but it is an important design principle and the imposition of such a condition now will ensure this matter is properly addressed at an early point in the consideration of the design of the detailed scheme.
44. Condition 14 will ensure that adequate regard is paid to the potential for buried remains and condition 15 ensures that appropriate consideration is given to securing the biodiversity enhancements and on the basis of policy ESD11. A Construction Environment and Management Plan (condition 16) is required to ensure the site is safely accessed during development, to safeguard the living conditions of surrounding residents and to ensure the development is carried out in a neighbourly manner. The site includes previously developed land and conditions 18 through to 21 address the potential for the site to be contaminated and the necessary steps to be undertaken in the event contamination is encountered. Condition 22 requires the removal of an existing residential dwelling unit to ensure the satisfactory completion of the proposed development.

45. Conditions 4, 10, 11, 12, 14, 15, 16, 17, 18, 19 and 22 are 'pre-commencement' form conditions, or include such elements, and require certain actions before the commencement of development. In all cases the matters they address are of an importance or effect and need to be resolved before construction begins.

Overall conclusions

46. I have concluded that the proposed development would accord with the strategy and objectives of the CLP 2031 (part1) and that there would be no conflict with policies BSC1 or Policy Villages 1 or Policy Villages 2 in that plan in respect of the scale and location of the development. Moreover, I have concluded that there would be no material harm to the character and appearance of the village or the surrounding area and therefore no conflict with policy Villages 2 or ESD15 in the CLP 2031 (Part 1) or policies C28 and C30 in the CLP 1996. On this basis I conclude that the proposed development would be in accordance with the development plan as a whole and as such would amount to sustainable development in the context of paragraph 11 of the Framework for which there is a presumption in favour of.
47. Section 38(6) of The Planning and Compulsory Purchase Act 2004 requires that planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
48. Even if I were to accept the Council's position in terms of its five year housing land supply, that there was a 5.4 year supply, that would not alter my conclusions in respect of the development plan, the presumption in favour of development or the section 38(6) position. The issue of housing land supply therefore is not determinant in this appeal.
49. The proposal accords with the development plan and there are no other material considerations that indicate a decision otherwise would be appropriate. The scheme benefits from the presumption in favour of development as set out in the Framework. I therefore will grant planning permission without delay.
50. With the imposition of the above mentioned conditions and for the reasons given above, I conclude that the appeal should be allowed.

Kenneth Stone

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Gwion Lewis	Counsel, instructed by Amy Jones, Solicitor Cherwell District Council
He called	
Yuen Wong BA(Hons) MA MRTPI	Principal Planning Policy Officer Cherwell District Council
Nathaneal Stock BA(Hons) DipTP MRTPI	Team Leader General Developments Team Cherwell District Council

FOR THE APPELLANT:

Paul Tucker (and Sarah Reid)	Queens Counsel, instructed by Huw Mellor
He called	
Huw Mellor BA(Hons) MRTPI	Partner Carter Jonas LLP.
Ashley Thompson BA(Hons) PGDip ARCH MA ARB RIBA	Director ATA (Architecture) Ltd.
Jacqueline Mulliner BA(Hons) BTP(Dist) MRTPI	Director and Head of National Planning Terence O'Rourke Ltd.

INTERESTED PERSONS:

Mr Robert Armstrong	Local Resident
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DOCUMENTS SUBMITTED BY CHERWELL DISTRICT COUNCIL (CDC)

CDC1	Draft List of suggested conditions
CDC2	Signed copy of the Statement of Common Ground
CDC3	Opening submissions on behalf of the Council
CDC4	Extract of Planning Supporting Statement by Barwood Strategic Land II LLP in respect of Land West of Bloxham Road, Banbury
CDC5	Home extensions and Alterations – Design Guide for Householder Applications March 2007 Cherwell District Council
CDC6	Updated Draft list of suggested conditions
CDC7	Update from Oxford County Council on its submissions in respect

- of Planning Obligations and compliance with Regulation 123 of the Community Infrastructure Levy (CIL) Regulations 2010.
- CDC8 Copy of Developer Contributions Supplementary Planning Document (SPD) February 2018 published by Cherwell District Council.
- CDC9 Closing submissions on behalf of Cherwell District Council

DOCUMENTS SUBMITTED BY the APPELLANT (APP) – MANOR OAK HOMES

- APP1 List of appearances for the appellant
- APP2 Unsigned final draft of the Statement of Common Ground
- APP3 Draft of Final version of the Planning Obligation agreement
- APP4 Schedule of developer responses to the 2017 AMR comprehensive review of sites (on disputed sites only)
- APP5 Pack containing details of consultation on amended illustrative amended plan carried out by the appellant.
- APP6 Revised Flood Risk Assessment (Revision E: June 2018 R-FRA-T7866PM-01-E) by JPP Consulting.
- APP7 Opening submissions on behalf of the appellant
- APP8 Aerial photograph with existing Culs-de-sac and dwelling numbers identified.
- APP9 Extract from Planning Policy Guidance on Design and Access Statements.
- APP10 Letter from one of the site owners to confirm the tenancy arrangements related to the existing 'caravan' on site.
- APP11 Certified copy of the planning obligation by deed of agreement
- APP12 Closing submissions on behalf of the appellant (including two attachments of cited court cases).

Schedule of conditions for appeal APP/C3105/W/17/3188671

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) Prior to the commencement of the development hereby approved, full details of both means of access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority.

The means of access shall also include:

- lengths of footway on the north side of Blackthorn Road in either direction from the site access
- two uncontrolled crossing points
- alterations to the existing traffic calming and village entry treatment

Thereafter and prior to the first occupation of the development, the means of access shall be constructed and retained in accordance with the approved details.

- 5) No dwelling shall be occupied until car parking space(s) to serve that dwelling have been provided according to details that have been submitted to and agreed in writing by the Local Planning Authority. All car parking shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.
- 6) No dwelling shall be occupied until cycle parking space(s) to serve that dwelling have been provided according to details that have been submitted to and agreed in writing by the Local Planning Authority. All cycle parking shall be retained unobstructed except for the parking of cycles at all times thereafter.
- 7) Prior to occupation of the first dwelling hereby approved, a Residential Travel Plan Statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the Travel Plan shall be operated and reviewed in accordance with details to be included in the agreed Travel Plan Statement.
- 8) Travel Information Packs, the details of which are to be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development, shall be provided to every resident on first occupation of each dwelling.

- 9) The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) Proposed Residential Development, Land off Blackthorn Road, Launton, Bicester, Oxfordshire by JPP Consulting Civil and Structural Engineers, Revision E, June 2018 R-FRA-T7866PM-01-E and the following mitigation measures detailed within the FRA:

- There shall be no built development within the 1% annual probability (1 in 100) flood extent with 35% allowance for climate change; and
- Finished floor levels will be located a minimum of 150mm above the predicted flood level.

The mitigation measures shall be fully implemented prior to occupation of the dwellings to which they relate and in accordance with the timing/phasing arrangements embodied within the scheme.

- 10) No development shall take place until a scheme for the provision and management of a minimum 10m buffer zone alongside the Launton Brook shall be submitted to and agreed in writing by the local planning authority. The development shall be carried out in accordance with the approved scheme. The buffer zone covered by the scheme shall be free from built development (including lighting), domestic gardens, footpaths and formal landscaping.

The scheme shall include:

- Plans showing the extent and layout of the buffer zone;
- Details of any proposed planting scheme (for example native species);
- Details of the timing and implementation of the scheme;
- Details demonstrating how the buffer zone will be protected during development and maintained over the longer term including proposed financing, the body responsible for management and production of a detailed management plan.

- 11) Prior to the commencement of the development hereby approved, a surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. . The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDs
- Sizing of features – attenuation volume
- Infiltration tests to be undertaken in accordance with BRE365
- Detailed drainage layout with pipe numbers

- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing plans
- Flood routes in exceedance (to include provision of a flood exceedance route plan).

The scheme shall be implemented in accordance with the approved details

- 12) Prior to the commencement of development details of the services and energy infrastructure shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details prior to the occupation of any dwelling hereby permitted.
- 13) Notwithstanding any provisions contained within the Town and Country Planning (General Permitted Development Order) 2015 (and any Order or Statutory Instrument amending, revoking or re-enacting that order), No above ground fuel tanks to serve the proposed development shall be provided unless with the prior written approval of the local planning authority.
- 14) An archaeological investigation shall be completed in accordance with a Written Scheme of Investigation which shall first be submitted to and approved in writing by the Local Planning Authority prior to any demolition on the site and the commencement of the development.
- 15) Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing Biodiversity on site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.
- 16) Prior to the commencement of the development, a Construction Environment and Traffic Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties adjacent to or surrounding the site together shall be submitted to and approved in writing by the Local Planning Authority. The CEMP will include a commitment to deliveries only arriving at or leaving the site between 0930 and 1630. Thereafter the development shall be carried out in accordance with the approved CEMP.
- 17) Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local

Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

- 18) If a potential risk from contamination is identified as a result of the work carried out under condition 16, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.
- 19) If contamination is found by undertaking the work carried out under condition 17, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.
- 20) If remedial works have been identified in condition 18, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 18. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.
- 21) If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
- 22) No development subject of this permission shall commence until the mobile home that is the subject of certificate of lawfulness 09/01814/CLUE dated 18 March 2010, and associated structures, have been removed from the site.

END

Appendix 21

Ambrosden Application and Appeal Decision



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

Name and Address of Agent/Applicant :

Gladman Developments Ltd
Gladman House
Alexandria Way
Congleton
CW12 1LB

Date Registered: 28th November 2018

Proposal: OUTLINE - Erection of up to 84no dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Merton Rd - All matters reserved except for means of access

Location: Land North Of, Merton Road, Ambrosden

Parish(es): Ambrosden

REFUSAL OF PERMISSION FOR DEVELOPMENT

The Cherwell District Council, as Local Planning Authority, hereby **REFUSES** to grant planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. **THE REASONS FOR REFUSAL ARE SET OUT IN THE ATTACHED SCHEDULE.**

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA

Robert Jolley

**Assistant Director
Planning and Economy**

Date of Decision: 20th February 2019

Checked by: NS (Officer initials)

REASONS FOR REFUSAL

- 1 The development proposed, by reason of its scale and siting beyond the built up limits of the village, in the open countryside and taking into account the number of dwellings already permitted at Ambrosden as well as Cherwell District Council's ability to demonstrate an up-to-date five housing land supply, is considered to be unnecessary, undesirable and unsustainable development that would lead to an over concentration of new housing development in Ambrosden, which would undermine the housing strategy and prejudice a more balanced distribution of rural housing growth planned for in the Cherwell Local Plan (2011-2031) Part 1. Thus, the proposal is unacceptable in principle and contrary to Policy Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
- 2 The development proposed, by reason of its siting beyond the built up area of the village to the south west of the village, excessive scale and poorly integrated relationship with existing built development, would cause local landscape harm and a significant amount of harm to the character and appearance of the countryside, as well as cause considerable harm to the character and appearance of the area and would fail to reinforce local distinctiveness. It would also result in 'less than substantial' harm to the significance of the Grade II* listed Church of St Mary and the harm stemming from the proposal is not considered to be outweighed by any public benefits. Thus, the proposal is contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government advice within the National Planning Policy Framework.
- 3 The Ecological Appraisal, by virtue of the lack of a sufficient biodiversity impact assessment, fails to provide acceptable detail as to whether a net gain in biodiversity can be achieved on the site. Furthermore, the Ecological Appraisal has not provided sufficient surveys in relation to Great Crested Newts therefore it has not been demonstrated that the development would not cause unacceptable harm to protected species. Thus, the proposal is contrary to Policy ESD10 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.
- 4 In the absence of the completion of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not satisfied that the necessary infrastructure directly required both on and off site as a result of this development, in the interests of: safeguarding public infrastructure, education provision, community facilities and indoor and outdoor sports facilities; mitigating highway safety concerns; encouraging use of sustainable modes of transportation; delivering mixed and balanced communities by the provision of affordable housing; and securing on site future maintenance arrangements will be provided. This would be contrary to Policy INF1, PSD1, SLE4, BSC3, BSC4, BSC9, BSC10, BSC11, BSC12, ESD1 and ESD15 of the Cherwell Local Plan (2011-2031) Part 1 and Government guidance contained within the National Planning Policy Framework.



NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell District Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell District Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined 14 February 2019 are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>.

NOTES TO THE APPLICANT

REFUSAL OF PERMISSION

The Local Planning Authority has refused consent for the reasons set out in the schedule forming part of this notice of refusal. A further explanation of the reasons for the decision can be found in the planning officer's report, which can be viewed in Public Access via the council's web site.

If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection on our website, or at the District Council offices, Bodicote House, Bodicote, during normal office hours.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse the application you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000.**

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission or approval for the proposed development, having regard to the statutory requirements, to the provisions of the development order and to any

directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses planning permission or approval for the development of land, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.



Appeal Decision

Inquiry opened on 20 August 2019

Site visit made on 22 August 2019

by Philip J Asquith MA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 9th September 2019

Appeal Ref: APP/C3105/W/19/3228169

Land at Merton Road, Ambrosden, OX25 2NP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Gladman Developments Ltd against the decision of Cherwell District Council.
 - The application Ref. 18/02056/OUT, dated 26 November 2018, was refused by notice dated 20 February 2019.
 - The development proposed is the erection of up to 84 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Merton Road. All matters reserved except for means of access.
-

Decision

1. The appeal is allowed, and outline planning permission is granted for the erection of up to 84 dwellings with public open space, landscaping and sustainable drainage system (SuDS) and vehicular access point from Merton Road. All matters reserved except for means of access, at land at Merton Road, Ambrosden, OX25 2NP in accordance with the terms of the application Ref. 18/02056/OUT, dated 26 November 2018, subject to the conditions in the schedule at the end of this decision.

Procedural Matters

2. The application was submitted in outline with all matters except for access to be reserved for future consideration. The application was supported by a Development Framework Plan¹ (DFP) which, it was confirmed at the inquiry, was for illustrative purposes only and which I have treated as such.
3. The Appellant submitted a Unilateral Undertaking (UU) under s106 of the Town and Country Planning Act 1990 (as amended) containing a number of planning obligations. As the awaiting of comments on this from the Council had prevented a signed version being submitted during the inquiry, I agreed to accept a completed UU within 14 days of its close. A signed and certified UU was duly submitted. I have taken the various obligations into account in arriving at my decision. These are discussed below.

¹ Drawing No. CSA/3888/103 Rev F

Main Issues

4. The Council refused permission for four reasons. The third reason related to the Council's concern that the Appellant's Ecological Appraisal had provided insufficient detail as to whether a net gain in biodiversity could be achieved by the proposed development. Further, it suggested that insufficient surveys had been carried out to demonstrate that the development would not cause unacceptable harm to Great Crested Newts, a protected species.
5. However, in its Statement of Case the Council indicated that its concern regarding a net gain in biodiversity could be dealt with by the imposition of a condition should planning permission be granted. Furthermore, the Appellant submitted to the Council additional survey information on Great Crested Newts, together with a mitigation strategy. A Statement of Common Ground (SoCG) between the Appellant and the Council confirms that the additional information submitted provides adequate detail to confirm that survey work has been completed and that the proposed mitigation strategy is adequate to meet Natural England's standard licensing requirements.
6. It is also agreed that the information submitted is adequate to confirm that the proposed development would not affect the favourable conservation status of the species and that with the application of the suggested mitigation methods a derogation licence from Natural England would be likely to be forthcoming. As a result, the Council agreed that the matters relating to the third reason for refusal had been resolved and that mitigation could be achieved through the imposition of a suitably worded condition.
7. As a consequence of the above and having considered all the evidence provided, I consider the main issues in this case to be:
 - whether the proposal would lead to an over-concentration of new housing development in Ambrosden which would undermine the Council's housing strategy and prejudice a more balanced distribution of housing growth, contrary to Cherwell Local Plan policy and policies in the National Planning Policy Framework (the Framework);
 - the effect of the proposed development on the character and appearance of the surrounding area and on the significance of the Grade II* listed Church of St Mary the Virgin through change in its setting; and
 - whether the proposal makes adequate provision for necessary infrastructure directly arising from its development.

Reasons

Development Plan

8. The relevant development plan comprises the Cherwell Local Plan 2011 – 2031 (Part 1) (CLPP1), adopted July 2015, and saved policies of the Cherwell Local Plan 1996. In regard to the latter, the only policy referred to within the reasons for refusal is Policy C28. Amongst other matters this seeks to ensure appropriate standards of layout, design and external appearance. These are matters of limited relevance in respect of an outline application when they are reserved for subsequent approval. On behalf of the Council it was accepted at the inquiry that reliance is no longer placed on this policy in respect of impact on character and appearance.

9. Having regards to CLPP1, it was also accepted by the Council's planning witness that only those policies referred to within the reasons for refusal are relied upon and that it can be assumed no conflict arises with other policies.
10. The spatial strategy for the district underpinning CLPP1 is to focus the bulk of proposed growth in and around Bicester and Banbury. Growth within rural areas is to be limited, with this being directed towards the larger and more sustainable villages and with development in open countryside being strictly controlled.
11. CLPP1 Policy Villages 2 (PV2) concerns the distribution of growth across the district's rural areas. It indicates that a total of 750 homes will be delivered at Category A villages². This is in addition to the rural allowance for small site windfalls and planning permissions for 10 or more dwellings that existed as at 31 March 2014. Category A villages are 'Service Centres' listed under Policy Villages 1. These are considered to be the most sustainable villages, of which Ambrosden is one, which offer a wider range of services and are well connected to major urban areas, particularly by public transport.
12. In considering sites under this policy particular regard is to be given to a list of 11 specified criteria. Amongst these are: whether the land has been previously developed or is of lesser environmental value; whether significant adverse impact on heritage or wildlife assets could be avoided; whether development would contribute in enhancing the built environment; whether significant adverse landscape impact could be avoided; and whether the site is well located to services and facilities³.
13. Under Policy ESD 13 development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if, amongst other matters, they would cause undue visual intrusion into the open countryside, be inconsistent with local character, or harm the setting of settlements, buildings, structures or other landmark features. Policy ESD 15 indicates that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design.
14. The Council's fourth reason refusal referred to the absence of satisfactory obligations under s106 to secure a range of necessary infrastructure. It consequently listed a range of CLPP1 policies with which the development would conflict, and which aim to secure satisfactory provision in respect of matters such as affordable housing, public services / utilities, open space and recreation facilities, contributions to mitigate transport impact and adaptation measures to ensure more resilience to climate change. The Council accepts that the proffered s106 UU now addresses these matters.
15. The Cherwell Local Plan Part 1 Partial Review aims to help satisfy the unmet housing needs of Oxford over the period 2011 – 2031. This was submitted for Examination in March 2018 and hearing sessions into the Review were held in February 2019. It sets out policies to achieve the delivery of an additional

² The accompanying text to the policy makes it clear that this quantum would be made up from sites for 10 or more dwellings

³ It is only these particular criteria with which the Council considers that the proposal would conflict

4,400 dwellings within Cherwell district, with allocations being made as close to Oxford as possible. At the time of the inquiry no formal report on the Examination had been issued although the Inspector's preliminary conclusions support the 4,400-figure to be accommodated within Cherwell. There is agreement between the Appellant and the Council that the part of the district within which Ambrosden is situated is unaffected. The Appellant considers that the emerging Partial Review sits alongside, rather than interfering with, the CLPP1 strategy for the district.

First reason for refusal - housing strategy and distribution of housing growth

16. The 750 homes figure for Category A villages is a component of the overall provision made by CLPP1 Policy BSC1 to meet the district's housing requirement of 21,734 between 2014 and 2031⁴. The Council contends that it can demonstrate both a three-year and a five-year supply of deliverable housing land within the district. This is not contested by the Appellant for the purposes of this appeal⁵.
17. The overall housing strategy of the CLPP1 is to rebalance growth to concentrate it within Bicester and Banbury. In crude terms the strategy seeks to provide for about three quarters of new dwellings over the plan period in the two towns. This compares with a proportion of about half in the period leading up to the plan's adoption when the other half had taken place in smaller settlements, adding to commuting by car and road congestion at peak times.
18. The Appellant notes that if up to 84 dwellings were to be provided on the appeal site this would represent less than 0.4% of the district's requirement over the plan period. If the proposed scheme were to be added to the stock of planning permissions recorded in the Council's Annual Monitoring Report, some 82.7% of permissions identified would be in Bicester and Banbury (the figure being 82.2% if added to the stock of permissions identified in the Council's 2019 update).
19. The Council's table of the district's residential completions and planning permissions from 2011 to 31 March 2019 (with a baseline of the latter date) records that, of the 14,170 dwellings built or permitted, some 27% were in the 'rest of the district' with 73% located in the towns of Bicester and Banbury. The Council accepts that the overall strategy of the plan to deliver most housing to Bicester and Banbury is currently succeeding.
20. The Council's evidence notes that the totals of completed dwellings under PV2 (271) and those benefitting from permissions (479) add up to the 750-figure sought under the policy. It is not claimed there would be a current breach of the policy (since only 271 have been *delivered*). However, granting permission for up to 84 dwellings, which would be likely to be built out within a short time, together with the other 479 committed and deliverable dwellings, could give rise to a total of 834 dwellings being delivered several years prior to 2031, the end date of CLPP1.
21. There is agreement that the 750-figure is not a ceiling or cap. However, the Council has referred to previous appeal decisions where PV2 has been engaged.

⁴ The provision for the 'rest of the district' outside Bicester and Banbury is a total of 2,350 which is made up of the 750 plus the specific allocation of 1,600 at the former RAF site at Upper Heyford

⁵ SoCG on spatial strategy, August 2019

The Inspector in dismissing an appeal for up to 95 dwellings in Kirtlington in 2015 noted that "... any significant increase over and above 750 could lead to unconstrained growth which would result in non-compliance with the strategy for rebalancing housing growth away from the villages and rural areas"⁶. This was a conclusion shared by the Inspector dismissing an appeal for 26 dwellings at Weston on the Green⁷.

22. In granting permission for a housing development in Launton⁸ in September 2018, the Inspector noted that 750 was not an upper limit and that it would require a material exceedance to justify arriving at a conclusion that the policy was being breached. The Council considers that the addition of 84 dwellings would be a material exceedance of the 750, would therefore be contrary to PV2 and would weaken the strategy of the strong urban housing focus of the plan.
23. I am not convinced by the evidence provided by the Appellant's planning witness that the 750-figure has no development management significance. The Inspector determining the appeal against a residential development for up to 51 dwellings in Chesterton considered the use of figure of 750 in PV2 must have some form of constraining effect on total numbers, otherwise the policy would be meaningless in terms of its contribution towards the overall strategy of the plan⁹. Nevertheless, neither within Policy PV2 itself nor within CLPP1 as a whole is the term 'material exceedance' found. Even if to exceed the 750-figure by 84 units now at a point less than halfway through the CLPP1 plan period was to be regarded as a material exceedance, the question arises what planning harm would arise from such a breach? This is bearing in mind that such a quantum of housing would not be *delivered* until later in the plan period.
24. Policy PV2 does not contain any temporal dimension in that it does not specify when during the plan period housing should be delivered, nor does it contain any phasing element. Similarly, other than relating to Category A villages, the policy has no spatial dimension.
25. A concern of the Council is that to allow an exceedance of the magnitude envisaged could lead to unrestrained growth in Category A villages, although it was acknowledged at the inquiry that a precedent argument was not being advanced. However, I accept that there is force in the point advanced by the Appellant that the specific management criteria of Policy PV2 would seem to ensure that it is a self-regulating policy; if the point is reached where the number of dwellings granted in Category A villages is likely to undermine the Council's overall spatial strategy, a series of planning harms is likely to emerge. These might include the point where local infrastructure is unable to cope, land of higher environmental value is sought, or out-commuting and traffic congestion manifest themselves.
26. Further concerns of the Council are that allowing the proposal would lead to an over-concentration of development in Ambrosden and a disproportionate share of the PV2 housing provision. Existing recent housing developments in the village (Church Leys Farm and Ambrosden Court) permitted under Policy PV2

⁶ CD 6.03, APP/C3105/W/14/3001612, para 9. (The CD references are to Core Documents submitted for the inquiry)

⁷ CD 6.05, APP/C3105/W/16/3158925, para 17

⁸ CD 6.07, APP/C3105/W/17/3188671, para 18

⁹ CD 6.04, APP/C3105/W/15/3130576, para13

amount to 129 units, which is 17% of 750¹⁰. If allowed, the proposal would represent a 25% share of the increased total of 834.

27. In an appeal decision on a 54-dwelling proposal in the Category A village of Hook Norton, acknowledged as a relatively sustainable location, the Secretary of State took the view that it would be acceptable for the village to provide a relatively larger share of the 750 dwellings than the other villages listed in PV2¹¹. There are some 23 Category A villages which display a wide range of populations, facilities and locations. Whilst the Council categorises these as the more sustainable settlements it is apparent that, comparatively, some settlements are clearly more sustainable than others.
28. Ambrosden is by population the fifth largest Category A village, with a population of in the region of 2,250¹². It benefits from a range of services including pre-school nurseries, primary school, food shop, post office / general store, village hall, two churches, hairdresser's, public house, recreational facilities and a limited opening doctor's surgery¹³. It is some 4.6km from Bicester, has two bus services through the village which connect to Bicester and Oxford, the more frequent S5 providing an hourly service through the week and on Saturdays. An off-road cycle path links the village with Bicester.
29. The CLPP1 allocates a considerable amount of land for employment uses on the southern and south-eastern outskirts of Bicester between the edge of the town and Ambrosden, with some development already in place. Whilst these areas are beyond what could be regarded as realistic daily walking distances for most people, they are within ready cycling distances. I address the more specific locational considerations of the appeal site in relation to village services and facilities below.
30. By comparison with the location and the range of facilities available in many of the other Category A villages, Ambrosden is one of the most sustainable settlements. There is agreement between the Appellant and the Council that this is the case. It is therefore unsurprising that recent housing schemes within the village have been permitted. On this basis, and against a background of no spatial apportionment of additional housing between Category A villages, and the intent of Policy PV2 that development should be enabled in the most sustainable locations, further development of the nature proposed would not be disproportionate.
31. The Council has expressed concern that allowing the proposal and exceeding the PV2 750-figure would make it more difficult for other Category A settlements to meet local housing needs within the second half of the plan period. However, no evidence has been provided as to the level of specific local housing need in any of the villages within the district and need is not disaggregated across different settlements. Policy PV2 does not contain a requirement to demonstrate a local housing need. Furthermore, should specific needs within villages be identified, Policies PV1 and PV3 would be relevant considerations to cater for this. Policy Villages 1 allows development within the built-up limits of villages, whilst PV3 provides for meeting specific identified

¹⁰ In addition, there is an 89-unit development at Springfield Farm that was permitted prior to 31 March 2014

¹¹ CD 6.13, APP/C3105/A/14/2226552, decision letter para 12

¹² This was a 2014 figure, so with more recent housing development in the village the figure is now likely to be higher

¹³ Evidence at the inquiry suggested that this was to close

housing needs through small-scale affordable schemes within or immediately adjacent to villages. The proposed scheme need not therefore pose any undue constraint on other villages to meet any specific or identified housing needs.

32. I have carefully noted views expressed by colleague Inspectors in the various appeal decisions to which reference was made during the inquiry. None of these decisions was made at a time when the 750-figure of delivered and committed dwellings had been reached. Concerns have been expressed in some decisions as to the possibility of contributing to unconstrained growth, as already noted¹⁴. But these decisions were made in the context of what were then hypothetical situations where the 750-figure might be breached.
33. I have not been privy to the evidence on which their decisions have been based, some of which were several years ago when the CLPP1 was in its very early years. It is not clear whether the decisions were informed by the examination of arguments which have been advanced in respect of the present proposal. Having regards to the detailed evidence provided in the present case, and for the reasons set out above, I do not consider that the Council has demonstrated how in its own right allowing the appeal would lead to the undermining of the Council's overall housing rebalancing strategy contrary to the intent of Policy PV2. The purpose of limiting growth within the rural 'rest of the district' is not an end in itself but is intended to ensure delivery of the rebalancing strategy of an urban focus of new development in Banbury and Bicester. I find that agreeing to the proposal need not make the maintenance of its strategy materially more difficult.
34. Part of the CLPP1's spatial strategy is to strictly control development in the open countryside. However, current national policy within the Framework does not couch protection of the countryside in terms of 'strict control'. It is also clear, and accepted, that in applying Policy PV2 locations on the edge of Category A villages would be used and are therefore likely to be in open countryside locations. I consider that should a proposal satisfy Policy PV2, if there was any inconsistency between it and one of the Council's objectives, such as strict protection of the countryside (which in itself could be considered to not be on all fours with the Framework's absence of a blanket protection of the countryside), the policy should take precedence. This was a point conceded by the Council.
35. Overall, I consider the proposal would not materially undermine the Council's housing strategy or prejudice the achieving of a more balanced housing growth.

Second reason for refusal

a) Character and appearance

36. The appeal site extends to about 4.12ha comprising part of a grassed field used for hay-making located at the south-western edge of Ambrosden. Whilst somewhat irregularly shaped, it has a hedged frontage to Merton Road from which vehicular and pedestrian access would be taken. To its north it has a short boundary with a densely vegetated low embankment to a railway line running from Bicester to the Ministry of Defence depot at Arcott. It is

¹⁴ For example CD 6.03, APP/C3105/W/14/3001612 and CD 6.05, APP/C3105/W/16/3158925

bounded to its north-eastern side by a residential curtilage and by paddocks, whilst reedy remnants of ponds associated with the former Ambrosden Hall, and further agricultural land, lie to the north-west.

37. Amongst the criteria of CLPP1 Policy PV2 to which particular regard should be given in assessing development in villages such as Ambrosden is whether significant adverse landscape impacts can be avoided. This recognises some development on the countryside edge of settlements is likely to be necessary. It is axiomatic and almost inevitable that some harm will result from the change from open countryside to built development.
38. The application was accompanied by a Landscape and Visual Impact Assessment (LVIA). Within the context of the appeal the Appellant's landscape witness carried out her own assessment of the landscape and visual effects of the proposal to be read in conjunction with the LVIA. Additionally, in respect of the appeal, the Ambrosden Parish Council commissioned its own review of the original LVIA. I have had regard to all these together with the evidence produced on behalf of the Council.
39. In terms of landscape character, the appeal site lies within the Clay Vale Landscape Character Type¹⁵, and the Clay Vale of Otmoor as defined in the Cherwell District Countryside Design Summary¹⁶. The site is part of what was originally parkland associated with the demolished Ambrosden Hall. The sinuous area of reed and marshy land to the immediate north-western side of the site is the remnant of former parkland ponds. However, the historic and landscape connections and appearance of parkland have long since disappeared and in my view the appeal site does not possess any readily perceptible associated landscape or visual qualities. The site is not subject to any statutory or non-statutory designations for landscape character, quality or value. It is part of a pleasant but unremarkable rural landscape.
40. The Council suggests that development on the site would conflict with the criterion of PV2 relating to the consideration of whether the land is previously-developed or is of lesser environmental value. It is not previously-developed and the term 'lesser environmental value' is a relative one. The Appellant suggests that reference to 'lesser environmental value' was plainly aimed at plan-making where a comparative exercise could be undertaken. However, as the CLP Part 2 does not exist such an exercise is not possible. By reason of the site's absence of specific landscape quality designations, and not being Best and Most Versatile agricultural land, it is reasonable in the present context to consider it as land of comparatively lesser environmental value.
41. The proposal, in whatever eventual form it might take, would clearly have a completely transformative effect on the site itself by reason of the introduction of residential development and its associated components into a currently open field. However, I have no reason to disagree with the view of the Council's landscape witness who concurred with the Appellant's LVIA assessment that the landscape character of the site and surrounding area has a medium sensitivity, as does the townscape of the adjoining area. Further, the effect of the proposal on landscape and townscape character of the surrounding area would be 'moderate adverse' on completion. There would be potential for this

¹⁵ Oxfordshire Wildlife and Landscape Study

¹⁶ Supplementary Planning Guidance, June 1998

- to decrease by year 15 with the maturation of landscaping and the weathering of the built development.
42. In terms of the landscape and visual impact evidence produced at the inquiry, the Council's concern centred on the visual aspects of the proposal. There is agreement as to the selection of viewpoints used within the LVIA. The relatively low-lying and well vegetated landscape near the site means that views are generally limited when seen from far- and middle-distance locations. Impact on the few possible far- to middle-distance views from the south would be negligible. Impact on views from closer at hand along bridleway 295/4, about 1.5km to the south-east, would in my judgement be only slightly adverse. This is as a result of distance, existing vegetative screening, that which could be incorporated into the development, and the already present appearance of roofscapes of dwellings within the village¹⁷.
43. From along footpath 295/7, about 500m to the south-west, oblique views are possible across the site over field hedging for a length of about 80m. There are current views of the tower of St Mary's, which is seen in conjunction with the roofscape of housing. Although at the detailed design stage it may be possible to retain views of the church, the extension of built development closer to the viewer would, in my opinion, result in a moderate adverse impact even at year 15.
44. When approaching Ambrosden from the south-west along Merton Road the site is screened by existing vegetation almost until it is reached, when there are direct oblique views across it. The DFP suggests the incorporation of a sustainable drainage system (SuDS), open space and a children's play area towards the site's frontage which would serve to maintain views of the tower of St Mary's from the road. There would be substantially adverse impacts on views in the early stages of development until landscaping matured and the proposal became assimilated.
45. There would be impacts for residential receptors in Jasper Row to the opposite side of Merton Road who currently have views across the open farmland. However, separation and detailed design could ensure that, other than alteration of views for private individuals, there would be no detriment to overall living conditions.
46. The development would result in a significant extension of the village to its south-western side beyond the single-track railway line that crosses Merton Road via a level crossing, pushing the built edge further into the open countryside. It is certainly the case that the part of Ambrosden to the south-western side of the railway line is currently less developed than the main body of the village.
47. However, from my site inspections it is my view that the railway line does not represent a clear physical or visual demarcation or barrier that suggests further development beyond it would be ill-related or poorly connected to the overall village structure. Housing that presently exists to the south-western side of the line clearly has the appearance and feel of being an integral part of the village, with the railway line not forming a disjointing element. There has been the recent in-depth development of Ambrosden Court to the southern side of

¹⁷ Impact on views of the Church of St Mary the Virgin in terms of its setting are considered below

Merton Road and a recent permission for an additional five dwellings to the rear of Home Farm Close.

48. I am mindful of the comments of the Inspector who determined the appeal against the refusal of permission for the Ambrosden Court development¹⁸. In his decision allowing the appeal (which concerned an application that was in outline) he expressed the view that the proposal would cause a moderate amount of harm to the appearance and character of the countryside, and some local landscape harm. The Council subsequently approved the appropriate reserved matters and the development has been completed.
49. The development clearly appears as a new element in respect of which weathering and nascent landscaping have not had chance to soften its impact. Nonetheless, I consider Ambrosden Court has now to be viewed as an existing, appropriate and acceptably-designed component of the village. I have no reason to suppose that the Council would not be able to exercise similar appropriate control over the details of layout, overall design and landscaping for development on the appeal site. In this regard the Parish Council has criticised the nature of the landscaping as shown on the Appellant's FDP. However, this plan is for illustrative purposes only and as landscaping is a reserved matter the Council would have control over this should the development proceed.
50. In my view, the village is now as much defined in terms of its character by the development that has taken place in the second half of the 20th century and that which has occurred very recently. This is largely estate housing that has spread out from the historic village core near the Church of St Mary the Virgin. In terms of scale and nature, a development of up to 84 dwellings, complemented by appropriate landscaping and open space, would not be at odds with the overall character of the village. This is particularly bearing in mind the recent approvals at Springfield Farm (89 dwellings), Church Leys Farm (85 dwellings) and Ambrosden Court (45 dwellings).
51. The Council suggests that the abrupt and stark transition from what is described as an 'urban' to a rural environment at the south-western end of the village is part of local distinctiveness. I am not convinced that this is a particularly beneficial characteristic that necessarily needs to be respected by new development or one which would be undermined if the proposal went ahead. Nor do I consider that Ambrosden possesses any other particular individual element of distinctiveness with which the proposed development would materially conflict. Through detailed control, the opportunity exists to provide a development with an appropriate and fitting layout, appearance and landscaping.
52. I do not share the Council's concern that if developed in accordance with the illustrative DFP, with the likely set back of housing from Merton Road (to accommodate the SuDS, play area and the maintenance of views of St Mary's Church tower), this would be an uncharacteristic feature. It may not be a current feature of development to the south-western side of the railway line. Nonetheless, the set back of residential development behind open space is clearly an established element within Ambrosden as a whole and its replication therefore would not be an overtly alien feature.

¹⁸ CD 6.02, APP/C3105/A/13/2206998

53. The proposal includes both a vehicular and a separate pedestrian access from the site onto Merton Road, and the Council considers the site would have poor connectivity with the village. It is the case that all car, pedestrian and cycle traffic would be funnelled onto Merton Road to access the rest of the village and its facilities. There would be a need to provide improved footpath linkage from the site to the village. It is also suggested that a footpath could be provided to the south-west to link the site with the existing public right of way 295/7. This is considered further below. Through detailed design I have no reason to suppose that acceptable levels of permeability within the site itself could not be achieved. In general, I do not consider the degree of connectivity of the site represents a significant drawback of the scheme.
54. Overall, I conclude that whilst inevitably rendering localised change the proposal, subject to subsequent careful attention to layout, design, external appearance and landscaping, would not have any significant adverse impact on the character and appearance of its surroundings. Opportunity would exist to provide an acceptable, fitting and suitably mitigated development that could contribute positively to this entrance to the village. As such, it would not conflict with these relevant criteria of Policy PV2 to which particular regard should be given. Nor would there be conflict with Policies ESD 13 or ESD 15.

b) Impact on the significance of the Church of St Mary the Virgin

55. It is an agreed position that the Grade II* listed church is the only heritage asset which has the potential to be impacted upon by the proposed development. The church, dating in parts from the 12th, 14th and 15th centuries with restoration in the 19th, is stone-built with a three-stage tower to its western end. The proposed development would have no direct effect upon the church, being separated from it by over 300m. There would be no change in the experience and appreciation of the church from within its surrounding churchyard or from within Ambrosden.
56. However, it is an agreed position between the Appellant and the Council that there would be an impact on its significance as a result of change in its setting by reason of alterations of views of its tower from the south-west. There is further agreement that the proposal would result in less than substantial harm to the church's significance; the Council considering the harm to be minor whereas the Appellant considers the degree of harm to be very minor.
57. I consider that the heritage significance of the church derives principally from the architectural and historic interest of the physical fabric of the asset and the evidential, historic and aesthetic value contained as an example of a church originating in the early medieval period.
58. The church tower provides a landmark feature within the rural landscape. The Council considers its visibility reflects the social importance of religion in times past and the manner in which local communities used a prominent church tower to mark their presence in the landscape. At present there are clear views of the tower across the grassed appeal site when viewed from Merton Road on the approach to the village. It is also seen, as already noted above, from a limited stretch of footpath 295/7 to the south-west and, more distantly, from the bridleway 295/4. Whilst the agricultural surrounds to the village have some historic associative connection with the church, these connections are no longer discernible and make only a very minor contribution to the historic, evidential and aesthetic value of the heritage asset via setting.

59. The tower is currently seen rising above and between rooftops of housing to its western side and these comprise a major element of its setting, which has changed over time. The planning permission for five dwellings to the rear of Home Farm Close would introduce an additional foreground residential element. In order to maintain views of the tower on the approach into Ambrosden the FDP suggests the setting back of residential development within the site to form a visual corridor. This would be achieved through the imposition of a condition to ensure that this was secured at the reserved matters stage. Detailed design may also allow the positioning of dwellings to maintain some views from footpath 295/7.
60. I accept that the proposal would result in a more 'channelled' view of the church tower from Merton Road and this would be across a more developed foreground. However, any change that would be wrought would relate more to impact on its landmark significance rather than the heritage significance of the asset. I consider that the proposed development would result in a very minor impact on the overall heritage significance of the church as a result in change in its setting. Having regards to the Framework, this amounts to less than substantial harm and in my judgement would be at the lowermost end of less than substantial harm. In accordance with Framework paragraph 196, where there would be less than substantial harm this should be weighed against the public benefits of a proposal. This is carried out below in the overall planning balance and conclusions.

Third reason for refusal - whether the proposal makes adequate provision for necessary infrastructure directly arising from its development

61. The signed s106 UU by the Appellant and landowners provides obligations to both the Council and to the County Council. Those to the Council include the provision of contributions towards: the extension / enhancement of Bicester Leisure Centre and the expansion and / or upgrade of the Whitelands Farm Sports Ground at Bicester; the improvements / expansion of the existing community facilities at Ambrosden Village Hall or towards the development of Graven Hill Community Centre; and waste and recycling bins for each dwelling. A further obligation would secure a scheme for the establishment of a Management Company Structure to be approved by the Council for the purposes of managing and maintaining the proposed open space and SuDS within the appeal site.
62. The UU secures the provision of 35% of the dwellings as affordable units through the need for the agreement of an Affordable Housing Scheme. This would include details of numbers, type, tenure, location and phasing of the housing, the arrangements for the transfer of the affordable housing to a Registered Provider, arrangements to ensure the provision is affordable for both first and subsequent occupiers, and allocation arrangements.
63. Provision is made to ensure that either a Biodiversity Offsetting Scheme is agreed and implemented or that a Biodiversity Contribution is paid. The former would be a scheme to ensure the development does not result in any biodiversity loss and would include a management plan for the provision and maintenance of offsetting measures for not less than 30 years. The latter would be towards the costs of enhancement and long-term biodiversity within the vicinity of the site.

64. Obligations to the County Council include the payment of financial contributions towards: improvement of the bus service between Oxford and Bicester, including increasing the frequency of service; capacity enhancement of the junction of Ploughley Road and the A41; the expansion of permanent capacity at the Five Acres Primary School in Ambrosden; and the costs of monitoring the Travel Plan, which is to be submitted pursuant to an attached condition, and the other obligations to the County.
65. The Council has submitted a compliance statement in respect of the obligations, which includes an appended compliance statement from the County Council. I am satisfied that the above obligations are necessary to make the development acceptable in planning terms. They are all directly related to the development, are fairly and reasonably related in scale and kind to it and are designed to mitigate the development where appropriate. The obligations therefore comply with the requirements of Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) and comply with the tests set out in paragraph 56 of the Framework and advice in National Planning Practice Guidance.
66. The Council's compliance statement notes that the Council's Developer Contributions Supplementary Planning Document expects residential development to contribute towards the provision of additional health care infrastructure generated by population growth where there is insufficient existing capacity, well located to serve the development. At the inquiry local concern was expressed about the future of the currently-limited opening of the doctors' surgery in Ambrosden. However, whilst the Oxfordshire Clinical Commission Group was consulted on the application, no comments were received from it. The Council indicates that, as such, it could not justify a request for contributions towards health care infrastructure in the locality.
67. The UU also includes a contribution of £40,000 towards the cost of provision of a footpath link between the appeal site and footpath 295/7 to the south-west of the site. This is to improve the site's connectivity to the existing public rights of way network, and countryside generally, for recreational purposes given that there is no existing footpath linkage alongside Merton Road from Ambrosden.
68. The County Council considers such a contribution fulfils the CIL tests. Cherwell Council considers this not to be the case. It is concerned that there are too many uncertainties regarding its delivery (given the 400m - 500m length of connection, the possible need for third party land, and the possible need for planning permission, which might be resisted because of fears of 'urbanisation'). Whilst I acknowledge these concerns, in the context of the appeal the Council has expressed concerns generally about the appeal site's connectivity.
69. In my view, the proposed link would be a necessary element to promote walking and recreational activity for occupiers of the proposed development. It would accord with the Framework's exhortations to improve sustainable modes of transport and recreational access. As such, I have taken this obligation into account and it too fulfils the requirements of the CIL regulations.
70. Given the above, I am satisfied that the proposal makes adequate provision for the necessary infrastructure arising from its development.

Other matters

71. Having regards to the site's location in relation to services and facilities, there is agreement between the Appellant and the Council that it is within walking distance of local facilities in what is a sustainable settlement. However, the Council's planning witness suggests that it is not *well* located as per the relevant criterion in Policy PV2. It is my view that certain facilities are within what, for most, would be ready and reasonable walking distances of the site (post office, hairdresser's, village hall, public house, parish church), whilst others are more distant but easily cyclable.
72. Walking distance from the centre of the appeal site to the nearest bus stops on Ploughley Road (to gain access to a wider range of services, facilities and employment) would be about 800m. However, the walk is level and through a generally pleasant village environment (as opposed to a potentially busier urban one where reasonable walk distances are generally assumed to be lower) that would make use of the bus a not unrealistic option as an alternative to use of the car. The proposal includes provisions to promote sustainable travel. These include the commitment to improve the footpath which would link the development back into the village, a contribution towards bus services, the provision of a Travel Plan and electric vehicle charging infrastructure. Overall, I consider the proposal to be in general compliance with the relevant PV2 criterion.
73. Traffic and transport-related matters did not form part of the Council's reasons for refusal, other than in regard to the absence of a mechanism for securing mitigation and the encouragement of use of sustainable modes of transport. However, these issues were a concern of the Parish Council and a number of local residents who submitted representations.
74. In response to detailed criticisms made on behalf of the Parish Council, the Appellant produced a Technical Note response. The Appellant's transport consultant also attended the inquiry to answer queries and requests by the Parish Council in respect of highways matters. The County Council, as highway authority, has reviewed both the details submitted with the original application, which included a Transport Assessment, and the Technical Note response. This resulted in the conclusion of a SoCG with the Appellant in which it is agreed that all transport and highways matters have been addressed and resolved. A separate SoCG with Cherwell Council also confirms the proposal would have no adverse impact on the safe and efficient operation of the highway network, subject to suitable conditions and obligations.
75. A particular raised concern is the nature of the footpath link along Merton Road into the village. The application plans provide for the footway to be extended from the site to join that existing adjacent to No. 66 Merton Road. The existing footpath to the northern side of Merton Road is of variable quality in terms of surfacing and width. However, as a result of the relatively low pedestrian flows along it, together with those which would be generated by residents of the proposed development, this is not an issue raised by the highway authority.
76. Nonetheless, as pointed out by certain residents, and as I saw on my visits, there exists a narrowing 'pinch point' in the footway adjacent to Holly Tree Cottage caused by the presence of telegraph poles. There is concern that these present difficulties for those with mobility aids and for pedestrians with pushchairs or prams.

77. In accordance with condition No. 12 attached to the permission Ref. 13/00621/OUT¹⁹, a scheme for their removal should have been submitted to the Council and should have been implemented prior the occupation of dwellings on what is now the completed Ambrosden Court development. The Council confirmed at the inquiry that this matter was the subject of enforcement investigations. This would seem to be the likely means by which this matter could be resolved. However, a similar condition to that which was imposed on the above permission could be included on a permission for the present proposal, subject to there being no necessity for a scheme for removal if this had already occurred prior to first occupation.
78. From the detailed evidence provided and subject to the provisions of the s106 UU, and the imposition of appropriate conditions discussed below, I have no reason to conclude differently to either the Council or the local highway authority that the proposed development would be acceptable in terms of highway capacity and safety.
79. Potential flooding and drainage issues are other matters of concern that have been raised by local residents. The application was accompanied by a detailed Flood Risk Assessment. A further Technical Note on flood risk and drainage issues was produced in the context of the appeal. A SuDS drainage scheme is proposed to manage excess runoff from the development and maintain runoff to pre-development rates, with surface water attenuation provided to accommodate a 1 in 100-year event plus 40% climate change allowance. Subject to appropriate mitigation the proposed development would be at minimal risk from flooding and would not increase flood risk elsewhere. The Council has agreed in a SoCG with the Appellant that drainage matters are capable of being controlled via approval of reserved matters, by condition and / or via planning obligations. I have no reason to disagree.
80. Concerns have been raised regarding increased light pollution. The Council's Environmental Health Officer has raised no objections to the proposal. A suitable condition could require the provision of an appropriate lighting design at the reserved matters stage. This could ensure that not only is extraneous light minimised but also that it would not be harmful to the local bat population.
81. I have noted the synopsis of the survey results amongst village residents carried out by the Parish Council. However, there is no detail as to who the respondents were and to what extent they are representative of the village population. The response rate of 66 is relatively low and not indicative of widespread concern about the proposal.

Conclusions and the planning balance

82. In terms of the Council's housing strategy and distribution of housing growth there would be no conflict with the thrust and intent of Policy PV2. There would be some limited degree of landscape and visual impact resulting from the transformative nature of development on this edge of settlement site. However, the proposal would not cause undue visual intrusion into the open countryside, would not be inconsistent with local character, or harm the setting of Ambrosden. It would therefore not conflict with Policy ESD 13. Control that

¹⁹ CD 6.02, APP/C3105/A/13/2206998

- could be exercised at the reserved matters stage could ensure there should be no conflict with Policy ESD 15.
83. Less than substantial harm would result to the significance of the listed church of St Mary the Virgin as a result of change to its setting. This would be very minor harm given the intention to maintain a visual corridor so that the church tower would remain visible on the south-western approach to the village. Nevertheless, considerable weight and importance should be attached to harm arising to listed buildings resulting from a change in their setting in accordance with s66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Having regards to paragraph 196 of the Framework, when a development would lead to less than substantial harm to the significance of a heritage asset the harm should be weighed against the public benefits of the proposal.
84. Having regards to such benefits, the Appellant points to the scheme's provision of 35% (up to 30) of the proposed dwelling units as affordable housing. This follows from the requirement of CLPP1 Policy BSC3, the Local Plan noting that that Cherwell district has a high level of need for affordable housing²⁰. No evidence of a specific need for affordable housing in Ambrosden has been provided. Nonetheless, the need within the district should be seen within the context of a locally widening gap in the ratio of house prices to earnings.
85. Within the district the lower quartile house price is more than eleven times lower quartile annual earnings²¹. This is higher than for England as a whole (7.29) and greater than the South East region (10.51). The affordability ratio has increased more rapidly in the district than in Oxfordshire over the CLPP1 plan period and it is apparent that market housing is increasingly unaffordable for many. As such, even though the proposal would simply be policy-compliant in regard to the quantum of affordable housing, I give significant weight to this provision in helping to address what is clearly a district-wide need.
86. I accord moderate weight to the benefit of the market housing element of the proposal against the Government's national objective of significantly boosting the supply of homes²². More limited weight is also attached to the economic and financial benefits that would arise through construction spending and the direct and indirect job creation which could result, and the generation of household expenditure which would support the local economy.
87. Some local scepticism was expressed at the inquiry as to whether the additional residents of the proposal would contribute to sustaining the vitality of the village. However, it is my view that there would be some potential benefits arising from the support and additional spending and patronage of existing village facilities.
88. The appeal site has little present ecological value. Through the scheme's ability to provide open space and landscaping a positive contribution to biodiversity could result, as could the opportunity recognised in the Flood Risk Assessment for betterment in terms of runoff rates. I attach modest weight to these aspects.

²⁰ Paragraph B.104

²¹ Mortgages typically being capped at 4.5 times annual salary

²² Framework paragraph 59

89. Through the s106 obligations financial contributions would be made to bus service provision, highway improvements, education and community facility provision. However, as these directly stem from the proposal itself these are neutral benefits.
90. I consider that the potential benefits of the proposal outweigh the less than substantial harm to the significance of the heritage asset of St Mary's that would result from change in its setting. There would be accord with the relevant criterion of Policy PV2 in that there would be no significant adverse impact on this heritage asset.
91. Overall, the proposal would accord with the CLPP1 and would comply with the economic, social and environmental overarching objectives of sustainable development as set out in the Framework²³. For these reasons, and having considered all other matters raised, I consider the proposal to be acceptable and that the appeal should be allowed.

Conditions

92. The Appellant and the Council discussed draft conditions during the inquiry, culminating in an agreed set presented towards its close. I have considered these against the tests for conditions as set out in paragraph 55 of the Framework, amending where necessary for accuracy and consistency.
93. In addition to the usual conditions relating to the necessity for approval of reserved matters, and the specification of plans to which the permission relates, a condition is appropriate limiting the maximum number of dwellings to 84, for the avoidance of doubt and to ensure a satisfactory form and density of development. Also, to ensure a satisfactory form and standard of development compatible with the surroundings and one which is made secure, conditions are necessary limiting the ridge height of dwellings, the provision and implementation of a landscape management plan, and the need for an application for Secured by Design accreditation. For the same reason and as referred to above, I shall impose a condition in order to protect views across the site of the tower of St Mary's to preserve its significance as an important heritage asset.
94. In the interests of highway safety, a condition is required to ensure the access to the site is constructed before the first occupation of dwellings. I shall impose a condition requiring the submission of a scheme for the removal of telegraph poles adjacent to Holly Tree Cottage. This is to ensure the removal of the footway obstruction and improve pedestrian access. Submission of a scheme would only be required if the poles had not already been removed prior to the commencement of development. To promote sustainable travel choices the approval and subsequent operation of a Residential Travel Plan is required, as is a condition requiring that each dwelling is provided with ducting to allow for the future installation of electrical vehicle charging infrastructure.
95. A condition is necessary requiring the approval and subsequent implementation of a surface water drainage scheme, to ensure adequate drainage and sufficient capacity to accommodate the development. To ensure the protection of breeding birds a condition is required to time limit removal of trees and

²³ Framework paragraph 8

hedgerows, and a condition is needed requiring the agreement of a lighting strategy to prevent light pollution and to protect bats. Similarly, to safeguard the protected species of Great Crested Newts, a condition is needed to ensure mitigation measures identified in the Appellant's Great Crested Newt Mitigation Strategy are implemented.

96. To safeguard the recording of any archaeological remains within the site I shall impose conditions requiring the agreement and subsequent implementation of an Archaeological Written Scheme of Investigation. To ensure highway safety and the protection of residential amenity, agreement of a Construction Environment and Traffic Management Plan is required. Conditions relating to studies to identify whether there are potential contaminants within the site are required to minimise risk to those involved in construction and subsequent occupiers and in light of the past infilling of pond features.
97. Additional conditions have been suggested requiring details to be provided of services and energy infrastructure and the withdrawal of permitted development rights for the provision of above-ground fuel tanks. Having regards the former, I do not consider this to be necessary as such detail is covered by other legislation. In respect of the latter, I have been provided with no evidence to suggest that the exceptional withdrawal of this permitted development right under the Town and Country Planning (General Permitted Development Order 2015 is necessary.

Philip J Asquith

INSPECTOR

Schedule of Conditions

Reserved matters

1. Details of the appearance, landscaping, layout, and scale (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.
4. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following drawings:

Drawing No. CSA/3888/107 (Site Location Plan)

Drawing Number 18166-001 Rev A Access Design – Priority Junction & Emergency Access (Access Plan).

5. The number of dwellings hereby permitted shall not exceed 84.
6. No building on the site shall exceed 8.5m at ridge height, and no building at the edge of the development shall exceed 7.5 at ridge height.
7. Any reserved matters application relating to layout and / or landscaping shall maintain a visibility corridor that secures a view of the Church of St Mary the Virgin from Merton Road, in broad accordance with the illustrative Development Framework Plan Drawing No. CSA/3888/103/F.
8. As part of the reserved matters, a Landscape Management Plan, to include the timing of the implementation of the plan, long-term design objectives, management responsibilities, maintenance schedules and procedures for the replacement of failed planting for all landscaped areas, other than privately-owned domestic gardens, shall be submitted to and approved in writing by the local planning authority. Thereafter, the Landscape Management Plan shall be carried out in accordance with the approved details.

Highways and Travel Plan

9. Prior to the first occupation of the development hereby permitted, the approved means of access as detailed on Drawing No. 18166-001 Rev A (Access Plan) shall be constructed and retained thereafter in accordance with the approved details and all ancillary works specified shall be undertaken. The visibility splays shall be kept permanently clear of all obstructions in excess of 0.6m in height.
10. Prior to commencement of development a scheme for the removal of the two telegraph poles from the footway outside Holly Tree Cottage shall be

submitted to and approved in writing by the local planning authority. The agreed scheme shall be implemented in full before the first occupation of any of the dwellings hereby permitted on the site. Such a scheme shall only be required if both poles have not already been removed prior to the commencement of development.

11. Prior to the occupation of the first dwelling of the development hereby permitted, a Residential Travel Plan, including a Travel Information Pack, shall be submitted to and approved in writing by the local planning authority. Thereafter, the Travel Plan shall be operated and reviewed in accordance with the approved details. The approved Travel Information Pack shall be provided to each household on first occupation of each dwelling.

Drainage

12. Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall not be implemented other than in accordance with the approved details and shall be retained as such thereafter.

Ecology

13. No removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless the local planning authority has confirmed in writing that such works can proceed, or a recent survey (no older than one month) undertaken by a competent ecologist to assess nesting bird activity on site together with details of measures to protect the nesting bird interest on the site, has been submitted.
14. Prior to commencement of development, a lighting strategy for the publicly-accessible areas of the site, which includes details of light spill and which adheres to the Bat Conservation Trust Guidelines, shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall be carried out in accordance with the approved strategy.
15. The mitigation measures regarding Great Crested Newts identified in the Great Crested Newt Mitigation Strategy produced by FPCR, dated July 2019, shall be implemented in full prior to commencement of development, except where the timing is stated otherwise by the Great Crested Newt Mitigation Strategy, and maintained thereafter.

Design

16. Prior to commencement of development above slab level, an application shall be made for Secured by Design accreditation for the development hereby permitted. The development shall not be carried out other than in accordance with the approved details prior to the occupation of any dwelling hereby permitted.
17. Each dwelling shall be provided prior to its first occupation with ducting to allow for the future installation of electrical vehicle charging infrastructure to serve the dwelling.

Archaeology

18. Prior to commencement of development, a professional archaeological organisation acceptable to the local planning authority shall prepare an Archaeological Written Scheme of Investigation relating to the application site which shall be submitted to and approved in writing by the local planning authority.
19. Following the approval of the Written Scheme of Investigation referred to in Condition 18, and prior to the commencement of development (other than in accordance with the Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the local planning authority.

Construction Management

20. Prior to commencement of development, a Construction Environment and Traffic Management Plan (CEMP), which shall include details of measures to be taken to ensure construction works do not adversely affect residential properties adjacent to the site, together with details of the consultation and communication to be carried out with local residents, shall be submitted to and approved in writing by the local planning authority. The CEMP shall include a commitment to deliveries only arriving at or leaving the site between 09.30 and 16.30. The development shall be carried out in accordance with the approved CEMP.

Potential Contamination

21. Prior to commencement of development, a desk study and site walk-over to identify all potential contaminative uses on the site and to inform a conceptual site model, shall be carried out by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the local planning authority. No development shall take place until the local planning authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.
22. If a potential risk from contamination is identified as a result of the work carried out under Condition 21, prior to commencement of development, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors, and to inform remediation strategy proposals shall be documented as a report undertaken by a competent person. This shall be in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the local planning authority. No development shall take place unless the local planning authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

23. If contamination is found by undertaking the work carried out under Condition 22, prior to the commencement of development a scheme of remediation and / or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the local planning authority. No development shall take place until the local planning authority has given its written approval of the scheme and / or monitoring required by this condition.
24. If remediation works have been identified as necessary under Condition 23, the development shall not be occupied until the remediation works have been carried out in accordance with the scheme approved under Condition 23. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the local planning authority.
25. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

(End of the conditions schedule)

APPEARANCES

FOR THE APPELLANT

Jonathan Easton, of Counsel

instructed by Gladman
Developments Ltd

He called

Robert Barnes BA(Hons) MA MRTPI

Director, Planning Prospects Ltd

Simon Blinkhorne BSc CMIHT

Odyssey

Evidence also provided at the round table session by:

Silke Gruner BHons CMLI

CSA Environmental

Hannah Armstrong BA(Hons) MSc IHBC ACIfA

Pegasus Group

Dr Suzanne Mansfield MCIEEM CMLI

Senior Ecology Director, FPCR
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FOR CHERWELL DISTRICT COUNCIL

Richard Langham, of Counsel

instructed by the District
Solicitor, Cherwell District
Council

He called

Andrew Murphy BA(Hons) MSc MRTPI

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Evidence also provided at the round table session by:

Tim Screen BA(Hons) Dip LA CMLI AIEMA

INTERESTED PARTIES

Maureen Cossens

Local resident

Mark Longworth

Chairman, Ambrosden Parish
Council

Sheila Mawby

Local resident

Pam Newall

Local resident

Malcolm Cossens

Local resident

Trevor Furze

Furze Landscape Architects, on
behalf of Ambrosden Parish
Council

Dan Sames

Councillor, Cherwell District
Council, Ambrosden and
Bicester South Ward

For the round table session on obligations and conditions

Chris Nicholls

Oxfordshire County Council

Nathaniel Stock

Cherwell District Council

Tom Darlington

Cherwell District Council

DOCUMENTS (handed in at the inquiry)

1. Further draft Unilateral Undertaking
2. List of draft conditions
3. Complete copy of the Cherwell Local Plan 2011 – 2031
4. Appellant's opening statement
5. Council's opening statement
6. Mrs Cossens's statement
7. Schedule X: residential completions and permissions at 31/03/2019 (net)
8. Copy of the Appellant's transport response Technical Note
9. Copy of a letter from Mr Cossens, dated 18 June 2019
10. Compliance Statement in respect of planning obligations, Cherwell District Council
11. Statement of Common Ground on transport matters between the Appellant and Oxfordshire County Council
12. Copy of email dated 21 August from Simon Blinkhorne of Odyssey regarding position and qualifications
13. Copy of email from Mark Longworth regarding highway matters that Ambrosden Parish Council would wish to be taken into account should planning permission be granted
14. Updated list of draft conditions
15. Draft of suggested Condition No. 7
16. Updated draft Unilateral Undertaking and copy of Lasting power of attorney – property and financial affairs
17. Extract from a committee report on planning application 13/00344/Hybrid, land at Springfield Farm, Ambrosden
18. A3 bundle of photographs reproduced from Appendix C to Ms Gruner's proof of evidence
19. Council's closing submissions

20. Appellant's closing submissions

21. Copy of judgement; Bassetlaw District Council v Secretary of State for Housing EWHC 556 (Admin) [2019]

(Document submitted after the inquiry)

A. Signed and certified copy of a Unilateral Undertaking, dated 2 September 2019

Appendix 22

Bodicote Application and Appeal Decision

NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

Name and Address of Agent/Applicant :

Hollins Strategic Land LLP
c/o Emery Planning Partnership Ltd
Mr Stephen Harris
Units 2 - 4 South Park Court
Hobson Street
Macclesfield
SK11 8BS

Date Registered: 10th May 2018

Proposal: Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 46 no dwellings, with associated works and provision of open space

Location: Land At Tappers Farm, Oxford Road, Bodicote, Banbury OX15 4BN

Parish(es): Bodicote

REFUSAL OF PERMISSION FOR DEVELOPMENT

The Cherwell District Council, as Local Planning Authority, hereby **REFUSES** to grant planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. **THE REASONS FOR REFUSAL ARE SET OUT IN THE ATTACHED SCHEDULE.**

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA



Jim Newton

**Assistant Director for
Planning Policy and Development**

Date of Decision: 31st October 2018

Checked by: CF (Officer initials)

REASONS FOR REFUSAL

- 1 Taking into account the number of dwellings already permitted across the Category A villages and Cherwell District Council's ability to demonstrate a 5.4 year housing land supply, which exceeds the requirement for a 3 year housing land supply the proposal is unnecessary and undesirable as it would result in development of an area of open land which is important in distinguishing the settlements of Banbury and Bodicote and would undermine the character and identity of Bodicote. This would be contrary to Policy Villages 2 and Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 Part 1 and saved Policies C15 and C33 of the adopted Cherwell Local Plan 1996.
- 2 In the absence of the completion of a satisfactory Planning Obligation under s106 of the Town and Country Planning Act 1990, the Local Planning Authority is not convinced that the necessary infrastructure directly required to mitigate the impact of this development will be provided. This would not be in the interests of delivering sustainable, mixed and balanced communities by providing affordable housing, appropriate public open space and its future maintenance arrangements, providing adequate health services and community and sports provision, meeting education needs and enhancing sustainable transport options. This would be contrary to Policies INF1, BSC3, BSC7, BSC10, BSC11, BSC12 and SLE4 of the adopted Cherwell Local Plan (2011-2031) Part 1, the Council's Adopted Developer Contributions Supplementary Planning Document (SPD) (February 2018) and the National Planning Policy Framework.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined 25 October 2018 are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>.



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

NOTES TO THE APPLICANT

REFUSAL OF PERMISSION

The Local Planning Authority has refused consent for the reasons set out in the schedule forming part of this notice of refusal. A further explanation of the reasons for the decision can be found in the planning officer's report, which can be viewed in Public Access via the council's web site.

If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection on our website, or at the District Council offices, Bodicote House, Bodicote, during normal office hours.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse the application you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000.**

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission or approval for the proposed development, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses planning permission or approval for the development of land, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.



Appeal Decision

Hearing Held on 4 September 2019

Site visit made on 4 September 2019

by M Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 October 2019

Appeal Ref: APP/C3105/W/19/3222428

Land at Tappers Farm, Oxford Road, Bodicote OX15 4BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Hollins Strategic Land LLP against the decision of Cherwell District Council.
 - The application Ref 18/00792/OUT, dated 4 May 2018, was refused by notice dated 31 October 2018.
 - The development proposed is an outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 52 no. dwellings, with associated works and provision of open space.
-

Decision

1. The appeal is allowed and planning permission is granted for an outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 46 no. dwellings, with associated works and provision of open space at Land at Tappers Farm, Oxford Road, Bodicote OX15 4BN in accordance with the terms of the application, Ref 18/00792/OUT, dated 4 May 2018, subject to the following conditions set out in the attached Schedule.

Procedural Matters

2. The application was submitted in outline. The application form indicates that approval was sought only for the matter of access. I have determined the appeal on this basis.
3. During the course of the application, the number of units proposed was reduced from 52 dwellings as set out in the planning application form, to 46 dwellings. It was agreed at the hearing that the description should reflect this reduction in numbers, as such I have included this in the decision above.
4. The appellant submitted a draft agreement under s106 of the Town and Country Planning Act 1990 (as amended) at the hearing. At that time a number of amendments were being made and the agreement was unsigned. I agreed to allow 7 days for the submission of a signed and completed agreement, which has now been received. I have taken this agreement and the obligations therein into account when making my decision.
5. Prior to the hearing the Council highlighted that a number of the notification letters sent to interested parties did not contain the details of the date of the

hearing. At the start of the hearing I asked for the parties' views on this matter. The Council duly informed me that the correct details were sent with the notification letters and that it was only a saved office copy that lacked the details. The Council confirmed that the correct notification had therefore taken place. I was satisfied that interested parties had been notified and I proceeded with the hearing on this basis.

6. Since the close of the hearing the appellant has drawn my attention to a recent appeal decision. The Council has had the opportunity to comment on this decision. I am satisfied no prejudice has been caused and, as such, I have taken it into account when making my decision.

Main Issues

7. The main issues raised in this case are:
 - i) whether the development is acceptable in principle;
 - ii) the effect of the development on the character and appearance of the area; and
 - iii) whether the scheme makes adequate contribution towards the provision of infrastructure.

Reasons

Principle of development

8. The development plan for the area consists of the Cherwell Local Plan 2011 – 2031, Part 1 (the CLP 2011) and the saved policies of the Cherwell Local Plan 1996 (the CLP 1996). At the hearing, the Council agreed that only the policies referred to in the decision notice were being relied on, namely Policies Villages 2 (PV2) and ESD15 of the CLP 2011 and Policies C15 and C33 of the CLP 1996.
9. The spatial strategy as set out in the CLP 2011 directs most growth to locations within or immediately adjoining Banbury and Bicester. Growth within the remainder of the district is limited and directed towards the larger villages. It was acknowledged by the Council that the appeal scheme would not affect its overall housing strategy.
10. PV2 identifies that 750 homes will be delivered at Category A villages, of which Bodicote is one of twenty-three, as defined in Policy Villages 1 (PV1). It was highlighted at the hearing that Policy Villages 2 contains no requirements in respect of the distribution of housing across the Category A villages, as well as no timeframe or trajectory for their delivery. Both main parties agreed that the 750-figure provided in the policy is not a ceiling or limit. It is also noteworthy that the policy requires the delivery of 750 units, not just a requirement to grant planning permission for this number.
11. My attention has been drawn to a previous appeal decision in the district¹ in which the Inspector noted that it would require a "material exceedance" of the 750-figure in order to conclude that there would be any conflict with PV2. The Council stated that if this appeal were allowed, it would not trigger a material increase over 750 dwellings. Furthermore, the figure refers to dwellings delivered, not consented, of which according to the Council there are 271. There are also a further 425 under construction. Since March 2014, there has

¹ APP/C3105/W/17/3188671, decision date 18 September 2018

- been a delivery rate of 54 dwellings per year from PV2, which would result in the delivery of 750 homes by 2028, three years before the end of the plan period (2011-2031). This however assumes that the delivery of housing will continue at this rate and that all permissions that have been granted will not only be implemented but completed.
12. The appellant has suggested that a 10% lapse rate for sites should be applied in recognition that not all sites granted planning permission will necessarily come forward. The Council disagree with this point and contend that it is likely that all sites will be delivered. Whilst I acknowledge that the delivery rate has increased in recent years, this will undoubtedly fluctuate from year to year, as evidenced by the fact that the Council state that in 2014/15 only two homes were delivered. There is also reference to the Council's Annual Monitoring Report (2018) identifying that permission for 33 dwellings had either lapsed or not been issued, suggestive of some permitted schemes not being delivered.
 13. In my view, it is not realistic to expect that all dwellings that have the benefit of planning permission will, in fact, be delivered. I acknowledge the Council's opinion that there should not be a lapse rate applied, given that when undertaking reviews of permissions they liaise directly with developers and agents, the submission of applications to discharge planning conditions can be taken as an indication of intent to implement a permission and there is a good record of delivery. However, this does not account for any circumstances where a development may not come forward. As such, I do not consider it realistic to expect a 100% delivery rate for the permitted dwellings.
 14. Even if all sites were delivered, and as I state above, I am not convinced that they will be, it is accepted by the Council that the grant of permission for an additional 46 dwellings would not lead to a material increase over the figure expected by PV2.
 15. I note that reference is made to Bodicote having been subject to permissions for a number of developments which would deliver 99 new dwellings. However, there is no reference in PV2 to any distribution of new dwellings across the twenty-three Category A villages. Furthermore, given the close proximity of Bodicote and the appeal site to Banbury, together with good accessibility to larger settlements and the services that are within Bodicote itself, the site would be one of the most accessible locations, with access to services, for new residential development, which is reflected in its categorisation in PV1 as a Category A or "Service" village.
 16. The Council also has concern that allowing the appeal scheme would restrict the potential for a more even spread of housing across all of the Category A villages. However, PV2 does not require any spatial distribution. Moreover, the development is near to one of the main settlements, Banbury, which provides for access to a good range of services and with access to a range of transport modes.
 17. The appellant has drawn my attention to a recent appeal decision² in the district which allowed up to 84 dwellings under PV2. Notwithstanding the stance taken at the hearing, the Council now consider that this permitted scheme together with the appeal scheme would result in a material increase over the 750-dwelling delivery target. However, the Council are including 31

² APP/C3105/W/19/3228169, decision date 9 September 2019

dwellings for which there is a resolution to grant permission. Whilst this matter is noted, these are not schemes for which planning permission currently exists and until such time that a decision is issued on them, it is open to the Council to consider any subsequent change in circumstances that may occur.

18. The grant of permission for these 84 dwellings adds to the number of dwellings above 750 which have permission, but the number of dwellings that have currently been delivered falls far short of this figure (271 as referred to above). There will undoubtedly be a point where there will be a situation that will result in the material increase over the 750 dwellings figure and at that time there will be some planning harm arising from the figure being exceeded, for example harm to the overall locational strategy of new housing in the district. There is no substantive evidence before me to demonstrate that this is the case in this appeal. Clearly, when considering any subsequent schemes however, this matter will need to be carefully scrutinised.
19. However, at this time, no evidence of such harm has been presented and, in my view, the allowing of this appeal for 46 dwellings would not harm the overall strategy of the development plan which is to concentrate housing development in and around Banbury and Bicester. This is particularly so given the specific circumstances of this site, including its close proximity to Banbury.
20. The Council contended that both policies PV1 and PV2 should be considered together. However, I find nothing to suggest that this is the case, and both appear to be discrete policies against which development proposals can be assessed. In any event, it is conflict with PV2 that the Council allege, and it is this matter which I have considered. There is no mention of conflict with PV1 in the Council's reason for refusal.
21. Accordingly, I am satisfied that the scheme would not result in a material increase over the target of delivering 750 dwellings and thus the principle of development is acceptable on this site in accordance with Policy PV2 of the CLP 2011.

Character and appearance

22. The site lies to the northern fringe of Bodicote and currently comprises of a grassed field with a number of buildings associated with a farm shop which operates at the site, together with associated external storage, with an area of caravan storage also. The site also contains several mature trees which are the subject of a Tree Preservation Order (TPO). Access to the site is gained from the adjacent White Post Road.
23. The site is enclosed along Oxford Road to the east by hedging which contains a number of trees. This boundary effectively screens the site from the majority of views from Oxford Road. To the north, along White Post Road, the site is enclosed by a mixture of hedging and post and rail fencing. There are however clear views into the site from this road where it appears as a field surrounded by existing development, particularly the existing farm shop buildings and the school located to the east. To its southern extremity, the site borders existing residential development, comprised of two-storey dwellings.
24. The Council contend that the site comprises the last undeveloped gap which provides separation between Bodicote and Banbury and as such is an important green space preventing the coalescence of these two settlements. It was also

- stated at the hearing that when leaving Banbury and entering Bodicote, there is the feel of leaving the larger settlement and entering a village. However, in my view, this overstates the importance of the site, as a whole, as a separating feature. I observed there to be development on the other side of Oxford Road, extending northwards, which stretches beyond the appeal site. This existing development already diminishes the distinction between Bodicote and Banbury and the introduction of development on the appeal site would not materially worsen this.
25. There is an area of vegetation between the northern extremity of the site and the Bankside flyover at the southern edge of Banbury which provides a much stronger visual break between the settlements. This would be unaffected by the proposal. Moreover, the existing development that lines Oxford Road does not, in my view, result in a village feel or appearance to the area. Whilst I acknowledge that the whole of the eastern boundary of the site currently comprises hedging, it is located near to existing built development and is not reflective of a rural countryside location. Furthermore, the indicative layout submitted, shows that dwellings would be set off the eastern boundary, with the provision of a green corridor which would limit the visibility of dwellings from Oxford Road. As a consequence, the introduction of built development within the appeal site would not have an unacceptably urbanising effect.
26. The Council also refer to the area surrounding the site having a spacious and open feel. However, there is built development to the immediate south of the site, as well as to the east. This significantly limits any sense of spaciousness. Whilst a school lies to the west, with its associated playing fields, this does little to create a sense of spaciousness. I appreciate that the majority of the site is currently not covered by built development, however the proposed residential development would not be out of character with its context of nearby development.
27. Additionally, the indicative layout submitted with the application shows that proposed dwellings would not extend into the northern part of the site, which would be left open as amenity open space. This would re-enforce the visual break provided by the existing landscaping I refer to above and ensure that from viewpoints in close proximity to the site along White Post Road, an open aspect is retained to an acceptable degree, with buildings set back within the site. It would also provide a "green link" with the mature trees and landscaping to the west of the site, along Salt Way. Thus, a distinction between the two settlements would be maintained.
28. The matter of access is for determination at this stage and the submitted details show the creation of a new vehicular access to the east of the existing. Whilst it is likely that this will be a more formal and well-defined feature at this location, given the context of the site, in particular the appearance of the formal and engineered slip road onto Oxford Road and the Bankside flyover, this would not be unduly prominent or appear as a discordant element. The Council also express concern in respect of the prominence of the development in views from Sycamore Drive to the north west. However, these would not be close up views and where the development may be visible, it would be in the context of the amenity open space to the north and set back into the site. As such, I consider that any visual effect in this regard would be acceptable.

29. The mature trees within the site are the subject of a TPO and whilst there is no immediate concern over the removal of these trees, the matter of the future maintenance of the trees was raised at the hearing. In this respect, I note that the indicative layout of the site takes into account the existing trees and positions buildings around them. As such, whilst I appreciate that these details are indicative only, I have no substantive evidence before me to persuade me that the scheme would have an adverse effect on the future health of the protected trees, particularly in light of the matters of layout and landscaping being for future consideration.
30. Accordingly, I find that the scheme would not harm the character or appearance of the area and as such there would be no conflict with Policies Villages 2 and ESD15 of the CLP 2011 and Policies C15 and C22 of the CLP 1996. Together, and amongst other things, these policies seek to ensure that significant adverse landscape impacts are avoided, that new development reinforces local distinctiveness, that the coalescence of settlements is resisted and that important undeveloped gaps are preserved.

Infrastructure

31. The appellant provided a draft planning obligation by deed of agreement under section 106 of the Town and Country Planning Act 1990 (as amended), section 11 of the Local Government Act 1972 and section 1 of the Localism Act 2011. Subsequent to the hearing, the appellant has now provided a signed and completed agreement.
32. The agreement contains obligations following discussions with the Council, since the application was refused. Prior to the hearing, a table was provided outlining all of the requirements that the Council sought to be secured by way of the legal agreement. These include:
- Affordable housing
 - Open space and landscaping
 - Off-site sports and Community facilities
 - Primary medical care
 - Public transport services
 - Primary school provision
 - Refuse Disposal
 - Transportation and Highways
33. The submitted details outline the basis on which the contributions are sought, with reference to development plan policies and the adopted Developer Contributions Supplementary Planning Document (SPD) (2018). At the hearing, the appellant raised concern in respect of two of the required contributions as set out: Primary Medical Care (PMC) and Refuse Disposal (RD).
34. In respect of PMC, I note that the NHS Oxfordshire Commissioning Group highlights that North Oxfordshire, particularly the Banbury area, is mostly at capacity in terms of PMC and that housing growth will require additional or expanded infrastructure to be provided. I consider this to be reasonable, given the proximity of the site to Banbury where there is an identified shortfall in service provision. In regard to RD, the appellant initially had concerns that there was insufficient justification for a contribution in this respect, highlighting that facilities were ordinarily funded through Council Tax income. The Council clarified that the contribution would be towards bin provision for new dwellings, which is not funded by Council Tax. Following this, the appellant was satisfied

that the RD contribution was justified based on the SPD. I have no reason to disagree.

35. Having reviewed the details of the contributions, they are necessary to make the development acceptable in planning terms, directly related to the development as well as fairly and reasonably related in scale and kind to the development.
36. Accordingly, the scheme would comply with Policies INF1, BSC3, BSC7, BSC10, BSC11, BSC12 and SLE4 of the CLP 2011. Together, and amongst other things, the policies seek to ensure development provides a proportion of affordable housing, that education needs are met, that schemes make adequate open space, outdoor sport, recreation and community facility provision, that infrastructure is provided to meet the District's growth and that the transport impacts of development are mitigated.

Other Matters

37. Interested parties have raised concerns in respect of the effect of the development on wildlife in the area, as well as on highway safety, in particular the effect of additional traffic and potential conflict with traffic in association with the adjacent school. However, I note that the Council do not object to the proposal on the basis of these matters. Furthermore, I have no substantive evidence to show that there would be any detriment in respect of these matters. As such, they have little bearing on my decision.
38. There has also been concern in respect of the effect on infrastructure in the area. The contributions secured by the legal agreement are intended to mitigate the effects of the proposal on such matters and as such the scheme would not result in any harm in this regard.
39. I note that concern has been expressed by interested parties in respect of the proximity of proposed dwellings to existing ones. However, the matter of the layout of the site is for later determination. There is also reference to the loss of the existing farm shop, as well as the use of the grassed area for events. The Council have raised no objection on this basis and in the absence of a policy basis for protecting these existing uses I find that I have no reason to find differently.
40. There was reference to the ability of the Council to demonstrate a three and five-year supply of deliverable housing sites. As I have found above that the scheme accords with an up-to-date development plan, this is not a matter which I need to consider further.

Conditions

41. A list of draft conditions was provided prior to the hearing and as set out in the Statement of Common Ground; these were agreed by both main parties. Nonetheless, there was a discussion on these suggested conditions at the hearing. I have considered the conditions in light of the advice of the Planning Practice Guidance and the six tests.
42. I have imposed standard conditions relating to the submission and timing of reserved matter applications and the commencement of development. A condition is also required to ensure compliance with the submitted plans, but only in respect of access, as this is not a reserved matter.

43. Given the proximity of the site to Oxford Road, I have imposed a condition requiring details of measures to ensure that the living conditions of residents will not be adversely impacted on by noise. A condition is also imposed in respect of biodiversity enhancements, as required by Policy ESD10 of the CLP2011, as well as requiring that the development incorporate the recommendations of the Habitat Survey Report. In order to protect retained trees a condition in respect of an Arboricultural Method Statement is required.
44. In order to ensure the development does not adversely affect the natural environment and or the living conditions of nearby residents, I have included a condition requiring the submission of a Construction Environmental Management Plan. In order to ensure that any contamination of the site is satisfactorily dealt with, conditions are required in respect of site investigation and any necessary remediation, together with measures to deal with unsuspected contamination.
45. I have included a condition in respect of the construction details of the vehicular access, in the interests of highway safety. Similarly, a condition is required stopping up the existing vehicular access. In order to ensure the potential for buried remains within the site is properly addressed a condition is included requiring a written scheme of archaeological investigation. So that there is no conflict between residential properties and the existing farm shop, a condition is included requiring the demolition of all existing buildings prior to the occupation of any dwelling.
46. In the interests of sustainable transport and to ensure the site is accessible by a range of transport modes, conditions are included requiring travel plan statements and travel information packs to be provided to occupiers, as well as ducting to allow for the installation of electric charging points. I have also included a condition preventing occupation of any dwelling until necessary upgrades to the wastewater, surface water and water supply infrastructure have been completed. To facilitate communications infrastructure, a condition is necessary in respect of high-speed broadband facilities.
47. In the interests of biodiversity, I have imposed a condition requiring full details of external lighting to be submitted with the reserved matters application in respect of layout. Also, in this regard I have included a condition preventing site clearance or demolition of buildings during the bird nesting season.
48. A condition is recommended in respect of the reserved matters reflecting the principles set out in the submitted parameters plan, landscape strategy plan and indicative species list. However, only the matter of access is for determination at this stage and it has not been evidenced that the illustrative details submitted would be the only satisfactory way to develop the site. As such, I do not consider this condition is necessary.
49. To safeguard landscaping that contributes to biodiversity, a condition is recommended requiring a landscape and ecological management plan. However, as landscaping is a reserved matter it is not necessary to impose such a condition at this stage. Similarly, it is not necessary to impose a condition securing the implementation of landscaping or the retention of trees and hedgerows, as these are matters that should properly be dealt with under future reserved matters.

50. Conditions have been recommended in respect of the construction of internal roads and footways, vehicular parking areas and manoeuvring areas and provision of cycle parking facilities. Whilst access is for determination at this stage, this refers only to the means of access to the site. As such, these matters can be dealt with satisfactorily under a subsequent reserved matters application in respect of layout.

Conclusion

51. I have found that the scheme would not result in a material increase over the target of delivering 750 dwellings and therefore would not conflict with Policy PV2 of the CLP 2011. I have also found that the scheme would not result in harm to the character and appearance of the area. Furthermore, a completed legal agreement has been submitted securing the necessary contributions. The scheme therefore complies with the development plan.

52. For the reasons given above, and having regard to all matters raised, I conclude that the appeal should be allowed.

Martin Allen

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Sarah Reid, of Counsel

instructed by Hollins Strategic Land
LLP

Stephen Harries BSc (Hons), MRTPI

Director, Emery Planning

Nigel Evers, CMLI

Director, Viridian Landscape Planning

FOR CHERWELL DISTRICT COUNCIL:

Linda Griffiths

Principal Planning Officer, Cherwell
District Council

Yuen Wong

Principal Planning Policy Officer,
Cherwell District Council

INTERESTED PERSONS:

Cllr Mrs Heath

Councillor, Cherwell District Council,
Adderbury, Bloxham and Bodicote
Ward

Zzazz Foreman

Bodicote Parish Council

Eileen Meadows

Local Resident

Matthew Case

Oxfordshire County Council

DOCUMENTS

- 1 Draft Section 106 Planning Agreement
- 2 Drawing Number IL1002 Rev C – Parameters Plan Final
- 3 Letter from Bovis Homes dated 29th August 2019
- 4 Letter from Emanuel Land & Real Estate dated 18th June 2018
- 5 Letter from the Land Team UK dated 6th June 2018
- 6 Extract of appellants closing submissions made at Inquiry in respect of Appeal ref APP/C3105/W/17/3188671
- 7 Addendum to CIL table

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall commence not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved plan: Drawing number 1608/01 (Proposed Site Access Arrangements White Post Road), dated April 2018.
- 5) The first reserved matters application shall be accompanied by a specialist acoustic consultant's report demonstrating that internal noise levels in habitable rooms within the dwellings and external noise levels for outdoor areas (including domestic gardens and recreation areas) will not exceed the criteria specified in the British Standard BS8233:2014 'Guidance on sound insulation and noise reduction for buildings'. Where mitigation measures are required in order to achieve these standards, full details, to include any acoustic barriers, planting, glazing and ventilation requirements as necessary, shall also be included. The approved mitigation measures shall be implemented prior to the first occupation of the affected dwellings and the first use of the outdoor areas. The measures shall be retained as approved at all times.
- 6) The first reserved matters application shall be accompanied by a method statement for protecting and enhancing biodiversity on the site, to include all details of proposed bat and bird boxes and all integrated features within buildings, together with timings for their installation. The method statement shall also include details in respect of the implementation of the recommendations as set out in Section 6 – Conclusions and Recommendations of the "Extended Phase 1 Habitat Survey Report", prepared by REC, dated April 2018. The biodiversity protection and enhancement measures shall be carried out and retained in accordance with the approved details.
- 7) As part of the reserved matters application in respect of layout, a surface water drainage scheme for the site shall be submitted. The scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development. The scheme shall also include:
 - Discharge Rates
 - Discharge Volumes
 - SUDS (Sustainable Drainage Systems) (the suds features mentioned within Section 5.3 of the Flood Risk Assessment)
 - Maintenance and management of SUDs
 - Infiltration tests to be undertaken in accordance with BRE365 – Soakaway Design
 - Detailed drainage layout with pipe numbers
 - Network drainage calculations

- Phasing plans
- Flood routes in exceedance (to include provision of a flood exceedance route plan).

The scheme shall be implemented in accordance with the approved details.

- 8) The reserved matters application in respect of layout shall include full details of all external lighting, including predicted lux levels and light spill and details showing that lighting avoids vegetation and site boundaries. The lighting shall at all times accord with the approved details.
- 9) No development, other than demolition, shall commence before an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The AMS shall include protective fencing specifications and details of construction methods close to retained trees and hedges; and shall be undertaken in accordance with BS: 5837:2012 (including all subsequent revisions). Thereafter, the development shall at all times be carried out in accordance with the approved AMS.
- 10) No development shall take place, including any works of demolition, until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by the local planning authority. The CEMP shall include details of:
- i) Construction traffic management measures;
 - ii) Measures to ensure construction works do not adversely affect biodiversity and protect habitats and species of biodiversity importance;
 - iii) Measures to ensure construction works do not adversely affect nearby residential properties, including any details of consultation and communication with local residents.

The approved CEMP shall be adhered to throughout the construction period for the development.

- 11) No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site. The assessment shall include:
- i) a survey of the extent, scale and nature of contamination;
 - ii) the potential risks to:
 - human health;
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes;
 - adjoining land;
 - ground waters and surface waters;
 - ecological systems; and
 - archaeological sites and ancient monuments.

- 12) No development shall take place where (following the risk assessment required by Condition 10) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved in writing by the local planning authority before the development is occupied.
- 13) No development shall take place, other than demolition, before full details of the means of access between the land and the highway, including layout, construction, materials, surfacing, drainage and vision splays have been submitted to and approved in writing by the local planning authority. The means of access shall be completed in accordance with the approved details prior to the occupation of any dwelling and thereafter retained as approved.
- 14) No development shall take place until a Written Scheme of Archaeological Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include
 - i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;
 - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - vi) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 15) Prior to the occupation of any dwelling hereby approved, all existing buildings as shown on Drawing Number S18-225 (Topographical Land Survey) shall be demolished and the resultant debris and materials removed from the site.
- 16) No dwelling shall be occupied before a Travel Plan Statement and Travel Information Pack have been submitted to and approved in writing by the local planning authority. The approved documents shall be provided to each dwelling on its first occupation.
- 17) No dwelling shall be occupied until a system of ducting to allow for future installation of electrical vehicles charging infrastructure has been provided to serve that dwelling.

- 18) No dwelling shall be occupied until written confirmation has been provided that either:
- i) all wastewater network, surface water network and water network upgrades required to accommodate the development have been completed, or
 - ii) a housing and infrastructure phasing plan has been submitted to and approved in writing by the local planning authority, allowing properties to be occupied on a phased basis.

Where a housing and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the approved details.

- 19) No dwellings shall be occupied until it has been provided with service connections capable of supporting the provision of high-speed broadband to serve that dwelling.
- 20) Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development is resumed or continued.
- 21) Prior to the first use of the access hereby approved, the existing access onto White Post Road shall be permanently stopped up by means of the installation of a verge and full-height kerb and shall not be used for any vehicular traffic whatsoever.
- 22) Any vegetation clearance and all works to demolish existing buildings shall take place outside of the bird nesting period (1 March to 31 August inclusive), unless a check for breeding birds has been undertaken by a suitably qualified surveyor within 24 hours of work commencing. If a nest (or a nest in construction) is found, a stand-off area should be maintained until the young have fledged.

Appendix 23

Sibford Ferris Application and Appeal Decision



DISTRICT COUNCIL
NORTH OXFORDSHIRE

NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

Name and Address of Agent/Applicant :

Land & Partners Limited
c/o Land & Partners
Mr Harbottle
8 High Bois Lane
Amersham
HP6 6DG

Date Registered: 7th November 2018

Proposal: Outline planning permission with all matters reserved for up to 25 dwellings with associated open space, parking and sustainable drainage

Location: OS Parcel 4300 North Of Shortlands And South Of High Rock, Hook Norton Road, Sibford Ferris

Parish(es): Sibford Ferris

REFUSAL OF PERMISSION FOR DEVELOPMENT

The Cherwell District Council, as Local Planning Authority, hereby **REFUSES** to grant planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. **THE REASONS FOR REFUSAL ARE SET OUT IN THE ATTACHED SCHEDULE.**

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA

Robert Jolley

**Assistant Director
Planning and Economy**

Date of Decision: 30th April 2019

Checked by: NS (Officer initials)

REASONS FOR REFUSAL

- 1 By reason of its scale and the relative sustainability of Sibford Ferris, and taking into account the number of dwellings already permitted across the Category A villages, and Cherwell District Council's ability to demonstrate a 5 year housing land supply, which exceeds the requirement for a 3 year housing land supply, the proposed development is considered to be unnecessary, disproportionate, undesirable and unsustainable development that would undermine the housing strategy in the Cherwell Local Plan Part 1 which seeks to distribute new housing to the most sustainable locations having regard to such matters as public services and facilities, transport and employment. This would be contrary to Policies ESD1, Villages 1 and Villages 2 of the Cherwell Local Plan 2011-2031 Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
- 2 By virtue of its extension beyond the built limits of the village on a greenfield site and in an area of Grade 2 (very good) agricultural land and its visual impact on the rural character and appearance of the locality, the proposed development would cause unacceptable harm to the character and appearance of the area, open rural countryside and rural edge of village setting, failing to reinforce local distinctiveness. The proposal is therefore contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.
- 3 In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required as a result of this development, in the interests of supporting the sustainability of the village and the development, and in the interests of safeguarding public infrastructure and securing on site future maintenance arrangements, will be provided. This would be contrary to Policies INF1, PSD1, BSC10 and BSC11 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined 18 April 2019 are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>.



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

NOTES TO THE APPLICANT

REFUSAL OF PERMISSION

The Local Planning Authority has refused consent for the reasons set out in the schedule forming part of this notice of refusal. A further explanation of the reasons for the decision can be found in the planning officer's report, which can be viewed in Public Access via the council's web site.

If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection on our website, or at the District Council offices, Bodicote House, Bodicote, during normal office hours.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse the application you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000.**

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission or approval for the proposed development, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses planning permission or approval for the development of land, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.



Appeal Decision

Site visit made on 25 September 2019

by **Stephen Wilkinson BA BPI MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th November 2019

Appeal Ref: APP/C3105/W/19/3229631

OS Parcel 4300 North of Shortlands and South of High Rock, Hook Norton Road, Sibford Ferris, Oxfordshire OX15 5QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Land and Partners against the decision of Cherwell District Council.
 - The application Ref 18/1894/OUT, dated 29 October 2018, was refused by notice dated 30 April 2019.
 - The development proposed is outline planning permission with all matters reserved for up to 25 dwellings, associated open space, parking and sustainable drainage.
-

Decision

1. The appeal is allowed and outline planning permission with all matters reserved for up to 25 dwellings, associated open space and sustainable drainage is granted at OS Parcel 4300 north of Shortlands and south of High Rock, Hook Norton Road, Sibford Ferris, Oxfordshire, OX15 5QW in accordance with the terms of the application, Ref 18/1894/OUT, dated 29 October 2018, subject to the conditions included in the schedule attached to this letter.

Procedural Matters

2. The application has been submitted in outline with all matters reserved and this is the basis on which I considered this appeal. At the start of the Hearing I sought clarification over the proposed 'parameter plan' as two different revisions had been included for my consideration. I accepted the revised plan no. 6426/ASP3/PP Rev D which included a typographical change to the legend and my decision has been made on this basis.
3. A draft agreement made under Section 106 of the Town and Country Planning Act 1990, as amended, agreed by all parties was presented to me during the Hearing. This has been completed and informs my conclusion on the third main issue identified below.
4. In the week following the Hearing the Government issued a National Design Guide. I wrote to the parties seeking their views on whether this Guidance had any bearing on their cases and my findings have taken on board their views.

Main Issues

5. There are three main issues in this Appeal which I define as follows:

- Whether the proposals comply with the housing policies of the development plan
- The effect of the proposals on the character and appearance of the settlement of Sibford Ferris and the surrounding area, and
- Whether the proposals include adequate provision for the necessary infrastructure directly required by this development.

The appeal site

6. The appeal site forms part of an arable field, classified as Grade 2, with a site area of about 3.7ha located on the southern edge of Sibford Ferris on the western side of Hook Norton Road. The site slopes down by approximately 10m to Woodway Road, a single track road which forms its western boundary. The site affords good views to the west of the Cotswolds Area of Outstanding Natural Beauty which lies approximately 1.5km away. The appeal site has hedges along each boundary apart from its southern side which is open to the remainder of the arable field.
7. Sibford Ferris is separated from its nearest settlements of Sibford Gifford and Burdrop by approximately half a mile across the steep valley of the River Sib. For this appeal I will refer to these settlements, collectively, as the 'Sibfords'. Together they have a population of approximately 1,000 residents. The valley sides are characterised by small wooded copses and paddocks laced with footpaths. The Sibfords have a range of services which include, doctors surgery, primary school, public house, food shop and post office. Sibford School, a private school lies opposite the site on Hook Norton Road. Limited bus services connect the Sibfords to Banbury and Stratford.

Reasons

Policy background

8. The development plan comprises the Cherwell Local Plan 2011-31, Part 1 (2015) (CLPP1) and 'saved' policies Cherwell Local Plan (1996). The Policies cascade from principles of sustainable development included in Policy ESD1 in line with the National Planning Policy Framework (2019) and seek to distribute growth to the most sustainable locations to ensure that amongst other matters, dependence on private transport is reduced.
9. Accordingly, the CLPP1 requires that the district wide housing target of 22,840 is delivered in the main centres of Bicester and Banbury. Outside these two centres the plan allocates 2,350 houses with 1,600 houses proposed for the former RAF base at Upper Heyford. The plan recognises the importance of sustaining rural villages and through Policy Villages 1 (PV1) defines categories of village by criteria which include their population, services/facilities, and accessibility. The focus of this policy is to 'manage' small scale development proposals which come forward within the built up limits of each village through minor development, infilling or conversions.
10. Policy Villages 2 (PV2) provides a rural allocation of sites of 10 or more dwellings at the Category A villages. This policy identifies that 750 houses will be delivered at Category A villages; this would be in addition to the 'rural allowance' of small site windfalls and planning permissions that existed at 31st March 2014. Underpinning this policy is a recognition of the need to deliver

housing growth evenly across the whole District at the larger villages. A range of criteria to guide new development in Category A villages is identified in policy PV2 covering matters such as the environmental qualities of sites, agricultural value, access to services and landscape impacts.

11. At the time of adoption of the CLPP1 the Council anticipated that it would prepare a CLP Part 2 which would have identified housing sites which would have informed policy PV2. This part of the Plan has not progressed because of the inception of the 'growth deal' for Oxfordshire.

Whether the proposal would be in accordance with the housing policies of the development plan

12. There are two issues underpinning the application of adopted policy to this site with the first concerning the total of 750 homes to be delivered at the Category A villages and the second on whether the proposed scheme accords with other housing policies.
13. The Council acknowledges that the 750 housing figure is not a target. A point reinforced by my colleague inspectors in recent appeal decisions. However, it should be regarded as a benchmark to govern future decisions on applications for housing development otherwise the integrity of the plan would be undermined. The Council can identify 5.2 years housing land supply in excess of the requirement for just 3 years required for the Oxfordshire Districts. Furthermore, it can demonstrate that 168 houses have been delivered against the PV2 target of 750 houses despite the Plan being only 4 years through its 16 years 'life'. The Council's statement identifies that across the District 7,455 houses were completed of which 2,765 are in the rest of the District and a further 6,715 houses are committed of which 1,129 are in the rest of the District.
14. The Council identifies that by 31st March 2019 planning permissions had been granted for over 750 houses on 18 large sites and to date 271 units had been built out on these sites in line with policy PV2. However, none of these have been permitted within the Sibfords. Evidence provided through the Annual Monitoring Report (AMR) acknowledges the accelerating rate of delivery since 2015 and the Council anticipate that the 750 homes will be built out by 2028.
15. During the Hearing both parties made references to a large number of appeal decisions involving similar housing schemes throughout the District. Underpinning many of these decisions is the issue of 'material exceedance', a term used to describe the extent to which decisions to allow development above the figure of 750 houses for the Category A villages would erode the basis of the CLPP1. Whilst I do not have all the evidence before me regarding each of these appeal decisions there was discussion during the Hearing of a recent appeal decision¹, which had been allowed for an additional 84 dwellings at Ambrosden, another Category A village within the District albeit with a much larger population and containing a broader range of services. Again the issue of 'material exceedance' had informed the decision to allow the Appeal.
16. I do not consider 'material exceedance' to be an issue for this appeal given the modest number of units proposed and the categorisation and size of the Sibfords. The Category A status of the village in the plan warrants further

¹ APP/C3105/W/19/3228169

- investment in housing. Although the plan period is only 4 years old I do not consider that a decision to allow this appeal would undermine the essential thrust of policy PV2 and by extension the local plan.
17. The second issue is the extent to which the proposals are acceptable against other housing policies included in the CHPP1.
 18. The principles of sustainable development, identified in the National Planning Policy Framework (2019) (the Framework), underpin policy PSD1 at several levels within the CLPP1. At a strategic level the policy seeks to ensure that development will be concentrated in the main centres, then outside those there is an allowance for development within the rural areas but concentrated within the Category A villages which are defined by their range of services and being located throughout the District would support a balanced pattern of growth. Finally, at another level within each village specific sites have to be 'sustainable' in how they function in their local context with regard to a range of criteria.
 19. The Sibfords are identified as a Category A village because of several factors including its population and range of services. These services are spread across each of the 3 settlements. I acknowledge that local connectivity between them via walking and cycling is restricted by the steep sided Sib valley but these services do exist within reasonable proximity of the appeal site. Given the spread of services across each settlement it is unlikely that the development of any site around the Sibfords would readily enable access by sustainable transport modes. This is an argument against the inclusion of the Sibfords as a Category A village but is not a matter before me in this Appeal.
 20. Policy PV2 identifies a broad range of criteria which would have informed the CHLPP2 allocations, not all of which are relevant to the issues concerning this appeal. However whilst the site does not comply with several of these I consider that the principle of some form of development on at least part of this site has been accepted. In addition, I accord moderate weight to the inclusion of the part of the appeal site in the Council's Housing and Economic Land Availability (HELAA 2018) for up to 10 houses.
 21. The scheme would provide for 35% affordable housing in line with policy. I understand that one of the reasons for the Council's decision resolving to grant permission for a scheme in 2014 was the inclusion of 6 affordable homes to meet local housing need following the Housing Needs Survey in 2010 and the Register of Interest in 2013.
 22. Part of the case presented by the Sibford Action Group (SAG) referred to the poor level of service provision in the Sibfords substantiating why further development should not occur. Whilst it is difficult to determine the exact impact that 25 new households would have on local services such as the local shop, it is a fair assumption that this is likely to be positive in supporting it.
 23. For the above reasons on this main issue I conclude that the proposals would be in line with adopted housing policies and in line with the Framework. The proposals are in line with policies PSD1, PSV1 and PSV2 of the CHPP1. They are not in conflict with 'saved' policy H18 given the status of the village defined by PSV1 and PSV2. The scheme would not amount to a material exceedance in breach of policy PV2 and would deliver housing in line with other policies of the Plan.

Character and Appearance

24. Sibford Ferris is a linear village extending northwards along Hook Norton Road before turning east above the Sib valley. The village's linear character means that its rural landscape prevails with the village being a subservient element. For example, the well treed Sib valley restricts views between the Sibfords reducing the impacts of the settlement pattern on landscape. Over the last 20 years new housing has been integrated into the existing settlement pattern in a sensitive way.
25. The appeal site's boundaries are formed by hedges on each side apart from the southern edge which is open to the remainder of the arable field. The site sits on top of a broad ridge above the Sib valley and further away, to the south the Stour valley. When viewed from the south and west across both valleys the appeal site appears as an extension to arable fields. The line of trees on the western edge of the Sibford School is a critical boundary to the edge of the settlement. The site has no statutory or non statutory landscape designations.
26. The adopted policies ESD 13 and ESD15 included in the CLPP1 seek to both protect landscapes and to ensure that new development responds positively to an area's character through creating or reinforcing local distinctiveness. These policies are underpinned by the 'saved' policy C28 of the Cherwell Local Plan (1996) designed to ensure that new development is sympathetic to its rural context and high value landscapes.
27. Where adherence to these policies is not possible proposals will not be permitted if they cause undue visual intrusion into the countryside, impact on its natural landscape and topography and be inconsistent with local character. These policies are consistent with several of the criteria included in policy PV2 which seek amongst other matters, to avoid adverse landscape impacts of new development and to avoid development on the best and most versatile agricultural land.
28. Although the site lies outside the Cotswolds Area of Outstanding Natural Beauty (AONB) its landscape context is shaped by this. Furthermore, the site lies in Character Area 13 of the Oxfordshire Wildlife and Landscape Study defined as an area of 'Rolling Village Pastures' and close to another landscape type, 'Wooded Pasture Valleys and Slopes'. The nature of this rolling landscape interspersed with hedgerows and copses means that views into the site from its immediate boundaries are limited compared to those from further away. For example, the proposed area of housing would be difficult to see from Woodward Road due to the slope the land and height of the hedge.
29. The appeal site would create a new pattern of development as an extension to the southern edge of the village. The indicative drawings identify that development would be set in the north east corner of the site with housing of 2.5 storeys which steps down towards the middle of the site to 1.5 storeys. Within the appeal site the extent of development would be limited and when set against existing development at Margaret Lane House (part of the Sibford School), it would extend the village envelope by only a small area. The suggested height parameters are important in reducing the visual impacts of the scheme from surrounding receptor points.
30. Whilst there are differences in approach to their respective landscape studies both the Appellants and the SAG identify a range of receptor points from which

to gauge the impact of the scheme on landscape and visual character. However neither study include montages of the proposed development or images of what the site could look like after 1 and 15 years – critical points in the 'life' of a development.

31. Having visited several of the receptor points and considered the views included in both reports in detail I conclude that potentially the two most sensitive receptor points are from the west from the Cotswolds AONB and from the south. From the former I consider that the integrity of the landscape would not be compromised by this development. This is in part because within the appeal site the dwellings would be set close to existing housing and only marginally extend the pattern of development to just south of Margaret Lane House which forms part of the Sibford School. Furthermore, the line of trees along the boundary of the Sibford School along Hook Norton Road would still be the dominant landscape feature when the site is viewed from the west. For these reasons I consider that the proposals would not have an 'urbanising effect' on the site and its surroundings as the Council have stated.
32. From my own observations I find that the appeal site is most prominent when viewed at just over 1km away from the south along D'Arcy Dalton Way. This is particularly important given that at this point the appeal site would not have a natural edge to its southern boundary. However, the scheme does include mitigation along this edge in the form of tree planting. The Appellants Landscape and Visual Appraisal recognises that the proposed scheme would be contained within the existing landscape. The concentration of development at the north east corner of the site and its relative low density would reduce its intrusiveness.
33. The National Design Guide 2019 builds on Chapter 12 of the National Planning Policy Framework (NPPF) 2019 which requires, amongst other matters, that new development reflects its landscape context and setting. Having viewed the site from a number of receptor points I consider that its low density combined with the extent of proposed planting belts would ensure that the proposal could be 'accommodated' within its context.
34. On this issue I conclude that the proposals would not cause unacceptable harm to the landscape setting of the Cotswolds AONB and the setting of Sibford Ferris. For these reasons I consider that the proposed scheme would not be in conflict with saved policies C28 of the Cherwell Local Plan (1996) and ESD 13, ESD 15 and PV1 and PV2 of the CHPP1.

Infrastructure provision

35. The completed section 106 agreement includes a range of provisions. These cover the requirement that 35% of the dwellings are 'affordable', provision of and commuted payments for local play area and public amenity space within the scheme, maintenance arrangements for onsite trees and boundary hedgerows, and a sustainable drainage system. Other provisions include a contribution to the provision of waste management facilities and community hall facilities and contributions to the local secondary school and the Sibford School for indoor and outdoor recreation opportunities. The agreement includes provisions made under section 278 for a new pedestrian footway, crossing and access into the site, bus shelter, local play and provisions for a traffic regulation order to ensure lower speed on Hook Norton Road as drivers approach from the south.

36. Overall, the obligations included in the agreement are related to the requirements of development plan policies and are necessary, directly related and fairly and reasonably related in scale and kind to the proposed scheme in line with paragraphs 56-57 of the National Planning Policy Framework 2019.

Other Matters

37. Interested parties raised issues regarding matters which I address in turn below.

Unsustainability of the Sibfords to take more development

38. The Sibfords are a Category A settlement included in the local plan. Although the Inspector at the local plan inquiry did consider that the hierarchy of settlement types was not set in stone this is a matter for a review of the local plan and not one for me to determine in this appeal. This categorisation of village types was based on the range of factors including local service provision. Whilst I acknowledge that journey times between the Sibfords would be hindered by the quality of the local highway network and the Sib valley potentially leading to more private transport use than would be normally expected a range of services consistent with Category A settlements does still operate in the Sibfords for the benefit of residents of the appeal scheme.
39. Many of the decisions of my inspector colleagues to dismiss appeals in other villages within the District can be distinguished from this case for several reasons. In some cases the scale of development was large compared to the size of the original village. For example, in Fimmere, the appeal² was dismissed for 47 houses but the range of services was limited as the village had no shop or post office. The Sibfords do have a shop and other services. In other cases the appeal proposals would add to further development given extant permissions as in the cases³ of both Weston on the Green and Chesterton. The Sibfords have not experienced new development since the adoption of the Local Plan.
40. In other appeals other factors such as substantial harm to heritage assets prevailed. For example, in Kirtlington and Cropredy the impact of proposals on the setting of listed buildings and the character and appearance of a conservation area was cited respectively as reasons for dismissal⁴. These are not matters relevant to this appeal.

Traffic generation and congestion

41. The amount of traffic generation arising from the appeal scheme was not identified in the Council's reasons for refusal. Whilst representations from interested parties focused on the extent of additional traffic generation arising from the appeal proposal I did not receive other evidence to dispute the Appellants traffic survey which indicated that during the critical morning and evening peaks the amount of traffic generation would be between 10 and 12 vehicles generated an hour by the proposals.
42. I acknowledge the CRAILTUS survey completed in 2009 and its conclusions on the use of private transport in the Sibfords but this matter was considered as

² APP/C3105/WW/17/3169168

³ APP/C3105/W/16/3158925 and APP/C3105/W/15/3130576

⁴ APP/C3105/W/14/3001612 and APP3105/WW/17/3187461

part of the local plan which designated the village as a Category A village. Furthermore, although representations from SAG addressed concerns over the levels of congestion in the village caused by the amount of traffic passing through the narrow village roads, compounded by the 'school run' to the Sibford school I saw only limited examples of this during this critical time when I visited the village. Furthermore, during two visits to the village I observed that the amount of traffic on local roads was low. Although I acknowledge that bus services to the village have been reduced since the local plan's adoption in 2015 I still consider that the inclusion of new housing could go some way to sustaining the existing level of service provision.

43. Although the proposals would involve the loss of Grade 2 agricultural land this has to be balanced against the benefits which the proposals could make to the provision of additional housing.
44. Finally, a further objection referred to concerns over flooding. The site lies in the Flood Zone 1 and a Flood Risk Assessment submitted with the appeal identified that the risk of flooding was low. Furthermore, the scheme does include sustainable urban drainage.

Planning balance and conclusions

45. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (2019) places considerable emphasis on sustainable development and highlights the delivery of new housing as a national priority.
46. The appeal proposals are consistent with the essential thrust of the housing policies included in the adopted CHLPP1. In particular, they are consistent with ESD1 and in line with policies PV1 and PV2. Set against this is the number of dwellings included in extant permissions in the Category A villages across the District which exceeds the 750 dwellings included in policy PV2. However, I do not consider that the appeal proposals represent a material exceedance to this figure given its modest size and they would not undermine policy PV2 and the basis of the local plan. Furthermore, the scheme includes a quantum of affordable units compliant with policy.
47. In addition, the scheme includes other features including a path across the site improving permeability, allotments and local play facilities. These key into some concerns identified in the non statutory Sibford Action Plan (2012) and are consistent with adopted policies in the CHPP1. I have already identified the obligations included in the completed section 106 agreement which through contributions would improve local highways, restrict speeds into the village along Hook Norton Road and support active lifestyles through contributions to the facilities of the local secondary school and the Sibford School. In addition, 25 new households would go some way to support local services.
48. Whilst the proposed schemes location on the edge of the village does form a limited extension to its current settlement pattern this must be seen in the context of this site set close to Margaret Lane House. The integrity of the landscape character is not compromised by the scheme. The character of the landscape means that the scheme's visual impacts are reduced. Its most sensitive southern boundary can be adequately mitigated through landscaping. The details of this can be determined at reserved matters stage.

49. Taking into account all these matters I conclude that the appeal is allowed and outline planning permission is granted subject to the conditions included in the attached schedule.

Conditions

50. During the Hearing there was a discussion between the main parties on the draft conditions. Having considered these further, I am making a series of small amendments to ensure full compliance with Planning Practice Guidance. I have imposed a condition specifying the timeframes for the commencement of development and for the submission of outstanding reserved matters as required by Sections 91 and 92 of the Town and Country Planning Act 1990, as amended. A condition is required to ensure that the development is carried out in accordance with the plans and documents submitted with the application to ensure adherence to the principle of the proposed development hereby approved. Other conditions require a Construction Traffic Management Plan and Construction Environmental Management Plan to ensure that the operational works to complete the scheme do not adversely impact on the living conditions of surrounding residential occupiers, avoid potential conflict with highway users and protect the environment and biodiversity.
51. A condition requiring a Landscape and Ecology Management Plan is required to identify the habitats to be created in the scheme including the requirement for bat and bird boxes in line with both local and national policy. A condition requiring an energy statement is required to ensure that the energy consumption is minimised during construction and on completion to deliver a low carbon development in line with both local and national policy. A condition is required to ensure archaeological investigations are completed in advance of works proceeding following advice received from the County Council.
52. Other conditions include a need for detailed drawings of the proposed access from Hook Norton Road to ensure highway safety. A condition is required to address contamination if this is found on site. Finally, a condition is required for a starter pack for new homes advising on sustainable modes of travel to ensure that the use of private transport is reduced.

Stephen Wilkinson

Inspector

Schedule of Conditions

- 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) The development hereby permitted shall be carried out in accordance with the following approved and submitted plans and documents: Site Location Plan 1;2500 scale (Promap), Concept Schematic 6426/ASP3/PP – Rev D Parameter Plan and 6426/ASP4/LSP-Rev A-Landscape Strategy Plan, Design and Access Statement; Flood Risk Assessment; Arboricultural Impact Assessment; Ecological Impact Assessment; Archaeological Desk Based Assessment; Flood Risk Assessment and Drainage Strategy report and drawings labelled 3361.101.
- 5) Prior to commencement of the development hereby approved, full details of the means of access between the land and the highway shall be submitted to and approved in writing, by the Local Planning Authority. The access shall be broadly in accordance with the positioning indicated on the approved plan 3361.101-Concept Schematic,6426/ASP3/PP and include detail of layout and vision splays. Thereafter and prior to the first occupation of any of the development the means of access shall be constructed and retained in accordance with the approved details.
- 6) Prior to the first occupation of the development hereby approved a travel information pack shall be submitted to and approved by the Local Planning Authority. Thereafter and upon occupation the first residents of each dwelling shall be provided with a copy of the approved information pack.
- 7) Prior to commencement of the development hereby approved a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the local planning authority. Thereafter, the approved CTMP shall be implemented and operated in accordance with the approved details.
- 8) Prior to commencement of the development hereby approved, full details of a surface water drainage scheme for the site detailing all on and off site drainage works required in relation to the development which shall be broadly in accordance with the drainage proposals set out in the submitted flood risk assessment produced by JNP Group Consulting Engineers and which shall include a sewer modelling assessment shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in accordance with the approved scheme, until such time no discharge of foul or surface water from the site shall be accepted from the site into the public system. The scheme shall also include:
 - Discharge rates

- Discharge volumes
 - SUDS (permeable paving, soakaways, infiltration devices, attenuation pond, swales)
 - Maintenance and management of SUDS features to include a SUDS management and maintenance plan
 - Sizing of features – attenuation volume
 - Infiltration in accordance with BRE 365 (to include comprehensive infiltration testing and annual monitoring recording of ground water levels across the site).
 - Detailed drainage layout with pipe numbers
 - Network drainage calculations
 - Phasing
 - Flood flow routing in exceedance conditions (to include provision of a flood exceedance route plan).
- 9) Prior to the commencement of the development hereby approved, a landscape and ecology management plan (LEMP) showing how all habitats will be created managed and funded and to include details of a bat and birdbox scheme shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall not be carried out other than in strict accordance with the approved LEMP.
- 10) Prior to the commencement of the development hereby approved, including any site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the local planning authority. Thereafter, the development shall not be carried out other than in strict accordance with the approved CEMP.
- 11) If during development, contamination not previously identified is found at the site, no further development shall be carried out until full details of a remediation strategy detailing how the contamination shall be dealt with has been submitted to and approved by the Local Planning Authority. Thereafter, the remediation strategy shall be carried out in accordance with the approved details.
- 12) Prior to or as part of the first reserved matters submission, an Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The Energy Statement should:
- Be structured in accordance with the energy hierarchy in ESD2 of the Cherwell Local Plan 2011-31 Part 1 with information provided on each element of the hierarchy
 - Inform and be reflected in the reserved matters
 - Include a description of the development, number and type of residential units,
 - Demonstrate sustainable construction methods as per Policy ESD3 of the Cherwell Local Plan Part 1 2011-31, and
 - Consider the use of renewable energy to supply the development.

Thereafter, the development shall be carried out in strict accordance with the recommendations and measures contained in the approved Energy Statement.

- 13) Prior to or as part of the submission of the first reserved matter a Written Scheme of Archaeological Investigation shall be submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions:
- i) the programme and methodology of site investigation and recording;
 - ii) the programme for post investigation assessment;
 - iii) the provision to be made for analysis of the site investigation and recording;
 - iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - v) the provision to be made for archive deposition of the analysis and records of the site investigation;
 - vi) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

APPEARANCES

FOR THE APPELLANT:

Jonathan Harbottle	Director, Land and Partners
Alex Dalton	Project Planner, Land and Partners
Tom Hutchison	Projects, Land and Partners
Dan Skinner	Land and Partners
Ben Wright	Director, Aspect Landscape Planning Ltd

FOR THE LOCAL PLANNING AUTHORITY:

Nathaniel Stock	Team Leader, Cherwell District Council
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INTERESTED PERSONS:

Duncan Chadwick	Partner, David Locke Associates
David Newman	Quartet Design
Ginny Bennett	Parish Councillor, Sibford Ferris
Roger Mallows	Parish Councillor, Sibford Gower
Roger Grimston	Local Resident
John Perris	Sibford Action Group

Appendix 24

Weston-on-the-Green Application and Appeal Decision



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

Name and Address of Agent/Applicant :

Greystoke Land Limited
c/o Pegasus Group
Mr David Hutchison
Pegasus House
Querns Business Centre
Whitworth Road
Cirencester
GL7 1RT

Date Registered: 2nd April 2019

Proposal: Residential development of up to 18 dwellings with associated access, internal roads, car parking, public open space, landscaping, drainage and other associated infrastructure

Location: Land North Of, Southfield Farm, North Lane, Weston On The Green

Parish(es): Weston On The Green

REFUSAL OF PERMISSION FOR DEVELOPMENT

The Cherwell District Council, as Local Planning Authority, hereby **REFUSES** to grant planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information. **THE REASONS FOR REFUSAL ARE SET OUT IN THE ATTACHED SCHEDULE.**

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA

Robert Jolley

**Assistant Director
Planning and Economy**

Date of Decision: 21st June 2019

Checked by: NS (Officer initials)

REASONS FOR REFUSAL

- 1 The development proposed, by reason of its scale and siting beyond the built up limits of the village, encroachment into the open countryside, and taking account of the Council's ability to demonstrate an up-to-date five year housing land supply, is considered to be unnecessary, undesirable and unsustainable new development that would harm the rural character and setting of the village. The proposal is therefore unacceptable in principle and contrary to Policies ESD13, ESD15 and Villages 2 of the Cherwell Local Plan 2011-2031 Part 1 and saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.
- 2 The development proposed, by reason of its poor connectivity and links to the existing village and position adjacent to the busy Northampton Road, and the relative lack of facilities within the village, would represent an unsustainable form of development, that would not give future occupiers a realistic choice of travel means. The proposed development would therefore be contrary to Policies SLE4, ESD1 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework which seeks to ensure that new development facilitates sustainable modes of transport and provides opportunities for the use of public transport, walking and cycling.
- 3 The submitted Drainage Strategy is inadequate and does not provide sufficient information to demonstrate that a drainage strategy based on Sustainable Urban Drainage Systems has been explored for the site. The proposal is therefore contrary to Policy ESD7 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance in the National Planning Policy Framework.
- 4 In the absence of the completion of a satisfactory Planning Obligation, the Local Planning Authority is not convinced that the necessary infrastructure directly required as a result of this development, in the interests of supporting the sustainability of the village and the development, and in the interests of safeguarding public infrastructure and securing on site future maintenance arrangements, will be provided. The proposal therefore conflicts with Policies BSC3 and INF1 of the Cherwell Local Plan 2011-2031 Part 1 and Government advice within the National Planning Policy Framework.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, Cherwell Council has given consideration to whether amendments or additional information would overcome its concerns with the application, but unfortunately it has concluded that it would not be possible to resolve those concerns within the scope and timescales of this application. Cherwell Council has resolved that the application proposals do not amount to sustainable development and consent must accordingly be refused.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined 20 June 2019 are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>.



NOTICE OF DECISION
TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)

NOTES TO THE APPLICANT

REFUSAL OF PERMISSION

The Local Planning Authority has refused consent for the reasons set out in the schedule forming part of this notice of refusal. A further explanation of the reasons for the decision can be found in the planning officer's report, which can be viewed in Public Access via the council's web site.

If you wish to examine any of the development plans which set out the Local Planning Authority's policies and proposals for the development and use of land in its area, these are available for inspection on our website, or at the District Council offices, Bodicote House, Bodicote, during normal office hours.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse the application you can appeal to the First Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal then you must do so within six months of the date of this notice. Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel 0303 444 5000.**

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted permission or approval for the proposed development, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses planning permission or approval for the development of land, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is refused by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.



Appeal Decision

Hearing Held on 29 October 2019

Site visit made on 29 October 2019

by A Spencer-Peet BSc(Hons) PGDip.LP Solicitor (Non Practising)

an Inspector appointed by the Secretary of State

Decision date: 17 December 2019

Appeal Ref: APP/C3105/W/19/3233293

Land to the West of Northampton Road, Weston-on-the-Green OX25 3RQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Greystoke Land Limited against the decision of Cherwell District Council.
 - The application Ref 19/00596/OUT, dated 14 March 2019, was refused by notice dated 21 June 2019.
 - The development proposed is described as for residential development of up to 18 dwellings with associated access, internal roads, car parking, public open space, landscaping, drainage and other associated infrastructure.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. During the course of the appeal, the Appellant sought to make an amendment to the proposed development with the intention that the amended proposal be considered and determined on the basis of 100% affordable housing provision. At the Hearing the main parties were given the opportunity to provide final verbal submissions in respect of the proposed amendment.
3. In deciding whether to accept the proposed amendment to the appeal scheme, I am mindful of the principles of *Bernard Wheatcroft Ltd v SSE* [JPL 1982 P37] and the guidance contained within the Planning Appeals: Procedural Guide. In this instance I have concluded that, by reason of the nature of the proposed amendment, the amended proposal would be so changed, that to make my decision on that basis would deprive those who should have been consulted the opportunity of such consultation. Consequently, this appeal has been determined on the basis of the original application and submissions.
4. Following the submission of the planning application and appeal in relation to this matter, the Weston-on-the-Green Neighbourhood Plan (the WNP) has been submitted for, and has progressed through, the examination process. I have considered the Report of the Examination as provided within the appeal submissions and, by reason of its advanced stage, I have given substantial weight to the WNP in the determination of this appeal.
5. Outline planning permission is sought with all matters reserved. The details submitted with the application include reference to layout. Whilst not formally part of the scheme and provided for illustrative purposes, I have nevertheless

treated these details as a useful guide as to how the site might be developed. I have determined the appeal on this basis.

6. At the Hearing, the Council confirmed that it has withdrawn its objections in relation to the effect of the proposed development on the existing drainage network and the potential for flooding in the surrounding area. The Appellant has been made aware of this change to the reasons for refusal and has had the opportunity to comment. However, at the Hearing interested parties raised further concerns regarding the potential for flooding and, consequently, whilst I have not considered this matter to form part of the main issues in this appeal, I will return to this subject within the Other Matters section provided below.

Main Issues

7. The main issues in this appeal are:

- Whether the proposal would constitute an appropriate form of development with particular regard to the provisions of local and national policy in respect of the location of the development and the effect of the proposal on the character and appearance of the surrounding area;
- Whether the proposed development is in a suitable location for housing with particular reference to the accessibility of services and facilities; and,
- Whether the proposed development makes adequate provision for any additional need for infrastructure, services and facilities arising from the development.

Reasons

Principle of development

8. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the development plan comprises the Cherwell Local Plan 2011-2031 Part 1¹ (the CLPP1) and the saved policies of the Cherwell Local Plan (1996) (the CLP).
9. Policy Villages 1 of the CLPP1 confirms that Weston-on-the-Green is a Category A village. Whilst I acknowledge the Council's comments regarding the variety of sizes and populations for Category A villages within the District, in the context of the development plan, Category A villages are considered to be the most sustainable rural settlements in the district.
10. Policy Villages 2 of the CLPP1 concerns the distribution of growth across rural areas within the district and provides that "a total of 750 homes will be delivered at Category A villages", in addition to rural allowance for small site windfalls and planning permissions for ten or more dwellings as at 31 March 2014. This policy further confirms that sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of planning permission applications.

¹ Adopted July 2015

11. It is agreed between the main parties that the 750 homes figure provided under Policy Villages 2 of the CLPP1, is not a cap or ceiling and therefore does not represent a maximum number of homes to be delivered. It has been put to me by the Council that, as of the date of the Hearing, planning permission for a total of 750 homes have been granted since April 2014 under the provisions of Policy Villages 2 of the CLPP1 and that approximately 271 homes have been completed.
12. As such, the Council contends that if planning permission were to be granted then the 750 homes figure for dwellings at Category A Villages would be exceeded well in advance of the end of the plan period. The Council maintains that by exceeding this figure, the proposed development would undermine the District's aim to focus growth at the larger settlements of Banbury and Bicester, and would make it more difficult for other Category A Villages within the District to meet their potential housing needs later on during the plan period.
13. The main parties have cited a number of previous appeal decisions in support of their submissions, which include a previous appeal decision which relates to this appeal site² (the previous appeal decision). In this regard, several of the referenced appeal decisions concerned development proposals where the 750 homes figure had not been exceeded. However, the recent decision in relation to a site located at Ambrosden³ (the Ambrosden Appeal) concerned development where, as in this present case, it was shown that the number of homes delivered during the relevant period, in combination with planning permissions that had been granted, had reached the 750 homes figure.
14. In this regard, whilst I acknowledge the Council's submissions in relation to this proposal, I concur with the Inspector's findings in the Ambrosden Appeal in that such proposals will not harm the strategy of concentrating development in Bicester and Banbury and, furthermore, that development at Category A Villages which exceeds the 750 homes figure need not place any undue constraint on other villages to meet any specific or identified housing needs, as other policies contained within the development plan, for example Policy Villages 1 and Policy Villages 3 of the CLPP1, would be relevant considerations to cater for any such needs.
15. Indeed, as noted above, the WNP is at an advanced stage and recognises that additional housing, and specifically affordable housing, is needed in Weston-on-the-Green. Whilst there is disagreement between the main parties regarding the total number of houses that will now be required to meet the aims and objectives of the WNP and further disagreement regarding the availability of alternative suitable sites within the village to meet any such needs, it is clear that in order to meet these objectives it will necessitate exceeding the already reached goal of providing 750 homes in Category A Villages within the District.
16. In summary of the above, I consider the proposed scheme would not necessarily undermine the District's housing strategy nor place any undue constraint on other villages to meet any specific or identified housing needs during the relevant plan period. Furthermore, I acknowledge that the scheme

² Appeal Reference: APP/C3105/W/16/3158925

³ Appeal Reference: APP/C3105/W/19/3228169

would provide some affordable housing units which would assist in meeting the objectives of the WNP.

17. However, I accept that notwithstanding the above finding, other forms of harm may arise for example in respect of the effect of the scheme on the character and appearance of the surrounding area or in respect of the location of the site with regards to access to services and facilities. These are matters which I shall now turn to as below.

Character and appearance

18. The appeal site comprises part of a substantial and relatively flat parcel of open land which has been divided into a number of separate paddocks. The site is located outside of the village and adjacent to land which has been granted permission for a scheme of up to twenty dwellings⁴.
19. I acknowledge that existing hedgerows and vegetation would partially screen the site from views from the surrounding locality and, consistent with the findings of the Inspector in the previous appeal decision, I acknowledge the conclusions of the Landscape and Visual Impact Appraisal that the effect on the wider landscape would be limited.
20. However, and notwithstanding the above, whilst the proposed scheme would reduce the total number of dwellings to be provided at this site when compared to the scheme considered under the previous appeal decision, the appeal proposal would still alter the agricultural appearance of the site to that of a domestic residential one and, consequently, would have an urbanising effect on this countryside location. As stated by the Appellant, the proposal would create a new settlement edge and, consequently, the scheme would appear as an encroachment into the open countryside. In my view, this would represent an undue visual intrusion into the open countryside and would thereby detract from the rural character of the surrounding area.
21. Further to the above, the proposed scheme would appear as a modern estate which would not reflect the mixture of older and newer housing that can be found throughout Weston-on-the-Green and, consequently, the proposed scheme would be harmful to the character and setting of this village.
22. For the above reasons, the proposed development would conflict with Policies Villages 2, ESD13 and ESD15 of the CLPP1 which, amongst other matters, seek to ensure that development contributes positively to the character of the area and does not cause an undue visual intrusion into the open countryside. Furthermore, the proposal would not accord with those parts of the National Planning Policy Framework (the NPPF) which seek to protect the countryside from inappropriate development. Saved Policy C28 of the CLP concerns layout, design and external appearance and as the planning application is in outline with all matters reserved, no assessment of the proposal in light of this policy is required.

Access to services and facilities

23. As highlighted by the Inspector in relation to the previous appeal decision, Weston-on-the-Green contains a basic core of services which includes access to

⁴ Council Reference: 13/01796/OUT

a Post Office, a general store, public houses, a church and village hall. The appeal site would be within reasonable walking distance of these facilities for most people and, whilst I acknowledge the concerns of interested parties with regards to the safety of pedestrians entering the centre of the village along the B340 road, I am satisfied that the provision of the proposed footpath would be sufficient to allow for safe access to the village.

24. However, as noted by the Inspector in the previous appeal decision at this site, while there would be access to some basic core services and facilities within Weston-on-the-Green, these services are limited and consequently potential future residents would have to travel further afield to access facilities which are likely to be required on a day to day basis, for example schooling, healthcare, shopping and leisure.
25. The Appellant has put it to me that access to a wider range of services could be achieved other than by means of private motor vehicle. In this regard, the Appellant maintains that children would have access to free transport to the nearest available schools and that there are alternative community services, such as the Oxfordshire Comet bookable transport service, which would provide choice for future residents.
26. However, I would again concur with the findings of the Inspector in the previous appeal decision, in that as residents would have no real choice of transport other than by private vehicle or community transport this would bring into question the sustainability of the village and the proposed development itself. This position would not be changed by the introduction of additional train services from Oxford Parkway station into Oxford.
27. Furthermore, whilst I acknowledge the proposed contribution towards new bus services and acknowledge the Appellant's submissions regarding the need to provide housing in order to maintain a suitable level of local employees with respect to employment opportunities within Weston-on-the-Green, the evidence before me indicates that the financial contribution would be insufficient to secure the long term viability of any new bus service. Additionally, there is no evidence before me which demonstrates that there are insufficient potential employees currently residing within the village to meet the needs of local businesses.
28. In my view, it is therefore likely that future occupants of the proposed scheme would be reliant on private motor vehicles in order to access day to day services such as schools, medical facilities or wider transport links. Whilst dependence on private vehicles may be expected in rural locations, the proposal would only exacerbate this level of reliance. It would contribute to a pattern of development that would be likely to cause environmental harm as a result of increased car journeys and hence carbon emissions.
29. For the above reasons, the proposed development would conflict with Policies Villages 2, ESD1 and SLE4 of the CLPP1 and would not accord with those provisions of the NPPF which, amongst other things, requires that development should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling.

Planning Obligations

30. At the Hearing, the Appellant confirmed that it was their intention to provide deeds pursuant to Section 106 of the Town and Country Planning Act 1990 which would secure any planning obligations that were necessary to make the appeal proposal acceptable in planning terms. It was put to me that the details of such obligations had been agreed in principle with the Council and that the relevant deeds were in the process of being executed. Consequently, it was agreed that further time would be provided in order that the said obligations could be completed. However, at the date upon which this appeal has been determined, no such completed obligations have been provided.
31. Paragraph 56 of the NPPF explains that planning obligations must only be sought where they meet all of the following tests as set out in Regulation 122(2) of the Community Infrastructure Levy Regulations (CIL Regs) 2010, as amended: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development.
32. Policies BSC10 and BSC11 of the CLPP1 require the provision of open space to support new housing growth in accordance with Table 7: Local Standards of Provision. Policy BSC3 of the CLPP1 requires the provision of 35% Affordable Housing as part of the proposed development. The Developer Contributions SPD (2018) requires financial contributions towards provision of refuse/recycling bins for the development, as well as contributions towards improvements to off-site sports facilities and new community facilities or the improvement of any such existing facilities.
33. Policy INF1 of the CLPP1 provides that development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities. The evidence before me indicates and confirms that financial contributions towards education provision, specifically in relation to the expansion of Chesterton Primary School are required in respect of the appeal scheme.
34. On the basis of the evidence submitted in relation to this appeal, I am satisfied that it has been demonstrated that the above contributions are reasonable and necessary. As noted above, no legal agreement has been submitted as part of this appeal and, consequently, in the absence of any legal agreements which secure the above requirements, the proposal would conflict with Policies BSC3, BSC10, BSC11 and INF1 of the CLPP1. Furthermore, the appeal scheme would not accord with the provisions of the NPPF.

Other Matters

35. Interested parties raise several additional objections to the proposal including the effect of the proposal on highway safety, residential amenity, ecology and, as noted above, in relation to its effect on drainage and flood risk. These are important matters and I have considered all the evidence before me. However, given my findings in relation to the main issues, these are not matters which have been critical to my decision and consequently require no further consideration or assessment in relation to this appeal.

Planning Balance

36. The NPPF provides that the concept of sustainable development comprises three mutually dependent dimensions – being the economic, social and environmental elements of the proposal. Paragraph 11 of the NPPF confirms that proposed development that accords with an up to date development plan should be approved without delay. In this respect, the evidence before me indicates that the development plan is up to date and it is agreed that the Council can currently demonstrate a five year supply of deliverable housing sites.
37. However, the proposal would provide social benefits in terms of contribution towards housing supply, comprising a mixture of housing types including affordable housing. I acknowledge that the provision of such housing may result in the improvement of living conditions for those, especially children, who currently reside in unsatisfactory housing and consequently I attach substantial weight to these benefits in the determination of this appeal.
38. The appeal scheme would further provide economic benefits in terms of employment opportunities during the construction phase and I accept that housing at this location may help maintain the vitality of Weston-on-the-Green and other nearby settlements. I attach moderate weight to these considerations in the determination of this appeal.
39. It has been further put to me by the Appellant that the appeal scheme would provide benefits in terms of financial contributions towards a new bus service. However, for the reasons given above, there is doubt as to whether the level of financial contribution towards a new bus service would be sufficient to ensure its long term viability and, consequently, I attached very limited weight to this consideration in the determination of this appeal.
40. In terms of environmental benefits, I accept that additional planting and landscaping may result in biodiversity enhancement, but I attach only limited weight to this consideration in the determination of this appeal by reason of the scale of the development.
41. Set against the potential benefits of the appeal scheme as described above, the development plan conflict in relation to the effect of the proposal on the character and appearance of the area and the setting of Weston-on-the-Green, and the conflict in relation to the appeal site's location with regards to access to services and facilities by means other than by private motor vehicle, weighs significantly against the proposal. Furthermore, I recognise that the WNP provides that twenty additional houses are sufficient at present, and that as the proposal would be for housing in excess of this, the appeal scheme would not accord with the aims and objectives of the WNP.
42. Whilst I acknowledge the suggestion by the Appellant that the Planning Obligation could be secured by means of a Grampian condition, most of the contributions secured by such documents would carry neutral weight in the planning balance as they are designed to make the development acceptable. The proposal would secure affordable housing which would have positive weight. However, this would still not be of sufficient weight to outweigh the harm identified above. Accordingly, I find that, in the event that planning obligations were secured, this would not alter the outcome of this decision in the overall planning balance.

43. In summary of the above, the proposal's conflict with the development plan when taken as a whole, and the environmental harm that would arise due to the likely reliance of future residents on use of private vehicles, weighs significantly against the appeal scheme. For the reasons given, I conclude that the potential benefits described above, either individually or in combination, would not outweigh the harm identified in relation to the development plan conflict. Consequently, the appeal scheme would not accord with the aims and objectives of the NPPF with regards to sustainable development.

Conclusion

44. For the reasons given above, I conclude that the appeal should be dismissed.

A Spencer-Peet

INSPECTOR

APPEARANCES

FOR THE APPELLANT

A Crean	Greystoke Land Limited
D Hutchison	Pegasus Planning Group Limited

FOR THE LOCAL AUTHORITY

N Stock	Cherwell District Council
M Chadwick	Cherwell District Council
T Plant	Cherwell District Council
C Cherry	Cherwell District Council

INTERESTED PERSONS

1. D Bohm
2. E Bohm
3. R Oliver
4. L Ricketts

DOCUMENTS SUBMITTED AT HEARING

1. Letters of Notification dated 8 October 2019.
2. Draft Statement of Common Ground with Appendices dated 18 October 2019.
3. Local Planning Authority's Revised Suggested Draft Conditions Document.
4. Appellant's Draft Conditions Document
5. Copy of Planning Inspectorate Appeal Decision Reference: APP/C3105/W/19/3228169.
6. Report of the Examination into the Weston-on-the-Green Neighbourhood Plan 2018-2031 with copy Cherwell District Council Executive Consideration of the Examiner's Report for the Weston-on-the-Green Neighbourhood Plan.

Appendix 25

Fritwell Committee Report

Case Officer: James Kirkham

Applicant: CALA Homes (Chiltern) Ltd

Proposal: The erection of up to 28 dwellings and associated site access onto Fewcott Road

Ward: Deddington

Councillors: Councillor Hugo Brown, Councillor Bryn Williams, Councillor Mike Kerford-Byrnes

Reason for Referral: Major development – 10 or more new dwellings

Expiry Date: 29 November 2019

Committee Date: 18th December 2019

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

Proposal

The current application seeks permission for up to 28 dwellings on the site. The application is made in outline will all matters reserved except the principle means of access from Fewcott Road. An indicative layout has been provided demonstrating one way this quantum of development could be provided on the site.

Consultations

The following consultees have raised **objections** to the application:

- Oxfordshire Clinical Commissioning Group

The following consultees have raised **no objections** to the application:

- OCC Highways, OCC Rights of Way, Lead Local Flood Authority, OCC Education, CDC Planning Policy, CDC Ecology, CDC Tree Officer, CDC Strategic Housing, CDC Leisure and Recreation, CDC Environmental Protection Anglian Water

The following consultees are **in support** of the application:

- Fritwell Parish Council (subject to requirements), Mid-Cherwell Neighbourhood Forum (subject to requirements)

45 letters of objection have been received and 7 letters of support have been received.

Planning Policy and Constraints

A public footpath runs adjacent to the southern boundary of the site. The site is also located in the area covered by the Mid Cherwell Neighbourhood Plan and is lies outside the settlement areas identified in the Neighbourhood Plan. Fritwell Conservation Area also exists to the south west of the site.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issues arising from the application details are:

- Principle of Development
- Landscape and Visual Impact
- Site Layout and Design Principles
- Heritage
- Highways
- Ecology
- Affordable Housing and Housing Mix
- Flood Risk and Drainage
- Residential Amenity
- Impact on Local Infrastructure
- Other matters

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions and a legal agreement.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site consists of a small grouping of fields forming part of the open countryside on the eastern edge of Fritwell, south of Fewcott Road. The site is relatively flat with the boundaries delineated by varying densities of trees and hedgerows. The site contains some small informally arranged outbuildings in its northeast corner. A public footpath runs immediately to the south of the site which separated from the site from a hedgerow and links through to Southfield Lane and on to East Street.
- 1.2. To the north of the site on the opposite side of Fewcott Road lies flat and expansive open countryside consisting of arable farmland. To the south and beyond the public footpath lies more paddock land, Lodge Farm and its associated farm buildings together with its fishing lakes. A track linking Lodge Farm with Fewcott Road passes down the eastern edge of the site. The 1990s residential development of Hodgson Close is located to the west where combinations of rear gardens and general amenity space border the site.
- 1.3. The site itself is not subject to any specific statutory or locally designated environmental or heritage constraints though the designated Fritwell Conservation Area lies to the south-west and incorporates not just buildings within the historic core of the village but also paddock land to the south-west of the site.

2. CONSTRAINTS

- 2.1. A public footpath runs adjacent to the southern boundary of the site and continues further to the east and west.
- 2.2. The site is also located in the area covered by the Mid Cherwell Neighbourhood Plan. Fritwell Conservation Area also exists to the south west of the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The current application seeks outline permission for to 28 dwellings on the site. All matters are reserved expect the principal means of access from Fewcott Road. This would also include the provision of a new public footpath to the south of Fewcott Road which would connect to the existing footpath adjacent to Hodgson Close.
- 3.2. An indicative layout has been provided with the application with shows the provision of 28 dwellings, public open space and a small paddock to the south of the site. It is also proposed to create a new pedestrian link to the public footpath of the south of the site.
- 3.3. When the original application was submitted the application was for 38 dwellings. Further to discussions with officers the application was reduced to 28 dwellings and the access to the site was moved closer to the village along Fewcott Road. These amendments have been subject to re-consultation.

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
16/01594/F	Erection of 34 dwellings	Withdrawn

This application was for development of the southern part of the existing site (it excluded the northern parcel of land closest to the village in this application) and was made in full. It was withdrawn prior to be formally determined by the Council. A Committee report was however published for the scheme which recommended it for refusal. The reasons for refusal included that the poor sustainability of the village to accommodate this level of growth (due to lack of services facilities, and public transport); the harm to the rural character of the village; the failure to integrate and respect the pattern of development; unacceptable mix of affordable and market houses; unacceptable in terms of design detail; inadequate amenity spaces and inadequate access. It should be noted that this scheme related to different overall site area, was prior to the adoption of the Mid Cherwell Neighbourhood Plan and considered matters relating to layout, appearance, landscaping and scale which are reserved in the current application.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. The following pre-application discussions have taken place with regard to this proposal:

17/00283/PREAPP - Proposed residential development of 43 dwellings. This only related to the southern parcel of land and was prior to the adoption of the Mid Cherwell Neighbourhood Plan. This reiterated the advice given on the withdrawn planning application.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate). The final date for comments was 30/10/2019, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. The comments raised by third parties are summarised as follows:

Object (45)

- Principle – The site is outside the boundaries of the village; Site is not previously developed land as supported in the MCNP; The proposals would undermine public faith in the planning system and the Neighbourhood Plan. There are already new houses under construction in the village. These should count towards the Neighbourhood Plan number. The Council's rural housing allocation has already been met. No need for more housing and existing properties struggle to sell. Many developments to meet housing need elsewhere in Bicester, Upper Heyford, etc. Similar applications have been resisted in the past and the current proposal is already. The reasons remain relevant. Proposal will set a precedent for more developments in the village. There is a proposal for further housing development by Lagan Homes elsewhere in the village.
- Sustainability – The village is unsustainable for this level of growth with limited services, facilities and very limited public transport. Occupiers will be car dependant to access services and facilities. Categorisation of the village as a Cat A is wrong. Public house in the village is no longer open.
- Impact on character and appearance of the area – Loss of greenfield countryside between villages contrary to MCNP; Impact on the rural character of the area; Loss of trees and landscaping; The development would result in prominent intrusion into open countryside. Upgrading the footpath would be detrimental to the rural character of the area and impact on the amenity of residents adjacent to this route.
- Impact on character and/or setting of the village – Detrimental visual impact on the village; Proposal is not integrated into the village. Scale of growth is inappropriate for the size of the village.
- Impact on residential amenity – Loss of privacy, outlook and light to neighbouring properties in Hodgson Close. Increase in noise, disturbance, overlooking and light pollution
- Impact on highway safety – Access is unsafe due to vehicle speeds and will lead to accidents. Village is already a 'rat run'. Increase in traffic. Inadequate visibility from the access. Inadequate parking
- Impact on wildlife and ecology. Little evidence of 'net gains'.
- Impact on infrastructure – Concerns regarding capacity of sewage system which has already suffered problems and increased flooding. Proposed footway may impact on drainage ditch. Additional pressure on local infrastructure. Developer should contribute to new infrastructure. Objections to this money being spent outside of the village. Additional community facilities should be provided or funds to buy the local pub

- The Parish Council's support – The Parish Council's comments are not correct and do not fairly represent the views of the community. Strongly disagree with the views of the Parish Council. Requests for the parish to remove support for scheme.
- Other – Affordable (social) housing should be provided. The application is in outline and the details may change. This is not transparent and matters of design, layout and housing mix. The submission documents are inaccurate. Support OCCG comments. Impact on Human Rights. No attempt by the developer to engage with the community.
- Benefits overstated – Any support the application will provide to the school will be short lived until children grow up. No direct link between the shop remaining open and the development.
- Planning obligations – Request for outdoor sport facilities contribution towards playing field including details of usage and potential projects. Fritwell Village Hall Committee requested contributions towards improvement which are detailed in their submission.

Support (7)

- Need – Support need for new housing. More residents means more people to support village facilities.
- Housing mix – Site has been identified as most appropriate site for new housing. Important there is a mix of dwellings to meet local need.
- Benefits to infrastructure – The School has written in support of the application as likely to increase school roll which has fallen in recent years.

Non material considerations

- Right to Light. Loss of view over field.

6.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

7. RESPONSE TO CONSULTATION

7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. FRITWELL PARISH COUNCIL: Originally raised a number of concerns regarding the scheme and requested further information including the scale of the development; the highway impacts of the proposal; contributions for local facilities and mitigation; biodiversity enhancement; and drainage and sewerage. Following receipt of amended plans have the following comments:

7.3. **Supports** the application subject to a number of issues. Support housing for young people and downsizers to support community facilities. Note the inclusion of the site in the HELAA as 'suitable, available and achievable'. Consider the site is the most appropriate and sustainable for further development in Fritwell. The reduction in number of dwellings more closely complies with the Neighbourhood Plan and 35% is

proposed. The inclusion of 2 bungalows and 4 x 2 bed houses response to the views of residents. The amount of 3 and 4/5 bed houses needs to be reviewed. Request developer considered Neighbourhood Plans Forums comments on building design, construction and energy use.

- 7.4. Support the responses made by the playing field committee, village hall committee and primary school for the contributions to help improve and mitigate impacts of the development.
- 7.5. In relation transport note the village has no bus service and continues to campaign for a rural bus service and request a contribution towards subsidies for transport services. Parking should be increased to the maximum standard on the development given all occupants are likely to own a car. Parish welcome the inclusion of road calming along Fewcott Road including new signage, road markings and vehicle activated sign alongside proposal to move the spend limit. Request that further place making style road calming such as planted areas to narrow the entrance to the village and rumble strips (in keeping with those in Hodgson Close), and paved road areas be considered. Also welcomes connection to public right of way to the south of the site which should be surfaced to provide year-round access.
- 7.6. Support the Neighbourhood Plans response to consider low cost biodiversity measures like wild flower planting along verges or off-site.
- 7.7. MID CHERWELL NEIGHBOURHOOD PLAN FORUM: Objected to original proposal on ground of conflict with Policy PD1 and overall scale of development significantly exceeding the indicative growth of 25 dwellings.
- 7.8. Amended proposal: Supports subject to modification to housing mix to meet requirements set out in Policy PH1 and a clear statement for the developer they are prepared to consider the below points.
- 7.9. Pleased to see a reduction in number of dwellings but still exceeds indicative figure of 25 set out in the Neighbourhood Plan. Furthermore have concern that taking the scale of the current development would mean the whole allocation for housing growth in the village would be taken up immediately and may prevent any further development in the village for the rest of the plan period. They also raised concern with the housing mix against Policy PH1 and note there are too many '4 or more' bedroom properties and not sufficient 3 bed properties. In order to support the proposal, requests a number of outcomes are committed to in a Section 106:
 - Should be an exemplar scheme in respect of climate change designed to minimise energy consumption and avoid use of fossil fuels. Use of ground source heat pumps and highly insulated dwellings should be considered.
 - Serious consideration of making the scheme a pilot for off-site modular construction
 - Provide net gain biodiversity which exceeds the minimum
 - Provide support for local transport options; charging points for electric vehicles; traffic calming measures; new speed signs linked to mains electricity; enhancement of children's play area on playing field; provision of more recreational and sports facilities within Fritwell for all ages; support for the existing Village Hall, including additional storage, repairs and improved car park; developer funding directed to works in the village to benefit Fritwell residents

CONSULTEES

- 7.10. OCC HIGHWAYS: Objected to original application.
- 7.11. Amended plans: **No objection** subject to S106 to secure £15,000 for improvements to the Public Right of Way to the south of the site and an obligation to enter into a S278 agreement (construction of the site access, extension of the 30mph speed limit, construction of footway from site access to join existing footpath in village, land ownership and visibility splays, village entry treatment including traffic calming) and planning condition.
- 7.12. The traffic impact of the development is considered to be acceptable and not result in severe impact. The reduction in dwellings further reduces this impact. This site access has been amended and it has been sufficient visibility based on the speed surveys for the site can be achieved. The land within the visibility splays appears to be land either owned by the application, classified as public highway or is the highway ditch. As part of the S278 agreement part of this ditch will need to become within the applicants control through the land registry.
- 7.13. The application includes alterations to the highway directly in front of the application site, this includes extending the 30mph speed limit, new VAS speed limit sign and relocation of gateway and dragons teeth on carriageway. This will be done via S278 agreement and will require consultation.
- 7.14. In terms of pedestrian access the proposal is for a 1.8m footway to Fewcott Road. This is required to enable residents to walk into the village. The link to the south allows more permeability and better access to other parts of Fritwell and a contribution is sought to upgrade this to allow increase use to a better standard.
- 7.15. The indicative level of parking of 54 allocated and 10 visitor spaces in accordance with the OCC Standard however visitor bays need to be increase in width. Cycle parking provision should also be made for the dwellings.
- 7.16. Travel information packs should be provided for residents to encourage sustainable transport choices and vehicle tracking will be required.
- 7.17. OCC RIGHTS OF WAY: **No objection** subject to a upgrading the public right of way to the south of the site. Also request conditions on no obstruction of the footpath, no changes to footpath without agreement, no vehicular access along footpath and no gates opening onto footpath.
- 7.18. CDC ECOLOGY: **No objections** subject to conditions. The report is sufficient in scope and depth. No significant protected issues on the site however there is potential for bats to be present in the trees and potential reptiles and nesting birds and timing constraints and methodology of clearance is needs. These are covered in the submitted survey and could be including in CEMP for Biodiversity condition
- 7.19. The Biodiversity Metric submitted indicates there will be a reasonable level of net gain however raises queries where the open water and marginal vegetation will be provided. The fencing and walls must have gaps at their base and bird and bat boxes provided.
- 7.20. NATURAL ENGLAND: **No comments.**
- 7.21. CDC TREE OFFICER: **No objections.** The amended layout has lessened concerns regarding the site entrance, vision splays and plots to the south of the site.
- 7.22. CDC LANDSCAPE OFFICER: (on original submission) Comment. The existing boundary planting is a major design constraint. It does not appearance to have

informed the LVIA. The loss of planting for the visibility splay needs to be better understood. Viewpoints from the public right of way to the north of the site would have a major significance of effect which could be moderated over time will planting. Space is required between the visibility space and the plots on the northern boundary to help mitigate impact of PROW and roadside receptors. Concerns regarding plots very close to southern boundary and there may be pressure to reduce height of hedge increasing visual impacts. Suggest properties are moved from the southern boundary. No attenuation tanks should be provided under the LAP.

- 7.23. LEAD LOCAL FLOOD AUTHORITY: **No objection** subject to conditions on details surface water strategy, management and maintenance.
- 7.24. OCC EDUCATION: **No objections** subject to contributions towards secondary school capacity at Heyford Park School. No contributions sought to nursery, primary or SEN provision.
- 7.25. ANGLIAN WATER: **No objection.** The wastewater treatment and sewerage system has capacity for these flows. The proposal does not propose to discharge surface water to Anglian Water assets. Request informative regarding assets near the site, connections and protection of existing assets.
- 7.26. OXFORDSHIRE CLINICAL COMMISSIONING GROUP: **Objects** on the basis it will put further pressure on primary care services supporting the Fritwell Area. The main GP practices which cover this area are Deddington Practice and Alchester Medical group. The application will increase the population by c.67 people, which will put direct pressure on the ability of the practices to continue to provide primary care services, without funding to support their infrastructure needs. Highlight growth in population in both these areas. Seek £360 per head to support capital projects associated with either of the two practices, to ensure primary care services are provided directly or indirectly to the development population.
- 7.27. CDC STRATEGIC HOUSING: **No objection.** Requests 10 affordable units with the indicative mix of tenures and sized:
- 2 x 1b2pM – Social Rent
 - 3 x 2b4pH – Social Rent
 - 2 x 2b4pH – Shared Ownership
 - 1 x 3b5pH – Social Rent
 - 1 x 3b5pH – Shared Ownership
 - 1 x 4b7pH – Social Rent
- 7.28. This represents a 70/30 split between (Social Rent level) rented units and Shared Ownership units as stated in our adopted Local Plan Part 1, Policy BSC3 and blends the findings of the most recent county-wide Strategic Housing Market Assessment, with our own district-specific levels of in-house data. 50% of the social rent should meet M4(2)(2) requirement and all rental units should be to national space standard. Expect parking for all units
- 7.29. CDC LEISURE AND RECREATION: **Comment.** Request contributions towards improvements to Fritwell Village Hall, outdoor sports (improvements to Fritwell Playing field for benefit/improvement of sport) and off-site indoor sports facilities

(contribution towards Bicester Gymnastics Club to develop a specialist gymnastics in Bicester for the Bicester and District Gymnastics Club)

7.30. CDC BUILDING CONTROL: **No comment.**

7.31. CDC ENVIRONMENTAL PROTECTION: **No objections** subject to Construction Environmental Management Plan, full land investigation conditions, air quality condition and electric charging points. No comments in relation to odour or light.

8. RELEVANT PLANNING POLICY AND GUIDANCE

8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

MID-CHERWELL NEIGHBOURHOOD PLAN 2018-2031 (Feb 2019)

- PD1 – Development at Category A Villages
- PD4 – Protection of Important Views and Vistas
- PD5 – Buildings and Site Design
- PD6 – Control of Light Pollution
- PH1 – Open Market Housing Schemes
- PH3 – Adaptable housing
- PH5 – Parking, garaging and storage
- PC2 – Health Facility at Heyford

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – The Effective and Efficient Use of Land – Brownfield land and Housing Density
- BSC4 – Housing Mix
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – Outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD1 – Mitigating and Adapting to Climate Change
- ESD2 – Energy Hierarchy and Allowable Solutions
- ESD3 – Sustainable Construction
- ESD6 – Sustainable Flood Risk Management
- ESD7 – Sustainable Drainage Systems (SuDs)
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment
- Villages 1 – Village Categorisation

- Villages 2 – Distribution Growth Across the Rural Areas
- INF1 – Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18 – New dwellings in the countryside
- C8 – Sporadic development in the open countryside
- C28 – Layout, design and external appearance of new development
- C30 – Design of new residential development
- ENV1 – Environmental pollution
- ENV12 – Potentially contaminated land

8.3. Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Annual Monitoring Report (AMR) 2018
- Cherwell Residential Design Guide SPD 2018
- Developer Contributions SPD 2018
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of Development
- Landscape and Visual Impact
- Site Layout and Design Principles
- Heritage
- Highways
- Ecology
- Affordable Housing and Housing Mix
- Flood Risk and Drainage
- Residential Amenity
- Impact on Local Infrastructure
- Other matters

Principle of Development

Policy Context

9.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the District comprises the adopted Cherwell Local Plan 2011-2031 and the saved policies of the Cherwell Local Plan 1996. The Development Plan in this area also includes the Mid-Cherwell Neighbourhood Plan which was adopted in February 2019.

9.3. The National Planning Policy Framework (NPPF) explains that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 7 of the NPPF sets out

the Government's view of what sustainable development means in practice for the planning system – the three strands being the economic, social and environmental roles. It is clear from this that as well as proximity to facilities, sustainability also relates to ensuring the physical and natural environment is conserved and enhanced as well as contributing to building a strong economy through the provision of new housing of the right type in the right location at the right time.

- 9.4. The NPPF does not change the statutory status of the development plan as the starting point for decision making. Proposed development that conflicts with the Local Plan should be refused unless other material considerations indicate otherwise. Cherwell District Council has an up-to-date Local Plan which was adopted on 20th July 2015 and can demonstrate a 5 year housing land supply. The Written Ministerial Statement of 12 September 2018 now considers important policies for determining the application to be out of date only where a 3 year supply of deliverable sites cannot be demonstrated in Cherwell.
- 9.5. Policy PD1 of the Mid-Cherwell Neighbourhood Plan (MCNP) states that in Category A Villages, such as Fritwell infill, conversion and minor development will be supported in principle within the settlement limits (as defined in the Neighbourhood Plan). It states that residential development proposals outside the settlement areas in such villages must have regard to the following criteria:
- Be immediately adjacent to the village
 - Not be best and most versatile agricultural land and previously developed land is particularly likely to be acceptable.
 - Conserve and, wherever possible, enhance the landscape.
 - Conserve and, where possible, enhance heritage assets
 - Not give rise to coalescence with other nearby settlements.
- 9.6. Policy PD1 of the MCNP goes on to state that the *'total indicative number of additional dwellings permitted during the plan period either within the settlement area of those villages, or adjacent to them, shall be approximately 25 for Fritwell'*.
- 9.7. The overall housing strategy in the Cherwell Local Plan 2011-2031 (including Policy BSC1) is to focus strategic housing growth at the towns of Banbury and Bicester and a small number of strategic sites outside of these towns. With regards to villages, the Local Plan notes that the intention is to protect and enhance the services, facilities, landscapes and natural and historic built environments of the villages and rural areas. It does however advise that there is a need within the rural areas to meet local and Cherwell-wide needs.
- 9.8. Policy Villages 1 of the CLP 2031 provides a framework for housing growth in the rural areas of the district and groups villages into three separate categories (A, B and C), with Category A villages being considered the most sustainable settlements in the District's rural areas which have physical characteristics and a range of services within them to enable them to accommodate some limited extra housing growth. Fritwell is classified as a Category A village.
- 9.9. In order to meet the areas housing needs Policy Villages 2 of the CLP 2015 states that: *"A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings as at 31 March 2014"*. This Policy notes that sites will be identified through the preparation of the Local Plan Part 2, through the preparation

of the Neighbourhood Plans where applicable, and through the determination of applications for planning permission.

9.10. Policy Villages 2 then sets out that when identifying and considering sites, particular regard will be given to the following criteria:

- *“Whether the land has been previously developed land or is of less environmental value;*
- *Whether significant adverse impact on heritage and wildlife assets could be avoided;*
- *Whether development would contribute in enhancing the built environment;*
- *Whether best and most versatile agricultural land could be avoided;*
- *Whether significant adverse landscape impacts could be avoided;*
- *Whether satisfactory vehicular and pedestrian access/egress could be provided;*
- *Whether the site is well located to services and facilities;*
- *Whether necessary infrastructure could be provided;*
- *Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period;*
- *Whether land the subject of an application for planning permission could be delivered within the next five years; and*
- *Whether development would have an adverse impact on flood risk.”*

Assessment

9.11. As outlined above the Development Plan in this case consists of both the Cherwell Local Plan Part 1 (2015) (CLP) and the MCNP (2019). The application site is considered to fall outside of the built up limits of the village and is also outside the settlement boundaries identified in the MCNP. The most relevant policy to consider in relation to this application under the CLP (2015) would be Policy Villages 2, which provides a rural allocation of 750 dwellings to be provided at Category A Villages and significant progress has been made in regard to this allocation.

9.12. However, in this case Policy PD1 of the MCNP identifies an indicative level of growth to the Fritwell over the plan period (as outlined below) and there may be considered to be some conflict between these policies. The Planning Practice Guidance (PPG) and Section 38(5) of the Planning and Compulsory Purchase Act 2004 states that, where policy in a development plan for an area conflicts with another policy in the development plan, the conflict should be resolved in favour of the policy which is contained in the last document to be adopted, approved or published. In this case this would be the MCNP. Therefore, MCNP Policy PD1 is considered to take precedent over Policy Villages 2 – although the criteria of Policy Villages 2 are still considered to be relevant to the consideration of the application.

9.13. Policy PD1 of the MCNP states that an indicative number of additional dwellings permitted within or adjacent to Fritwell over the plan period (2018-2031) will be approximately 25 dwellings. It is clear from the use of the words ‘indicative’ and ‘approximately’ in the policy that 25 dwellings is not a ceiling and must be viewed as a guideline for the level of growth envisaged, and flexibility therefore applied in this respect whilst having regard 25.

9.14. At the current time 1 dwelling has been granted permission in the plan period (i.e. 2018-2031) in Fritwell (19/01402/OUT refers) and another single dwelling (19/02162/F refer) is pending consideration. Several objectors to the application

has referred to existing housing sites which are undergoing construction at the Former George and Dragon Site (17/01954/F refers for 7 dwellings) and a development of 8 dwellings on Fewcott Road (13/01347/F refers) which they consider should count towards this allocation. However, given these were granted prior to the plan period for the Neighbourhood Plan which covers the period 2018-2031, they do not count towards the level of growth specified in the Neighbourhood Plan (i.e. approximately indicatively 25 dwellings).

- 9.15. During the course of the application the number of dwellings proposed as part of the current application has been reduced from 38 dwellings to 28 dwellings in response to significant concerns raised by officers regarding the scale of growth proposed as originally submitted in the context of the housing strategy in the Neighbourhood Plan. Granting planning permission for the current application would result in a total of 30 dwellings being permitted in Fritwell within the plan period (if a pending separate application is approved for a single dwelling elsewhere in the village). Officers consider, on balance, that this level of growth complies with the indicative level of growth that is proposed to be provided in Fritwell through the Neighbourhood Plan.
- 9.16. Several concerns have been raised by neighbours over the general sustainability of village to accommodate this level of growth and prior to the adoption of the MCNP this was a significant concern of Officers. The village of Fritwell has relatively limited services and facilities including a school, a small shop, a play area, pub (albeit currently closed) and village hall. There is also no meaningful public transport to the village resulting in residents being highly reliant on the private car. Whilst these concerns do still exist, the MCNP clearly indicates a level of growth for the village and as outlined above the proposal is considered to accord with the MCNP's housing strategy. There has been no significant change in services to the village since the adoption of the MCNP which would justify taking a different position on this issue.
- 9.17. The basis of the planning system is plan-led and therefore the aforesaid concerns regarding the general sustainability of the village do not outweigh the provision of the recently adopted neighbourhood plan in regard to the scale of growth appropriate for the village. It should also be noted that the proposed development is likely to help support the existing services and facilities (shop, school and pub – in the event it re-opens) in the village to some extent although this is hard to fully quantify; and the governors of the primary school have supported the application.
- 9.18. The Neighbourhood Plan Forum has noted that Policy PD1 relates to all new housing 'within' and 'outside' of the built limits of the village over the whole of the plan period and has concerns that permitting 28 dwellings on the current site at an early point in the plan period may result in further development in the village taking the level of growth in the village into what they regard as 'unacceptable territory'. Whilst Officers sympathise with this view to some extent, Policy PD1 does not include any phasing of the indicative level of growth of 25 dwellings over the plan period and there is no limit on the amount of the envisaged development that comes forward on any one site. There are some benefits of allowing growth on a larger site (as opposed to multiple smaller sites) as planning obligations can be provided to mitigate impacts on infrastructure and affordable housing can be secured. This could not be insisted upon on smaller sites (of under 10 units). Each future application would need to be assessed on its own merits so any future growth in Fritwell would need to be considered in the context of the housing strategy outlined in Policy PD1 of the MCNP and other relevant policies and a view taken at the time as to whether the level of growth proposed would conflict with the Development Plan when read as a whole. Therefore, this matter is not considered to be a matter that would justify refusing consent on its own.

- 9.19. Policy PD1 goes onto provide several criteria to which applications for development outside the settlement must have particular regard. It is important to note that the policy has no requirement for all these criteria to be met although they clearly are material considerations in undertaking the planning balance. The current proposal is considered to comply with a number of these criteria. The site is located immediately adjacent to the village and would conserve heritage assets (as outlined below). It would also not give rise to coalescence with other settlements given the distance that would exist to the neighbouring villages. The site is not previously developed so does not gain support from that criteria. The issues relating to the use of best and most versatile agricultural land and landscape impact are outlined elsewhere in this report and need to be considered in the planning balance.
- 9.20. Several comments have also referred a proposal by Lagan Homes at Forge Place which may come forward in the future. However, this is not relevant to the current application and each application has to be assessed on its own merits. The Council has no formal proposals before them for an alternative development. Therefore, this is not considered to carry any significant weight in the context of the current application.

Conclusion

- 9.21. The most relevant policy to consider the principle of the application against is considered to be Policy PD1 of the MCNP. On balance, the scale of growth is considered to broadly comply with the Policy PD1 and therefore to accord with the growth strategy outlined in the Neighbourhood Plan. Subject to other material considerations the principle of this level of growth at Fritwell is therefore considered to be acceptable.

Landscape and visual impact and impact on the character of the area

Policy context

- 9.22. Government guidance contained within the NPPF towards achieving well-designed places states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. The NPPG goes on to note that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Further, Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions. Paragraph 170 states planning decisions should contribute and enhance the natural and local environment recognising the intrinsic character and beauty of the countryside.
- 9.5. Paragraph 127 of the NPPF states that planning decisions should ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - Are sympathetic to local character and history, including the surrounding built environment and landscape setting
 - Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

9.23. Policy ESD15 of the Cherwell Local Plan Part 1 states that: *“New development proposals should:*

- *Contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness and respecting local topography, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views.*
- *Respect the traditional pattern routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages.”*

9.24. Policy ESD13 of the Cherwell Local Plan Part 1 states that: *“Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:*

- *Cause undue visual intrusion into the open countryside;*
- *Cause undue harm to important natural landscape features and topography;*
- *Be inconsistent with local character;*
- *Harm the setting of settlements, buildings, structures or other landmark features;*
- *Harm the historic value of the landscape.”*

9.25. Policy Villages 2 also states regard will be had to whether a proposal would have significant adverse impacts on heritage, whether development would contribute to enhancing the built environment and whether significant adverse landscape and impacts can be avoided in determining applications under that policy.

9.26. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context and Saved Policy C8 seeks to limit sporadic development beyond the built limits of settlements.

9.27. The Cherwell Residential Guide SPD (2018) builds on the above policies and provides a framework to deliver high quality locally distinctive development.

9.28. Policy PD5 of the MCNP states that new development is required to high quality and reflect the guidance and principles set out in the Heritage and Character Assessment accompanying the Neighbourhood Plan. It goes onto state proposals should include appropriate landscape measure to mitigate impacts and be in keeping with the rural character of the village.

Assessment

9.29. The application is a flat grassland paddock with hedgerows along the southern, eastern and western boundaries. It is part of the wider paddock land to the east of Fritwell with expansive flat open arable farmland beyond to the north east and east. The natural landscape of the area is defined within the Oxfordshire Wildlife and Landscape Study of 2004 (OWLS) (referenced in Policy ESD13 of the CLP 2031 Part 1) as being of Farmland Plateau landscape type which is generally characterised by large level arable fields, sparse settlements with small grassland fields surrounding villages with long straight country roads between villages. The

strategy for this area as set out in OWLS is to conserve the open and remote character of the landscape type.

- 9.30. On entry to Fritwell from the east along Fewcott Road the village is prominent in views within its surrounding flat farmland landscape which creates a rural setting for the village. Whilst the site itself is not part of a designated landscape or intrinsically interesting or beautiful in landscape terms, it is nonetheless an archetypal part of the rural north Oxfordshire countryside and complements the Farmland Plateau landscape character with its surrounding paddocks and farmland contributing towards the experience of the rural character of the village.
- 9.31. The site is separated from the wider open countryside by the track serving Lodge Farm to the east and is arranged in a smaller field pattern than the surrounding more expansive fields which surround the village in this location. Hedgerows on the boundaries of the site and the presence of some informal buildings in the north west corner of the site also give the site a sense of enclosure and some sense of separation from the surround countryside.
- 9.32. The proposed development would lead to the loss of this site to development and would represent an encroachment into the open countryside as any loss of greenfield site at the edge of the village would. However, as noted above this site already has a different character to the wider more expansive countryside setting of the village which exists to the north and east of the site which somewhat limits the impact on the wider landscape character.
- 9.33. The illustrative layout for the proposed development seeks to retain and strengthen the planting on the eastern boundary of the site which borders the large arable field to the east. This would provide a further degree of containment to the site in terms of the wider landscape and visual impacts. Whilst views of the development from Fewcott Road to the west of the site and the public footpath that crosses the field to the west of the site would still be available, these would be filtered to some extent and diminish in time and distance.
- 9.34. The hedgerow to the south of the site, which separates the development from the public footpath (ref: 219/6/10), is largely to be retained with the exception of a small amount which would be lost to provide a pedestrian connection to this footpath which links back into the village. This footpath already runs along the side of several properties to the west of the site and the indicative plans have been amended to create a small paddock to the south of the site which would help soften the views of the development from the south and set the development away from this boundary.
- 9.35. The requirement for visibility splays at the site access with Fewcott Road means that much of the planting to the east of the proposed access on the northern boundary will need to be removed and this will open up views of the site in views from the road and the areas to the northern of the site. This would include the public bridleway (ref 219/11/10) which traverses the agricultural field approximately 200 metres to the north of the site and extends between the recreation ground and M40. Views from this footpath and the road to the front of the site would be relatively stark upon completion and would lead to some harm. However, it is proposed to plant new trees, shrubs and hedgerow planting in native species in this location on the northern boundary to help mitigate the impacts of the development to some extent and with landscaping being a reserved matter this could be controlled through subsequent applications. Furthermore, views from the public right of way are viewed in the context of the existing development at the edge of the village and are viewed from a distance of approximately 250 metres.

- 9.36. Views of the proposal would also be visible from other public footpaths to the east of the site; however, given the relatively flat topography of the area, existence of planting, and the fact many would be seen in the context of the existing built form of the village, these are not considered to lead to significant adverse impacts
- 9.37. In terms of the impact of the development on the immediate setting of the village, the proposed development would undoubtedly lead to some harm through the urbanisation of the site. However, the proposed development has to be viewed in the context of the aspirations of the MCNP to direct some growth to the village and given the scale of growth this is likely in officers' opinion to lead to the development of existing open land outside the settlement limits. The proposal is located at one of the less sensitive edges of the village from a heritage perspective and the proposed development would be viewed in the context of the existing more modern development at Fewcott View and Hodgson Close, the latter of which also provides development in a similar depth to the current proposal at the edge of the village. The screening which exists around the site and presence of the access to Lodge Farm also provides visual containment to the site and the countryside beyond.
- 9.38. Views of the proposal would also be available from the properties within Hodgson Close; however, these would be generally private views from properties over open countryside which are not given the same weight in planning decisions given that the planning system operates in the public rather than private interests. The impact on the residential amenity of these properties is covered elsewhere in this report.
- 9.39. The site was recently considered in the Housing and Economic Land Availability Assessment (HELAA 2018) where it was concluded that the site was suitable, available and achievable for housing. However, this document is only part of the evidence base to inform the plan making process and it is not considered to carry significant weight in decision making. It has not been subject to the robust scrutiny of public examination and it does not allocate land for development. It merely provides part of an evidence basis to allow the local authority to proactively plan for their housing and economic growth needs in future plans. The starting point for decision making is the up to date Development Plan and the development should be assessed in accordance with the policies within the Development Plan. This is reinforced by the Planning Practice Guidance. This matter is therefore only given limited weight in favour of the proposal.

Conclusion

- 9.40. Overall the impact of the development on the landscape character area is considered to moderate. There would be visual impacts associated with the development and with the more significant visual impacts of the development particularly from the north and east however these can be mitigated to some extent through additional planting and screening to the boundaries. The site is at one of the less sensitive entrances to the village to change and is relatively well contained by existing features. This harm needs to be weighed in the planning balance when considering the development as a whole.

Site Layout and Design Principles

Policy Context

- 9.41. Policy ESD15 of the CLP 2015 provides guidance as to the assessment of development and its impact upon the character of the built and historic environment. It seeks to secure development that would complement and enhance the character of its context through sensitive siting, layout and high quality design meeting high design standards and complementing any nearby heritage assets. The National

Planning Policy Framework is clear that good design is a fundamental to what the planning and development process should achieve. BSC2 of the CLP 2015 states that new housing should be provided on net development areas at a density of at least 30 dwellings per hectare unless there are justifiable reasons to lower the density.

- 9.42. Policy PD5 states that new development is required to high quality and reflect the guidance and principles set out in the Heritage and Character Assessment accompanying the Neighbourhood Plan. It goes onto state proposal should include appropriate landscape measure to mitigate impacts and be in keeping with the rural character of the village. Policy PH5 states parking should be built in direct association with the dwellings they serve and should be large enough to accommodate modern cars and bicycles.
- 9.43. The Council's Design Guide SPD seeks to ensure that new development responds to the traditional settlement pattern and character of a village. This includes the use of continuous building forms along principle routes and the use of traditional building materials and detailing and form that respond to the local vernacular.

Assessment

- 9.44. The application is in outline with all matters reserved except for access from Fewcott Road. The application is accompanied by an indicative layout and a Design and Access Statement, which indicates one way in which the site could be developed. It includes a public open space to the centre of the development around a mature tree, a small paddock area to the south and landscape buffers to north and east of the site.
- 9.45. Whilst many of the principles (including those outlined above) within the proposed indicative layout are considered appropriate for the site officers have several concerns which would need to be fully addressed as a part of a subsequent reserved matters application. For example, whilst frontage is created to the majority of Fewcott Road, the plot closest to the village is shown to have a side garden boundary wall creating the frontage which would not be in keeping with the pattern of development where there is generally a stronger frontage facing onto Fewcott Road. It is also considered that the plots to the east of the site should be further set into the plot to provide a gentler transition into the village.
- 9.46. Officers also have concerns that the proposed dwellings appear to be based on the more modern developments in the local village with deep plan forms and narrow frontage rather than the more traditional vernacular building form which is generally shallower plan form and wider frontage. The layout also appears rather gappy in places and lacks any continuous frontage; and the building styles indicated in the submitted Design and Access Statement would be overly complex and would not reflect the simpler vernacular form and detail. More defined boundary treatment and the use of limestone would all aid in improving the quality of the scheme and reflect the aspirations of the MCNP and other policy. However, given the current application is made in outline, these matters could be addressed through a reserved matters application.
- 9.47. The density of the scheme (excluding the paddock area to the south) equates to approximately 20 dwelling per hectare and is therefore relatively low density. Policy BSC2 of the CLP states that dwellings should be provided at 30dph unless there are justifiable planning reasons for a lower density. In this case the site lies at the edge of the village where the surrounding development has a relative low density. Furthermore, there is a need to provide landscape mitigation to the boundaries of the site. On balance the density is considered acceptable.

- 9.48. The illustrative layout seeks to retain the higher value trees on the site and integrate them into the layout and public open spaces. The layout demonstrates an appropriate level of public open space can be provided at the site including the area to the centre of the site countryside and areas around the boundaries of the site to comply with the requirements to general amenity space under Policy BSC11 of the CLP 2015 (approx. 0.2 hectares). Policy BSC11 also requires the provision of a local area of play (LAP); however, the parish council had requested a commuted sum to help upgrade the existing play area near the school and this can be secured through a legal agreement. This play area is approximately 250 metres from the site and is considered an acceptable alternative by officers to on-site provision.
- 9.49. In terms of integration with the surround movement network the proposal seeks to provide a new footpath along the frontage of Fewcott Road to join with Hodgson Close which will allow residents to access the village in a safe fashion on foot. It is also proposed to update the surface of the public footpath to the south of the site which would provide an alternative and more convenient link to Southfield Lane and East Street where the shop and public house exist. Whilst this route is not ideal it does improve the permeability of the development and the integration into the village.
- 9.50. Overall therefore it is considered that an acceptable layout and detailing can be negotiated at a reserved matters stage when matters of layout, appearance and landscaping are fully considered.

Heritage Impact

- 9.51. The designated Fritwell Conservation Area lies to the west and south-west of the site covering both the historic built core of the village as well as some of the paddocks to the south. Conservation Areas are designated heritage assets, and Paragraph 193 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy ESD15 of the CLP 2031 Part 1 and Policy PD4 echoes this guidance and this extends to the consideration of setting if the Conservation Area.
- 9.52. The development of the type and scale proposed on the site is not considered to be readily experienced from within the Conservation Area subject to an appropriate layout and is not considered to impact notably on its setting from main viewpoints from the Conservation Area in this locality given the intervening modern housing developments as well as landscape features. Officers are therefore satisfied that the proposals would not directly or indirectly harm the special character and appearance of the Conservation Area and so the proposals would not conflict with national or local planning policy in this regard

Highways

- 9.53. Policy ESD15 of the Cherwell Local Plan Part 1 states that: "New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions." Policy SLE4 states that: "All development where reasonable to do so, should facilitate the use of sustainable modes of transport (and) development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported." Policy PD5 of the MCNP seeks to ensure requires the provision of new footpaths to provide access to services and facilities of the village. The NPPF

advises that development should provide safe and suitable access for all and development should only be prevented or refused on transport grounds where the residual cumulative impacts are severe.

Assessment

- 9.54. The current application proposes to create a new 5.5 metre wide vehicle access from Fewcott Road into the development and also provide a new public footpath along Fewcott Road to link into the existing footpath at Hodgson Close.
- 9.55. When the application was originally submitted the Local Highway Authority (LHA) raised concerns over the visibility from the proposed access given the posted speed limit (60mph). Since this time the access has been relocated closer to the village and information of speed surveys undertaken at the site frontage been provided showing the 85th percentile speeds of 34.4mph for northbound traffic and 36.7mph for southbound traffic. The applicant has also proposed a number of works to the highway to help reduce vehicle speeds including the relocating the existing speed gate feature on Fewcott Road to a point approximately 30 metres to the south of the proposed site access, the provision of a Vehicle Activated Sign (VAS) and “dragons teeth” road markings. It is also proposed to relocate the existing 30mph speed limit which would be subject to a Traffic Regulation Order. Further to this information the LHA has raised no objection to the provision the new access and it is considered to be acceptable in terms of visibility and tracking. The works outlined above to create the access and undertake the highway improvement works would need to be secured through a S278 Agreement via the Section 106 agreement. The pedestrian link back to the village along Fewcott Road is also considered to be essential to provide pedestrian access and integration to the remainder of the village and the LHA is now satisfied this can be achieved in an acceptable manner.
- 9.56. The Parish Council has requested that further place making style road calming such as planted areas to narrow the entrance to the village and rumble strips (in keeping with those in Hodgson Close), and paved road areas be considered along Fewcott Road. However, Officers do not consider this is justified or necessary to make the proposal acceptable in planning terms in light of the LHA’s comments.
- 9.57. The LHA has not raised any objection to the application in terms of the impact of traffic generation on the highway network terms. Government guidance in the NPPF is clear that development should not be resisted on transport grounds except where the cumulative impact of congestion would be ‘severe’. This is a high test and is not considered the case in this application where the traffic impact would be relatively modest given the scale of the development and where there is no evidence that the existing highway network is at or near capacity.
- 9.58. The layout submitted is indicative, but it is also proposed to create a new link to the public right of way which exists to the south of the site and provides access to the East Street. This is considered important in terms of connecting and linking the site to the surrounding movement network and its provision can be controlled through a planning condition. The Highway Engineer and the Public Rights of Way (PRW) Officer at the County Council have both noted that surface of the existing public right of way needs to be improved to provide a more suitable access for residents and the Developer has agreed to undertake these under a Section S278. This needs to be secured through the legal agreement. The PRW Officer has requested a number of conditions relating to the protection of the right of way. However, the right of way is situated outside of the application site and obstruction of the right of way could be enforced by the LHA through other means.

- 9.59. The detailed matters raised by the LHA regarding the parking provision and vehicle tracking around the site would be considered as part of a reserved matters application as the layout of the site would be considered at that point.
- 9.60. It is noted that the Parish Council has requested a contribution toward future subsidies for public transport services serving the village. However, in light of there not being any public transport available in the village and given the fact there have been no requests for contributions for the County Council who may administer subsidies this is not considered to be reasonable or related to the development. Furthermore the County Council's request for Travel Information packs to new residents is also not considered to be justified given the limited choices available to new residents.

Ecology Impact

Legislative context

- 9.61. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.62. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.

Policy Context

- 9.63. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils; and d) minimising impacts on and providing net gains for biodiversity.
- 9.64. Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity

resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

- 9.65. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.66. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.67. Policy PD5 of the MCNP seeks net gain in biodiversity from planting.
- 9.68. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.69. The application is supported by a detailed Ecological Survey which concluded that there are no significant protected species issues on the site. The Council's Ecologist (CE) is satisfied with the detail and scope of the assessments and has noted that there is potential for bats to be present in some of the trees which will require checking if removed. Furthermore, there is potential for both reptiles and nesting birds to be affected so timing constraints and methods of clearance of vegetation need to be adhered to. These are outlined in the submitted reports and can be controlled by condition.
- 9.70. During the course of the application the CE requested that information be provided to demonstrate that a net gain in biodiversity can be achieved through the development. Given the outline nature of the application a indicative calculation has been undertaken which shows a net gain can be provided. The CE has queried where a number of features on which this calculation relies would be provided on the site. However, given the outline nature of the application where the layout is only indicative and the fact that the scheme will be relatively low density it is considered that it would be appropriate to control submission of these details to be provide with a the reserved matters application when these could be considered alongside the detailed layout of the proposal. This would also be considered through the proposed Landscape and Environmental Management Plan (LEMP) which is recommended to be conditioned.
- 9.71. Overall officers are satisfied, on the basis of the CE's advice and the absence of any objection from Natural England, and subject to conditions, that the welfare of any

European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Affordable Housing and Housing Mix

Policy

- 9.72. Policy BSC3 of the Cherwell Local Plan (2011-2031) states that development on the site should make provision for 35% affordable housing with 70% of the affordable housing being for rent and 30% as intermediate homes such as shared ownership. Policy BSC4 states that new development will be expected to provide a mix of home to meet current and expected future demand creating socially mixed and inclusive communities.
- 9.73. Policy PH1 of the MCNP relates to the housing mix of proposed market houses on development sites. This states new market should favour homes with a smaller number of bedrooms and states housing mix will be determined on the basis of the Strategic Housing Market Assessment (SHMA) or more up to date published evidence. It also goes onto state that regard will also be had to the characteristics of the site. On the basis of the SHMA, development of 10 dwellings or more should have the following indicative mix: 30% 1 or 2 bedrooms, 46% 3 bedrooms and no more than 24% with 4 or more bedrooms.
- 9.74. Policy PH3 of the MCNP seeks to favour development which provides dwellings which are designed to enable residents to live their through different stages of their life. It also offers support of new homes to be built to accessible standards (wheelchair adaptable or wheelchair accessible) and dwellings on a single level suitable for older people and those with disabilities.

Assessment

- 9.75. The applicant has committed to providing 35% affordable housing on the site in line with Policy BSC3. The detailed housing mix would be determined at reserved matters stage and at the current time the plans are only indicative. This would equate to 10 affordable units which would be split 70% rent and 30% shared ownership/intermediate housing. The Councils Housing Officer has suggested a proposed mix of tenures and sizes and these would form the basis of negotiations on the reserved matters application.
- 9.76. In relation to the market housing mix the Local Planning Authority was not provided details when the application was submitted. However, the Neighbourhood Plan Forum and Parish Council have both raised concerns regarding the number of 4 bedroom properties and consider the mix should be altered to reflect the Neighbourhood Plan housing mix with less '4 or more' and an increase in 3 bed properties. The applicant has responded providing an indicative mix of market dwellings as outlined below:

Unit Type	Proposed market Housing	Proposed %	MCNP %requirement
2 Bed	5 (incl 2 x bungalow)	28%	30%

3 Bed	8	44%	46%
4/5 Bed	5	28%	24%
Total	18	100%	100%

- 9.77. In officers view the revised indicative mix broadly complies with the policy in the Neighbourhood Plan. Furthermore, it must be remembered that full details of the housing mix both of market and affordable housing would be determined at reserved matters stage (although it would need to reflect that set out in the table above, unless a greater number of smaller dwellings are proposed at that time). The affordable housing would need to be secured by a legal agreement.
- 9.78. The applicant is also proposing to provide 2 bungalows on the site as part of the housing mix. The applicant has agreed that these will be provided to Part M 4(2) (accessible and adaptable dwellings) standard and this can be secured as a planning condition which weighs in favour of the development in terms of gaining support from Policy PH3 of the MCNP.
- 9.79. Overall therefore officers consider the level of affordable housing and housing mix has been adequately addressed.

Flooding Risk and Drainage

- 9.80. Policy ESD6 of the CLP 2015 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk. In short, this policy resists development where it would increase the risk of flooding and seeks to guide vulnerable developments (such as residential) towards areas at lower risk of flooding. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems (SUDS) to manage surface water drainage. This is all with the aim to manage and reduce flood risk in the District.

Assessment

- 9.81. The current is situated wholly within Flood Zone 1 which is land which has a less than 1 in 1,000 annual probability of river flooding which has the lowest probability of flooding. The site also lies in an area identified as very low risk of surface water flooding on the Environment Agency's flood risk maps. The site is accompanied by a Flood Risk Assessment. This proposed an outline surface water drainage strategy which indicates it is proposed to discharge the surface water through a combination of domestic soakaways, permeable paving and restricted discharge to the ditch on the south east boundary of the site. The report states that infiltration is likely to be feasible.
- 9.82. The LLFA has raised a number of queries in relation to surface water drainage scheme however given the outline nature of the scheme they are satisfied that a detailed drainage scheme can be conditioned and be considered at part of the detailed layout of the site. Officers agree with this assessment. Concerns have also been raised that the provision of a footway along Fewcott Road may impact on the existing roadside ditch. If this does occur full details of this can be considered in the detailed drainage scheme.
- 9.83. A number of concerns have been raised regarding the adequacy of the existing sewerage infrastructure to accommodate the development including statements that issues have occurred in other parts of the village. However, Anglian Water has been

consulted and have stated that there is adequate capacity in their existing systems to accommodate the demands of the proposed development and the developer would need to contact them to arrangement the relevant connections. Given they are the statutory undertaker in this regard this is considered to be acceptable.

Impact on neighbouring amenity

- 9.84. Policy ESD 15 of the CLP 2031 (Part 1) requires new development to consider the amenity of both existing and future occupants, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.

Assessment

- 9.85. The layout submitted is only indicative so it is difficult to make a full assessment of the impacts of the development on residential amenity as these would be subject to consideration in the reserved matters application where layout and appearance would be fully considered. However, the residential nature of the proposal is considered to be compatible with the surrounding land uses which are residential and agricultural. Whilst concerns have been raised regarding noise and disturbance to existing properties these are not considered to lead to material harm given the residential nature of the proposal.

- 9.86. The properties which would be most significantly impacted upon by the proposals are those properties which face onto the western boundary of the site in Hodgson Close. The proposal would clearly alter the view experienced over the application site from these properties which is currently over an undeveloped field; however, it is a long-established planning principle that there is no right to a private view. The indicative layout suggests the proposal would exceed the separation distances outlined in the Council's Residential Development Design Guide SPD which seeks to ensure that new development does not result in significantly harmful impacts to neighbouring properties in terms of loss of privacy, light or outlook. Therefore, whilst acknowledging there would be some increase in overlooking, loss of outlook and light to the adjoining residential properties this is considered to ensure a good standard of residential amenity would be retained for these properties.

Impact on Local Infrastructure

Policy Context

- 9.87. Policy INF1 of the CLP 2015 states that: *"Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities."*
- 9.88. Policy BSC11 of the CLP 2015 states that: *"Development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The amount, type and form of open space will be determined having regard to the nature and size of development proposed and the community needs generated by it. Provision should usually be made on site in accordance with the minimum standards of provision set out in 'Local Standards of Provision – Outdoor Recreation'. Where this is not possible or appropriate, a financial contribution towards suitable new provision or enhancement of existing facilities off site will be sought, secured through a legal agreement."* Policy BSD12 requires new development to contribute to indoor sport, recreation and community facilities.
- 9.89. The Developer Contributions Supplementary Planning Document (SPD) sets out the position in respect of requiring financial and onsite contributions towards ensuring

the necessary infrastructure or service requirements are provided to meet the needs of development, and to ensure the additional pressure placed on existing services and infrastructure is mitigated. This is the starting point for negotiations in respect of completing S106 Agreements.

Assessment

- 9.90. Where on and off-site infrastructure/measures need to be secured through a planning obligation (i.e. legal agreement) they must meet statutory tests set out in regulation 122 of the Community Infrastructure Ley (CIL) Regulations 2010 (as amended). These tests are that each obligation must be:
- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development;
 - c) Fairly and reasonably related in scale and kind to the development.
- 9.91. Where planning obligations do not meet the above statutory tests, they cannot be taken into account in reaching a decision. In short, these tests exist to ensure that local planning authorities do not seek disproportionate and/or unjustified infrastructure or financial contributions as part of deciding to grant planning permission. Officers have had regard to the statutory tests of planning obligations in considering the application and Members must also have regard to them to ensure that any decision reached is lawful.
- 9.92. Having regard to the above, in the event that Members were to resolve to grant planning permission, the following items would in officers' view need to be secured via a legal agreement with both Cherwell District Council and Oxfordshire County Council in order to secure an appropriate quality of development as well as adequately mitigate its adverse impacts:

Cherwell District Council

- Provision of and commuted sum for maintenance of open space (including informal open space, mature trees, hedgerows etc) in accordance with the Policy BSC11 of the CLP (approx. 0.2ha of informal open space)
- Provision of a commuted sum of £2,306.68 per dwelling to the upgrading/provision of local play equipment in Fritwell as no play provision is being provided on site
- Off-site outdoor sports facilities capital provision – improvement of sports fields in Fritwell to benefit sports provision including potential green gym equipment. This has included discussions with the Recreation Officer and the Playing Fields Committee. A request was made to spend this money on a zip wire however this was considered by officers to be play related rather than sports related therefore it was not considered appropriate. Based on £2017.03 per dwelling. 28no dwellings = £56,476.84
- Off-site indoor sports facilities – Towards Bicester Gymnastics Club to develop a specialist gymnastics (identified in the Councils District Sports Study). Whilst concerns have been raised this should be spend in the village there are no specific indoor sports facilities in the village and the population of the development will clearly be reliant on the neighbouring towns such as Bicester for wider indoor sports provision. This is a project is identified in the District Sports Study - £23,378.51
- Community hall facilities - £32,266.00 – To be spent on improvements/enhancements to Fritwell Village Hall
- £106 per dwelling for bins
- Affordable housing provision – 35% (10 units)

Oxfordshire County Council

- Contribution towards creation of additional secondary school capacity through expansion of Heyford Park School (£118,662 based on current housing mix but will change with different housing mix)
- No contributions are sought to primary education, SEN provision or nursery provision as there is capacity in the local area to accommodate the development taking into account the scale of the development.
- An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:
 - Construction of the site access.
 - Extension of the 30mph speed limit.
 - Construction of footway from site access to join existing footpath in village at Hodgson Close
 - Identification of areas to be provided as public highway and provision of visibility splays.
 - Village entry treatment including new vehicle activated sign, relocation of gateway feature and dragons teeth on carriageway.
- Obligation to enter into a S278 agreement to provide upgrades to the public right of way to the south of the site.

Other

- OCCG group have requested a contribution to support capital projects associated with either Deddington surgery or Alchester Medical group (£360 per person – circa 67 people). Whilst they have pointed to growth in population in these catchments over recent years they have not indicated whether these surgeries are operating at or above capacity and what infrastructure the contributions would be used to fund to mitigate the impacts of the development. At the current time it is not considered that such a contribution can be justified however further information has been requested from the OCCG.

Conclusion

9.93. A number of items would need to be secured via a legal agreement with both Cherwell District Council and Oxfordshire County Council in order to secure an appropriate quality of development as well as adequately mitigate its adverse impacts.

Other Matters

9.94. Saved Policy ENV12 of the CLP1996 sets out that development on land which is known or suspect to be contaminated will only be permitted if,

- (i) Adequate measures can be taken to remove any threat of contamination to future occupiers of the site.
- (ii) The development is not likely to result in contamination of surface or underground water resources
- (iii) The proposed use does not conflict with other policies in the plan.

9.95. The site is on land which is potentially contaminated and the Council's Environmental Protection Officer (EPO) has therefore recommended that phased contaminated land conditions need to be attached should permission be granted. Officers agree with this assessment.

- 9.96. The Council's EPO has requested a condition in regard to the installation of Electric Vehicle charging infrastructure in order to make resident parking places EV ready for future demand. The NPPF and Policies SLE4 and ESD1 of the CLP 2015 encourage and support the incorporation of measures into new development that promote more sustainable forms of transport. It is considered reasonable and necessary for this to be secured through a condition of any permission given.
- 9.97. Policy ESD1 of the CLP 2031 states that measures should be taken to mitigate the impact of development within the District on climate change, and Policy ESD2 of the CLP 2031 seeks to achieve carbon emission reductions. Policy ESD3 of the CLP 2031 encourages sustainable construction methods. The reference to allowable solutions in Policy ESD2 and 'zero carbon' are no longer being pursued by the government so are no longer relevant. However, the water usage requirements of ESD3 are still required to be met. In regard to energy efficiency the Council now seeks to secure in excess of that required under the 2013 Building Regulations. These could be controlled through a condition. The Neighbourhood Plan Forum has requested that the developer make the scheme an exemplar scheme in terms of energy usage and insulation. However, this does not form part of the proposals currently advanced by the applicant and it is not a requirement of the Development Plan to do this. This is therefore not considered to be justified and it is not considered there would be sufficient policy grounds to require this given the conclusion that the development as a whole complies with the Development Plan.
- 9.98. Policy PD6 requires the consideration of external lighting and the impact of this on the character and appearance of the locality and nature conservation. Given the outline nature of this application full details of this could be controlled through condition.
- 9.99. In relation to the best and most versatile agricultural land (BMV), a report has been submitted with the application that concludes the site falls within Grade 3A which is classified as being best and most versatile agricultural land (alongside Grade 1 and 2 land) which Policy Villages 2 of the Cherwell Local Plan and Policy PD1 of the MCNP requires the consideration of this issue. The NPPF also states planning decisions should recognise the economic and other benefits BMV land. The applicant has provided an analysis of this matter and it is noted that the site has previously been used as roughly grazed paddock and a small private allotment. Given the size of the site and the multiple ownerships it is not considered likely to be used for arable cropping in the future and even if it were to be the economic contribution this land would make would be limited given its size. Furthermore, they have reviewed the Predictive BMV Land Assessment maps from DEFRA and note that all the land around Fritwell has a moderate to high likelihood to include BMV agricultural land. Therefore, any development outside the settlement has a relatively high potential to impact on BMV land. Given these matters this issue are only considered to carry limited weight against the proposal.
- 9.100. Concerns have been raised by a number of local residents that they do not consider the comments of the parish represent the views of local residents. However, these are not matters that impact on the determination of the planning application. The views of the Parish Council as an organisation may differ from the views of the individuals making comments on the application. Officers have considered and had regard to all the comments on the application in forming a recommendation the application.
- 9.101. Finance considerations - Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. Section 70(4) of the 1990 Act (as amended) defines a local finance consideration as a grant or other financial

assistance that has been, that will or that could be provided to a relevant authority by a Minister of the Crown (such as New Homes Bonus payments), or sums that a relevant authority has received, or will or could receive, in payment of the Community Infrastructure Levy.

- 9.102. In this particular instance, the above financial payments are not considered to be material to the decision as they would not make the development acceptable in planning terms. It would not be appropriate to make a decision based on the potential for the development to raise money for a local authority.

10. PLANNING BALANCE AND CONCLUSION

- 10.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 advises that the three dimensions to sustainable development (economic, social and environmental), which are interdependent; need to be pursued in mutually supportive ways.
- 10.2. Government guidance within the NPPF supports the plan-led system and advises that applications that accord with an up-to-date plan should be approved without delay.
- 10.3. In reaching an informed decision on planning applications there is a need for the Local Planning Authority to undertake a balancing exercise to examine whether the adverse impacts of a development would be outweighed by the benefits such that, notwithstanding the harm, it could be considered sustainable development within the meaning given in the NPPF. In carrying out the balancing exercise it is, therefore, necessary to take into account policies in the development plan as well as those in the NPPF. It is also necessary to recognise that Section 38 of the 1990 Act continues to require decisions to be made in accordance with the development plan and the NPPF highlights the importance of the plan led system as a whole.
- 10.4. The site is not specifically allocated for development however it is located adjacent to the settlement boundary of Fritwell which is a Category A settlement. The MCNP provides an indicative/approximate level of growth of 25 dwellings, which is considered to be acceptable at Fritwell over the plan period. On balance the scale of the current proposal would comply with this level of growth and would bring economic and social benefits arising for the provision of new housing which carry moderate weight in the planning balance. The proposal would also bring benefits in terms of the provision of affordable housing to the village and would also provide 2 accessible bungalows which is supported by the MCNP. These matters weigh in favour of the development.
- 10.5. The proposal would result in some harm to the rural character and appearance of the locality and the urbanisation of the site at the edge of the village. However, these impacts could be reduced through the provision of additional landscaping which over time would reduce the more significant impacts. There would also be some harm to the landscape character of the area. However, this would be limited given the scale of the scheme and relationship to existing settlement. Officers consider that the scale of growth outlined at Fritwell in the MCNP is very likely to require the provision a site(s) outside the built up limits of the village and Policy PD1 does allow for such sites to come forward. Therefore, the loss of open countryside is likely to occur to accommodate the growth planned at the village. The application site is located at one of the less sensitive edges of the village in heritage terms and would be seen in the context of existing modern development. Furthermore, given the features on site, the site has a relatively strong visual connection to the settlement and a degree of visual containment. The loss of Best and Most Versatile

Agricultural Land also weighs against the proposal; however, given the nature and size of the site this harm is considered to be limited.

- 10.6. Whilst acknowledging there would be some harm to the character and appearance of the area, the benefits of the proposal are considered to outweigh the identified harm, and when viewed together the proposals are considered to comply with the Development Plan when read as a whole. It is therefore recommended that planning permission be granted.

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO **GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW** (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) **AND THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106** OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- a) Provision of and commuted sum for maintenance of open space (including informal open space, mature trees, hedgerows etc) in accordance with the Policy BSC11 of the CLP (approx. 0.2ha of informal open space)
- b) Provision of a commuted sum of £2,306.68 per dwelling to the upgrading/provision of local play equipment in Fritwell as no play provision is being provided on site
- c) Off-site outdoor sports facilities capital provision towards improvement of sports fields in Fritwell. Based on £2017.03 per dwelling. 28no dwellings = £56,476.84
- d) Off-site indoor sports facilities – Towards Bicester Gymnastics Club to develop a specialist gymnastics (identified in the Councils District Sports Study) - £23,378.51
- e) Community hall facilities - To be spent on improvements/enhancements to Fritwell Village Hall - £32,266.00
- f) £106 per dwelling for bins
- g) Affordable housing provision – 35% (10 units)
- h) Contribution towards creation of additional secondary school capacity through expansion of Heyford Park School (£118,662 based on current housing mix but will change with different housing mix)
- i) An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:
 - Construction of the site access.
 - Extension of the 30mph speed limit.
 - Construction of footway from site access to join existing footpath in village at Hodgson Close
 - Identification of areas to be provided as public highway and provision of visibility splays.
 - Village entry treatment including new vehicle activated sign, relocation of gateway feature and dragons teeth on carriageway.
- j) Obligation to enter into a S278 agreement to provide upgrades to the public right of way to the south of the site.

CONDITIONS

Time Limits

1. No development shall commence until full details of the layout (including the

layout of the internal access roads and footpaths), scale, appearance, and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

2. In the case of the reserved matters, the final application for approval shall be made not later than the expiration of three years beginning with the date of this permission.

Reason: This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

3. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason : To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

Compliance with Plans

4. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: Application form and drawing number PL.01 and drawing number J32-3847-PS-001 Rev F included in Mode Transport Planning Technical Note (dated 30.9.19)

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Finished floor levels

5. No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed strictly in accordance with the approved levels.

Reason: To secure an acceptable standard of development that safeguards the visual amenities of the area and the living conditions of existing and future occupiers and to ensure compliance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance within Section 12 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Accessible and adaptable homes

6. As part of the reserved matters the proposal shall include the provision of at least 2 bungalows which shall be constructed to meet the Building Regulations M4(2) standards for accessible and adaptable homes. The dwellings shall be provided on site to accord with this standard and shall be retained as such thereafter.

Reason: To provide a mix of dwellings as supported by Policy PH3 of the Mid-Cherwell Neighbourhood Plan (2019), Policy ESD15 of the Cherwell Local Plan and advice in the National Planning Policy Framework.

Land Contamination Desk Study / Site Walkover

7. Prior to the submission of any reserved matters and prior to the commencement of development a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model has been carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and has been submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Land Contamination Intrusive Investigation

8. If a potential risk from contamination is identified as a result of the work carried out under condition 7, prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Land Contamination Remediation Scheme

9. If contamination is found by undertaking the work carried out under condition 8, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and

the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Land Contamination Remediation Works

10. If remedial works have been identified in condition 9, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 9. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Section 15 of the National Planning Policy Framework.

Detailed Drainage Scheme

11. As part of any reserved matters for layout and prior to the development commencing detailed designs of the proposed surface water drainage scheme including details of implementation, maintenance and management shall be submitted to and approved in writing by the local planning authority. Those details shall include:
 - a) Information about the design storm period and intensity, critical storm duration (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;
 - b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);
 - c) Flood water exceedance routes, both on and off site;
 - d) A timetable for implementation;
 - e) Site investigation and test results to confirm infiltrations rates; and
 - f) A management and maintenance plan, in perpetuity, for the lifetime of the development which shall include the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime.

No building hereby permitted shall be occupied until the sustainable drainage scheme for this site has been completed in accordance with the approved details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

Reasons: To ensure that the proposed development can be adequately drained and to manage the flood risk on or off the site resulting from the proposed development in accordance with Policy ESD6 and ESD7 of the Cherwell Local Plan and advice in the National Planning Policy Framework.

Full details of access

12. Prior to the commencement of the development hereby approved, details of the means of access between the land and the highway on Fewcott Road, including position, layout and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the occupation of any of the dwellings, the means of access shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework

Details of connection to footpath

13. As part of the reserved matters for layout, full details of the proposed new connection to the public footpath adjacent to the southern boundary of the site shall be submitted and approved in writing by the local planning authority. The connection shall be provided in accordance with the approved details in accordance with a timetable to be first submitted and approved in writing by the Local Planning Authority prior to any works above slab level on any of the dwellings hereby permitted.

Reason: To integrate the development into the surrounding movement network and promote walking in accordance with Policy SLE4 of the Cherwell Local Plan (2015) and advice in the NPPF.

Construction Traffic Management Plan

14. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Construction Traffic Management Plan shall be implemented and operated in accordance with the approved details.

Reason - In the interests of highway safety and the residential amenities of neighbouring occupiers.

Construction Environment Management Plan

15. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason – To protect the amenity of the neighbouring properties in accordance with Policy ESD15 of the Cherwell Local Plan and advice in the National Planning Policy Framework.

Energy Statement

16. Prior to the commencement of any works associated with the construction of a dwelling, details of the means by which all dwellings will be designed and constructed to achieve an energy performance standard equivalent to a 19% improvement in carbon reductions on 2013 Part L of the Building Regulations (unless a different standard is agreed with the local planning authority) shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until it has been constructed in accordance with the approved energy performance measures.

Reason - In the interests of environmental sustainability in construction in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance in the National Planning Policy Framework.

Biodiversity enhancement

17. Prior to the commencement of the development hereby approved including any demolition, and any works of site clearance, and as part of any reserved matters for layout and landscaping, a method statement and scheme for enhancing biodiversity on site such that an overall net gain for biodiversity is achieved, to include details of enhancement features and habitats both within green spaces and integrated within the built environment, shall be submitted to and approved in writing by the Local Planning Authority. This shall also include a timetable for provision. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason -To ensure the development provides a net gain in biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

NOTE: It is advised that this condition include a Biodiversity Impact Assessment to show how a clear net gain for biodiversity will be achieved.

Landscape and Ecological Management Plan (LEMP)

18. Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of all planting, soft landscaping and biodiversity features and management and maintenance ongoing (including funding details and timetable). Thereafter, the development shall not be carried out other than in accordance with the approved LEMP.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Electric charging points infrastructure

19. No development shall commence above slab level until a scheme for a system of ducting to allow for the future installation of electrical vehicle charging infrastructure to serve each dwelling or a scheme showing the provision of electrical vehicle charging points for each dwelling has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details prior to the first

occupation of the dwelling.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

Lighting strategy

20. Prior to the installation of any external lighting a full lighting strategy to include illustration of proposed light spill shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

Reason -To protect the amenity of the locality and habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Water usage

21. No dwelling shall be occupied until it has been constructed to ensure that it achieves a water efficiency limit of 110 litres person/day and shall continue to accord with such a limit thereafter.

Reason - In the interests of sustainability in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Compliance with ecological appraisal

22. The development hereby approved shall be carried out strictly in accordance with the recommendations outlined in sections 9.7, 9.8 and 8.9-8.11 of Extended Phase 1 Survey Report prepared by Lockhart Garratt, dated 12/11/2018.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Cycle Parking Provision

23. No dwelling of the development hereby permitted shall be occupied until cycle parking has been provided according to a plan showing the number, location and design of cycle parking for the dwellings that has previously been submitted to and approved in writing by the Local Planning Authority. The cycle parking will be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - To ensure appropriate levels of cycle parking are available at all times to serve the development, and to comply with Government guidance contained within the National Planning Policy Framework.

Appendix 26

Banbury Road Appeal Decision

Appeal Decision

Inquiry held on 29 July 2014

Site visit made on 4 August 2014

by **S R G Baird BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 3 September 2014

Appeal Ref: APP/C3105/A/14/2213263

Land off Banbury Road, Adderbury, Oxfordshire OX17

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Cala Homes Limited against the decision of Cherwell District Council.
 - The application Ref 13/00996F, dated 28 June 2013, was refused by notice dated 4 October 2013.
 - The development proposed is residential development of 26 units.
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Preliminary Matter

1. The appellant asked that the appeal be determined on the basis of the erection of 25 dwellings along with alterations to the proposed elevations. The reasons for the amendments are to provide a Local Area of Play (LAP) and to address concerns relating to appearance. The appellant carried out public consultation and submitted a planning application for 25 units to the local planning authority (lpa), which was refused on 20 June 2014.
2. Given the consultation exercise and the lpa's formal consideration of a broadly similar scheme, there would be no prejudice to any party by determining this appeal on the basis of the scheme as amended. Accordingly, this appeal has been decided on the basis of the refusal of planning permission for residential development of 25 units as shown on Drawing Nos. 13-843-001; 003 Location Plan only); 014A; 131; 132; 133; 135; 136; 138; 141; 143; 150; 151; 152; 060; 061 and 062.
3. Reason for Refusal (RfR) 2 relating to Footpath 1 (10/11) was added to the decision notice in error and was not pursued by the lpa.
4. A copy of an engrossed S106 Agreement between the land owners, Cala, Cherwell District Council and Oxfordshire County Council was submitted.

Decision

5. The appeal is allowed and planning permission is granted for residential development of 25 units on land off Banbury Road, Adderbury, Oxfordshire OX17 in accordance with the terms of the application, Ref 13/00996F, dated 28 June 2013, subject to the conditions set out in the attached Schedule of Conditions.

Main Issues

6. The first issue is the effect on the character and appearance of the area. The second issue is whether having regard to the design, layout and housing mix, the proposal would constitute a high quality and inclusive design. The third issue is whether the proposal provides an acceptable mix of affordable housing to meet the needs of the local community. The fourth issue is whether any harm arising from the development would be outweighed by any other material considerations.

Planning Policy

Planning Policy

7. The National Planning Policy Framework (Framework) seeks, amongst other things, “...to boost significantly the supply of housing..., the achievement of high quality and inclusive design... and to ...contribute to and enhance the natural and local environment...” Framework paragraph 49 says that relevant policies for the supply of housing should not be considered up-to-date if the lpa cannot demonstrate a 5-year supply of deliverable housing sites. Whilst not accepting the appellant’s calculation of housing land supply, the lpa acknowledged that it does not have a 5-year supply of deliverable housing sites and therefore the guidance at Framework paragraph 14 is engaged.
8. Framework paragraph 14 says that where, amongst other things, relevant policies are out-of-date, planning permission should be granted unless, “any adverse impacts in doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole...”. At paragraph 215, the Framework goes on to say, “...due weight should be given to relevant policies... according to their degree of consistency with this framework...” As to emerging plans, paragraph 216 says that weight may be given to relevant policies depending on, amongst other things, the stage of preparation of the emerging plan and the degree of consistency of relevant policies to policies in the Framework. The Framework, the High Court (HC) judgements¹ and appeal decisions that were placed before the Inquiry set the context for my consideration of the development plan.
9. The development plan includes saved policies in the Cherwell Local Plan (LP) adopted in 1996. Although the Non-Statutory Cherwell Local Plan 2004 was approved as interim planning policy for decision making purposes, it was never submitted for examination nor formally adopted and as such attracts very little weight. Whilst the Proposed Submission Cherwell Local Plan 2013 was submitted for examination, that process has been suspended because the plan did not reflect the District’s objectively assessed housing need. As such and given the nature of this appeal, this plan attracts little weight. The Draft Adderbury Plan is a Neighbourhood Plan being prepared by the Parish Council. This plan has not been submitted to the Council or for examination. In this context and given that the Parish Council could not indicate when the plan would be submitted for examination, it attracts very little weight.

¹ (1) William Davis, (2) Jelson Limited and (1) Secretary of State for Communities & Local Government, (2) North West Leicestershire District Council, [2013] EWHC 3058 (Admin) & South Northamptonshire Council and Secretary of State for Communities and Local Government & Barwood Land and Estates Limited. [2014] EWHC 573 (Admin).

10. The appeal site adjoins the built-up area of Adderbury and for planning policy purposes is located in the countryside. As LP Policies H12 and H13 refer to development within settlements, they are not relevant to this case. None of the criteria set out in LP Policy H18, which allows new dwellings in the countryside, apply in this case. Moreover, given the guidance at Framework paragraph 49, the lpa acknowledged that LP Policy H18 is, "...to a large extent ...redundant..." and "...of no real assistance in this case". I have no reason to disagree with the lpa's conclusion on the relevance of LP Policy H18.
11. The LP contains policies relating to rural and urban conservation and design. LP Policy C7 says that development will not normally be permitted if it would cause demonstrable harm to the topography and character of the landscape. This policy is not inconsistent with the Framework and as such attracts due weight. LP Policy C8 indicates that sporadic development in the countryside will generally be resisted. The supporting text says that this policy applies to all new developments beyond the built-up limits of settlements. Assessing this policy in light of the Framework, HC judgements and appeal decisions and given that the policy clearly says that it is to be applied to all development, I conclude that it is a policy relevant to the supply of housing and, in the absence of a 5-year supply of housing land, is out of date.
12. The site falls within an area identified in the LP as an Area of High Landscape Value (AHLV) where the objective of LP Policy C13 is to conserve and enhance the environment. Noting that the emerging LP does not intend to take forward the AHLV designations and guidance in the Framework, which expects development plans to give protection to landscapes commensurate with their status through criteria based policies, LP Policy C18 is inconsistent with the Framework and as such attracts reduced weight. LP Policies C28 and C30, seek to achieve a high standard of development and are generally consistent with the objectives of the Framework attract appropriate weight.

Reasons

Issue 1 - Character & Appearance

13. The site comprises a field of rough pasture located on the north-western edge of the settlement and straddles the upper slopes of a localised valley associated with the Sor Brook to the west. The boundary with Banbury Road is formed by a dense mainly deciduous hedgerow containing a number of mature trees, which generally obscures views of the open countryside to the south-west, west and north-west from the road and views of the houses on the opposite side of the road from the west. Where there are gaps in the mature hedgerow on the northern approach to Adderbury along Banbury Road, glimpses of the spire of the Church of St. Mary located within the village core are obtained. The site dips steeply to the west following the east/west line of the valley. To the north, beyond a low post and rail fence and a sporadic hedge, the land rises, steeply in parts, to the north. To the south is a small area of open space that, along with built development that curves to the east along a ridge line, overlooks the Sor Brook valley. These developments form a prominent and, in places, harsh built-up fringe of this part of Adderbury. The southern and western boundaries of the site are formed by a low post and rail fence with very little hedgerow planting.

14. Having regard to the position of the site within the AHLV and the local landscape characteristics², but more particularly the prominent and harsh edge formed by houses on Banbury Road and at Adderbury Court and the limited zone of visibility of the site, I consider the site has medium-high landscape value. Whilst the development would result in encroachment into the countryside, given the sloping nature of the site and that houses would be seen against existing built development, the site has a medium susceptibility to change. In this context, the development would not appear isolated or incongruous in the landscape and as such would have a moderate adverse effect on landscape character.
15. The countryside to the north-west and around the site contains a network of public footpaths. The eastern, northern and western site boundaries have public footpaths either within the site or outside it running broadly parallel to its boundaries. Immediately adjoining the proposed site access on Banbury Road, a public footpath runs through the open space, and Adderbury Court to the village core. These paths form part of, or link into, paths that run into the wider countryside. Other than the overgrown and inaccessible path that runs parallel to Banbury Road through the site, the remainder of the paths appear to be well used. The Adderbury Conservation Area Appraisal identifies a "Positive Vista" which appears to be from a point at the north-eastern corner of the site on the inaccessible footpath.
16. Having walked several of the paths and along Banbury Road southwards from Green Hill House, given the topography of the area and the availability of intervening planting and screening, the proposed development would have a limited visual impact in medium to the long distance views. One area of particular concern was the potential impact of the development on views of the northern edge of the village and the Church of St Mary from Banbury Road and the Positive Vista Point. As the Positive Vista point is within the site, this would be lost through the development. However, the path is inaccessible and that view cannot be experienced.
17. Produced using computer modelling, the appellant produced a photomontage (PM) of the development viewed from Footpath 101/1 to the north of the site. This PM suggests that the development would sit below the ridge line of properties at Adderbury Court, well below the ridge on which the village sits, the ridge lines of properties along northern edge of the village and would not block views of the church spire. The lpa, acknowledging that it had not carried out a similar computer-based exercise, submitted a revised PM which suggested that the appellant's PM significantly underestimates the impact of the scheme in terms of its height in relation to the ridge and ridge lines of houses beyond and its projection to the west. The photograph on which both PMs are based was taken during the winter. However, at the time of the Inquiry, the view south and west was completely obscured by a crop of sweet-corn and I was unable to come to a conclusion regarding the veracity of the lpa's submission. However, what is clear is that in both PMs, the development would sit below the ridge line on which the village sits and the view of the church spire would not be obscured in views from Banbury Road to the north of the site.

² The Cherwell District Landscape Assessment 995. The Cherwell Countryside Design Summary 1998 and the Oxfordshire Wildlife and Landscape Study 2004

18. Notwithstanding my conclusions above, whilst the visual impact of the scheme would be partly mitigated by the introduction of strong boundary hedge planting on the northern, western and southern boundaries, the development would have a significant and major adverse visual impact on users of the public footpaths near to and around the site. In particular these adverse impacts would be felt from the public footpath through the open space to the north of Adderbury Court, from the southern end of Croft Lane where the Adderbury Circular Trail leaves the village and from Footpath 101/11 immediately to the west of the site. In terms of views along Banbury Road, whilst these would change with the loss of the mature hedge, given the built-up nature of the area, the visual impact would be moderate adverse.
19. Drawing the above together, the proposed scheme would have a moderate adverse effect on landscape character and a major adverse visual impact when viewed from the public footpaths to the west and south. As such the proposal would conflict with the objectives of LP Policies C7, C13 and C18.

Issue 2 - Design and layout

20. One of the core planning principles identified at Framework paragraph 17 is securing high quality design and a good standard of amenity for existing and future occupants of land and buildings. The Framework, at Section 7, says that good design is indivisible from good planning and should contribute positively to making places better for people. Paragraph 61 identifies that securing high quality and inclusive design goes beyond aesthetic considerations and should address the connections between people and places and the integration of new development into the natural and built environment. Amongst other things, decisions should aim to ensure that a development functions well and adds to the overall quality of the area; establishes a strong sense of place; responds to local character and reflects the identity of local surroundings and materials; creates safe and accessible environments and is visually attractive as a result of good architecture and landscaping. Development that fails to take opportunities available for improving the character and quality of an area and the way it functions should be refused.
21. The lpa expressed concern that as the LAP was originally designed to provide a housing unit and on 2 sides abutted private garages it lacked permeability and surveillance. As such it would not function well or create a safe environment. LAPs are intended to be small areas used for informal play and social interaction. To provide for security and to avoid anti-social activity, LAPs should be designed and located to allow for informal observation and supervision. In terms of surveillance, other than suggesting that LAPs should be located to allow for surveillance from adjacent well-used pedestrian routes and property, no evidence was submitted to suggest that it should be overlooked by a minimum number of dwellings or that there should be 360 degree overlooking. Indeed, the Fields in Trust guidance provided by the lpa indicates that, "*gable ends or other exposed walls can be protected ...by providing a dense strip of planting...*" indicating that 360 degree surveillance is not a pre-requisite to the successful location and design of a LAP.
22. Here, the LAP would be located on a corner, adjacent to a footpath and estate road that the residents of 22 of the proposed dwellings would have to walk and drive along. At a minimum the area would be directly overlooked by 5

dwellings and partly overlooked by a further 3, albeit these would be further away. In this context, the LAP is located such that there would be adequate informal supervision to provide security for play. Moreover, the boundary treatment of the LAP and feature landscaping could be designed and maintained so as to maintain informal surveillance and permeability.

23. It is suggested that by providing the affordable housing as mostly higher density apartments and locating them in the north-eastern corner of the site this would ensure they were distinguishable from the market housing and as such fail to demonstrate inclusive design. This, the Ipa suggests conflicts with local and national guidance that affordable housing should not be distinguishable from private housing by its design or be banished to the least attractive part of the site. In terms of design and the nature of the finishing materials to be used there would be nothing, in my judgement, that would distinguish this block from the rest of the development. Similarly, given the scale of the site there is nothing that suggests that the north-eastern corner of the site would qualify as the least attractive part of the site. Indeed, the Council's Strategic Housing Officer (SHO) records that he accepts the location of the affordable housing. In this context, the fact that these dwellings are apartments would not immediately suggest that they are affordable units.
24. It is my experience that mixed developments are encouraged so as to provide diversity and social cohesion. Moreover, many developments contain a range of house types to react to market demand and housing need. People choose to live in apartments for a variety of reasons i.e. they are downsizing or they do not want a garden. The fact that people live in flats does not show that they are in need of affordable housing. Drawing this together, there is nothing in the design, location and type of accommodation intended as affordable housing that would suggest that this development would not be inclusive.
25. A variety of criticisms are levelled at the development including the use of a cul-de-sac layout, the detached nature of the housing and the absence of links from the development to the public footpath network particularly to the north-west, west and south-west. Other concerns relate to the scale and design of the flats, particularly the use of false doors to 2 of the flats on the Banbury Road frontage, the nature of the Banbury Road frontage and the incorporation of non-functioning chimneys.
26. The split level design of the apartment block responds to the change in levels at the north-eastern corner thus optimising the potential of the site. In terms of its appearance looking north along Banbury Road, the building would appear as row of 2-storey terraced houses taking its cue, in terms of scale and massing, from the traditional dwellings located in the village core and later houses on the eastern side of Banbury Road. In this context, the use of false front doors to 2 of the units as a design tool to reinforce this impression would not appear incongruous or obtrusive. Similarly, the use of non-functioning chimneys as a design feature in a settlement where the majority of dwellings have chimneys does not strike me as an example of poor design. Whilst the chimneys may not serve fires they can serve as outlets for soil stacks and other ventilation features thus removing unsightly pipe work from external elevations. Moreover, I noted that the use of false design features does have some pedigree in the village where some dwellings have false windows painted onto their elevations. When viewed from the north along

Banbury Road and from the west on the public footpath, the scale of the building and massing of the building would be more obvious. However, the impact and impression of the building would be mitigated by the generally dense mature hedge along the Banbury Road to the north and the opportunity to include within the landscaping scheme substantial tree and hedgerow planting along the northern boundary and in the north-eastern corner.

27. I note the concerns raised regarding security, particularly in relation to the apartments and the positioning of its access. However, I consider that the submission of details relating to the achievement of Security by Design measures, which is a matter that could appropriately be covered by a condition would ensure that such concerns are ameliorated.
28. Adderbury is a substantial settlement and whilst the original core is characterised by mainly mature terraced housing of varying design and scale set at the back of or close to the pavement, the settlement has been extended very substantially to the west along New Water Lane, Cross Hill Road and Horn Hill Road and to a lesser extent to the east to the north and south of Aynho Road. These more recent and extensive areas reflect the designs, styles and types of dwellings of their periods. Thus, it would be difficult to pin down the defining character of Adderbury as a whole and conclude that this scheme failed to reflect and enhance local character.
29. In terms of the position of the access, the orientation and alignment of the road layout these, in my view, optimise the potential of the site for development. Whilst the historic core of the village may not feature true cul-de-sacs or a preponderance of detached houses, I saw several examples of this type of development on the east and west of the settlement where the developments were largely inward looking. In terms of their scale and massing, the proposed dwellings are consistent with many in the settlement and, whilst I make an allowance for artistic interpretation, the visualisations provided do indicate to me that the development would create an appropriate sense of place for future residents and that the Banbury Road frontage would not appear incongruous or obtrusive in the existing street scene.
30. The Ipa is critical of the failure of the development to link with the public footpaths on the northern and western edges of the site. Whilst this would appear to be an opportunity lost, other than the inaccessible public footpath that runs parallel to Banbury Road the paths that run along the northern and western boundaries are set away from the site boundary on land not within the appellant's control. To access the network of paths to the north and west, the occupants of the development, bar those of Flat 8, would have to use the site access and walk, a relatively short distance, along Banbury Road. To access the settlement, occupants would use the site access and Banbury Road, which would give access to the primary school at the junction with Aynho Road and the village core, or access the village core using the public footpath through Adderbury Court and Croft Lane. Whilst I agree that the development would not optimise links to the existing public footpath network and some residents would have to walk further to access countryside walks or the village core, the distances are not excessive or a deterrence and would not on its own be a reason to dismiss this appeal.
31. Drawing the threads of this issue together, whilst I accept there are issues relating to security and permeability these matters on their own would not be

sufficient to warrant the dismissal of this scheme. Overall, I conclude that the design and layout of the proposed development would be acceptable and would not conflict with the objectives of development plan Policies C28 and C30 or national planning policy in terms of achieving high quality and inclusive design.

Issue 3 - Affordable Housing Mix

32. The scheme would provide for 9 affordable houses comprising 2 one-bed flats, 5 two-bed flats and 2 three-bed semi-detached houses. In percentage terms, this mix of 1, 2 and 3-bed properties would be consistent with the SHO's request. However, rather than 2-bed flats the Council seeks the provision of 2-bed houses. Notwithstanding this request, the SHO has indicated that "*...the Council does not consider the failure to provide affordable housing in accordance with the locally assessed need would constitute a reason for refusal in itself.*" In terms of local need, i.e. Adderbury, the most recent information before the Inquiry relates to a Housing Needs Survey³ carried out in December 2011. Under affordable housing need, the survey indicates that some 10% of respondents would like a flat. Other than identifying that the Ipa has resolved to grant planning permission for residential development on the eastern edge of Adderbury which would include 4 one and two-bed flats there was no other evidence to indicate that the local need for flats had been satisfied. Accordingly, on the evidence before me, I conclude that the proposal would provide an acceptable mix of affordable housing to meet the needs of the local community.

Issue 4 – Planning Balance

33. As indicated earlier paragraph 14 of the Framework indicates that where relevant policies are out-of-date, planning permission should be granted unless any adverse impacts in doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. In this case, I conclude that on-balance the proposed scheme would represent high quality and inclusive design and provide an acceptable mix of affordable housing to meet the needs of the local community. The scheme would have a moderate adverse effect on landscape character and a major adverse, albeit localised, visual impact conflicting with the objectives of relevant LP policies. However, having regard to the Framework as a whole, I conclude that these matters do not demonstrably outweigh the significant benefit of delivering 25 units of residential accommodation of which 9 would be affordable housing in a settlement which is acknowledged as sustainable and an area where there is a lack of a 5-year supply of housing sites. Accordingly, taking the above and all other matters into consideration I proposed to allow this appeal.

S106 Agreement

34. In response to a request from Cherwell District Council, the Agreement contains obligations to cover the provision and retention of the proposed Affordable Housing, the laying out of the LAP and the provision of £30,620 as a commuted sum towards the cost of future maintenance, a sum of £38.96 per sq. m of hedgerow and £2,752 per tree for hedgerow and tree maintenance; the sum of £1,687.50 to provide 3 refuse bins and a food caddy

³ Adderbury Housing Needs Survey Report December 2011, Oxfordshire Rural Community Council.

per dwelling based on £64 for bins and £3.50 towards recycling banks and a £3,000 monitoring fee.

35. In response to request made by Oxfordshire County Council, the Agreement includes sums of £92,656, £140,756 and £6,316 for the provision of primary, secondary and special needs education respectively; £6,715 for library provision; £5,056 for strategic waste recycling/disposal facilities; £359 towards expansion of the County Museum Resource Centre; £800 towards adult learning; £5,500 towards day-care facilities; £25,000 as a public transport subsidy and £3,750 for administration.
36. Framework paragraph 204 and CIL Regulation 122 say that Planning Obligations should only be sought and weight attached to their provisions where they meet all of the following tests. These are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.
37. On the information before me, I consider the contributions relating to library provision; primary, secondary and special needs education; contributions to public open space/hedgerow/tree maintenance in the event that the public LAP is transferred to the Council and, in the absence of appropriate planning conditions, the provisions relating to the provision and retention of affordable housing satisfy the requirements of Framework paragraph 204 and CIL R122 and I have taken them into account in coming to my decision.
38. In the absence of a planned and costed proposal for additional waste recycling/disposal facilities; the absence of a finalised scheme for an adult learning facility in Banbury town centre and evidence to support a conclusion that the extension of the Museum Resource Centre and the provision of day care facilities are directly related to the proposed development, I consider that these contributions do not satisfy the tests at Framework paragraph 204 and CIL R122. Therefore, I have not attached weight to them in coming to my conclusion. With regard to the provision of refuse bins and the payment of monitoring fees, the purchase of refuse bins by the developer rather than the Council or individual home owners and the payment of a monitoring/administration fee are not necessary to make the development acceptable in planning terms.
39. As to the public transport contribution, the County Council seeks a contribution towards the development of the S4 service to provide 2 buses per hour along with an evening and Sunday service. The total cost is "*...assumed to be £400,000...to produce an eventual commercially viable bus service. The aspiration provision of this improved level of service is cross-referenced in the forthcoming Bus Strategy, and is required to provide the minimum credible level of service for journeys to work in Banbury.*" For journeys to work there is an existing S4 service that provides 2 buses in the morning before 0830 hours and a return service in the evening after 1700 hours. This is in addition to the 50, 59A and 59B services through Adderbury at similar times. Given that there is an existing bus service for which there was no evidence of any dissatisfaction, the paucity of the justification provided does not allow me to conclude that the contribution sought is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Accordingly, I

consider that this contribution does not satisfy the tests at Framework paragraph 204 and CIL R122. Therefore, I have not attached weight to it in coming to my conclusion.

Planning Conditions

40. Conditions relating to the submission of details and the implementation of approved schemes in relation to: finishing materials (3)⁴, a sample panel of stone (4), landscaping (5, 6 & 7), the treatment of the open space (8), details ground levels (14), a Construction Environment Management Plan (9); street lighting (10), road surfacing, parking, drainage and location of fire hydrants; the access with Banbury Road and the estate roads (11, 12, 17 & 18); biodiversity enhancement (13) and achieving security by design (15) are reasonable and necessary in the interests of the appearance of the area, highway safety and the protection neighbours' living conditions. In the interests of protecting neighbour's and potential resident' living conditions, conditions relating to hours of construction (16), the implementation of flood risk measures (19) and potential ground contamination (20) are reasonable and necessary. In the interests of protecting ecology and achieving sustainable construction, conditions relating to site clearance and the avoidance of works during the nesting season, further ecological surveys and the achievement of BREAM Level 4 construction are reasonable and necessary. For the avoidance of doubt and in the interests of proper planning and I have imposed a condition relating to the specification of plans (2). Where necessary in the interests of precision and enforceability I have reworded the suggested conditions.
41. I have not imposed the suggested conditions relating to public rights of way as these matters are covered by other legislation. I have not imposed the suggested condition relating to submission of details relating full details of doors and windows. Planning Practice Guidance (PPG) indicates that such conditions should only be used where the decision maker is satisfied that the requirements of the condition are so fundamental to the development permitted that it would have been necessary to refuse the whole scheme. Here, given the nature and location of the proposed development, such a condition would be unnecessarily onerous and not relevant. Given the changes in level across the site and in the interests of protecting neighbours' living conditions, the lpa suggests conditions removing permitted development rights in relation to the use of garages and the erection of walls, fences and extensions. Whilst I have noted the concerns regarding changes in levels, the lpa's concerns do not, in my view, accord with the guidance in PPG, which indicates that conditions restricting the future use of permitted development rights will rarely pass the test of necessity and should only be used in exceptional circumstances.

George Baird

INSPECTOR

⁴ Numbers relate to those in the Schedule of Conditions.

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with Drawing Nos. 13-843-001; 13-843-003 (Location Plan only); 13-843-014A; 13-843-131; 13-843-132; 13-843-133; 13-843-135; 13-843-136; 13-843-138; 13-843-141; 13-843-143; 13-843-150; 13-843-151; 13-843-152; 13-843-060; 13-843-061 and 13-843-062.
- 3) Prior to the commencement of the development hereby permitted, a schedule of materials and finishes with samples for the external walls, roofs and hard surfaces of the development hereby approved shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved schedule and samples.
- 4) Prior to the commencement of the development hereby permitted, a stone sample panel (minimum 1 sq. m in size) shall be constructed on site in natural stone, which shall be inspected and approved in writing by the local planning authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved panel.
- 5) Prior to the commencement of the development hereby permitted, a landscaping scheme shall be submitted to and approved in writing by the local planning authority. The scheme for landscaping the site shall include:-
 - (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps;
 - (d) details of minor artefacts/structures (i.e. surfaces, benches, fencing, walling etc) which comprise public art.
- 6) All species used in the planting proposals associated with the development shall be native species of UK provenance and should refer to those species recommended within section 4.10 of the Extended Phase 1 and Protected Species Survey Report, prepared by FPCR dated 11 June 2013.
- 7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the

- completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.
- 8) Prior to the commencement of the development hereby permitted full details of the provision, landscaping and treatment of open space/play space within the site together with a programme for its implementation and long term maintenance and management shall be submitted to and approved in writing by the local planning authority. Thereafter, the open space/play space shall be landscaped, laid out and completed in accordance with the approved details and programme and retained at all times as open space/play space.
 - 9) Prior to the commencement of the development hereby permitted a Construction Environment Management Plan (CEMP), which shall include details of: hours of deliveries and traffic management measures to be taken to ensure construction works do not adversely affect residential properties on or adjacent to the site and details of wheel washing facilities for site vehicles, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with approved CEMP.
 - 10) Prior to the commencement of development hereby permitted full details of a street lighting scheme for each phase of development shall be submitted to and approved in writing by the local planning authority. Prior to first occupation of each phase, the lighting scheme for that phase shall be completed in all respects in accordance with the approved details, inclusive of parking courts, and maintained in working order thereafter.
 - 11) Prior to the commencement of development of the development hereby permitted full design details of the vehicular access, footways and visibility splays, to be provided shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be carried out prior to the first occupation of the development. The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.6m measured from the carriageway level.
 - 12) Prior to the commencement of the development hereby permitted full design details of the estate road (or roads) for each phase including a means of surface water disposal and details of fire hydrants shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to the first occupation of the development or the phase to which it relates.
 - 13) Prior to the commencement of the development hereby permitted including any demolition and any works of site clearance, a method statement for enhancing biodiversity on site shall be submitted to and approved in writing by the local planning authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.
 - 14) Prior to the commencement of the development hereby permitted full details of existing and proposed ground levels and all boundary

- treatments and means of enclosure shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 15) No development shall commence until a strategy that details the measures to be incorporated into the development to demonstrate how 'Secured by Design (SBD)' will be achieved, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
 - 16) Construction work shall only take place between the hours of 0700 – 1700 hours Monday to Friday inclusive and 0700 – 1300 hours on Saturdays with no such work on a Sunday or Public Holiday.
 - 17) No dwelling shall be occupied until the access road between that dwelling and the existing county highway, including footways and turning heads (where applicable), has been laid out in accordance with the approved plans and details approved under condition No. 12 and constructed to at least base course level.
 - 18) No dwelling shall be occupied until the car parking and associated turning area for that dwelling has been completed and marked out in accordance with the approved plans. The car parking area and turning areas shall thereafter be retained in accordance with the approved plans and available for use as car parking and turning areas and no other use whatsoever.
 - 19) The development hereby approved shall proceed in accordance with the Flood Risk Assessment and Drainage Strategy prepared by MJA Consulting dated June 2013.
 - 20) If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the contamination shall be dealt with has been submitted to and approved in writing by the local planning authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.
 - 21) All site clearance (including removal of vegetation) shall be timed so as to avoid the bird nesting/breeding season from 1st March to 31st August inclusive, unless a suitable method statement for the removal of vegetation is submitted to and agreed in writing with the local planning authority.
 - 22) Should more than 2 years pass from the date of the submitted ecological report (11 June 2013) before development commences, then prior to, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved mitigation scheme.
 - 23) The dwellings shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

APPEARANCES

FOR THE APPELLANT

Satnam Choongh of Counsel instructed Cala Homes Limited.

He Called:

Mr K Charsley BA (Hons); Dip LA; CMLI.
Associate Director of Aspect Landscape Planning Limited.

Mr G Worsfold P.G. Dip (Dist). Arch. Hist; IHBC; FRSA; MCSD (Design).
Director, Scott Worsfold Associates, Chartered Architects.

Mr A C Bateman BA (Hons) TP; MRICS; MCMI; MIOd; FRSA.
Managing Director, Pegasus Planning Group Limited.

FOR THE LOCAL PLANNING AUTHORITY

Ned Westaway of Counsel instructed by the Head of Law and Governance, Cherwell District Council.

He called:

Mrs T Morrissey Dip TP; MRTPI.
Principal Planning Officer, Major Developments, Cherwell District Council.

Mrs N Brown BA (Hons); BLandArch; Cert UD; CMLI.
Landscape Architect, David Huskinsson Associates.

Mr E Booth BA; Dip UD; MRTPI; IHBC; FSA.
Director, The Conservation Studio.

INTERESTED PERSONS

Mr Griffiths.
Adderbury Parish Council.

Mr I Prosser
Oxfordshire County Council.

DOCUMENTS SUBMITTED AT THE INQUIRY

- Doc 1 - Statement of Common Ground.
- Doc 2 - Copy of Section 106 Agreement dated 28 July 2014.
- Doc 3 - Schedule of Amended Plans.
- Doc 4 - (1) William Davis, (2) Jelson Limited and (1) Secretary of State for Communities & Local Government, (2) North West Leicestershire District Council, [2013] EWHC 3058 (Admin).
- Doc 5 - South Northamptonshire Council and Secretary of State for Communities and Local Government & Barwood Land and Estates Limited. [2014] EWHC 573 (Admin).
- Doc 6 - Analysis of road gradients at junction with A4260.
- Doc 7 - Rejected housing sites – Extract from SHLAA.
- Doc 8 - Pages 76 to 79, Extract from GLVIA 3rd Edition.
- Doc 9 - Copy of letter dated 28 July 2014 Waterloo Housing Group to Cala Homes Limited.
- Doc 10 - Drawing No. 13-843-014D. Finished Floor levels and road spot heights.
- Doc 11 - Land off Aynho Road, Adderbury. Site Layout Bloor Homes.
- Doc 12 - land at Milton Road, Adderbury. Site Layout Berkeley Homes.
- Doc 13 - Drawing No. 13-843-565 - LAP Surveillance.
- Doc 14 - Copy of email dated 8 April 2014. T Morrissey to G Worsfold and Drawing Nos. 13-843- 014/A & B. Sufficiency of LAP.
- Doc 15 - LPA's assessment of the modelled extent of proposed development.
- Doc 16 - Various extracts from GLVIA 3rd Edition.
- Doc 17 - Landscape Advice Note 01/11.
- Doc 18 - Comparison of Visual Effects Assessments.
- Doc 19 - Written statement of Mr G Owens, Strategic Housing Officer.
- Doc 20 - APP/C3105/A/13/2208385.
- Doc 21 - APP/C3105/A/13/2201339.
- Doc 22 - APP/M1520/A/12/2177157.
- Doc 23 - Design Planning Practice Guidance.
- Doc 24 - List of suggested planning conditions
- Doc 25 - Copy of email dated 1 August 2014 from Oxfordshire County regarding suggested conditions relating to public rights of way..
- Doc 26 - Cherwell District Council Public Art Policy.
- Doc 27 - Bundle of Documents relating to S106 Contributions.
- Doc 28 - Recreation and Amenity Open Space Provisions SPG.
- Doc 29 - Planning Obligations Draft SPG.

Appendix 27
Appeals Summary

Appeal 3188671

1.1 The appeal was against CDCs decision to refuse an application for outline planning permission for up to 72 dwellings on land off Blackthorn Road, Launton by notice dated 04/08/2017. The appeal was allowed on 18/09/2018.

1.2 With regard LPp1 policy PV2, the Inspector states:

Policy Villages 2 confirms that over the plan period a total of 750 homes will be delivered at category A villages. There is no further distribution of delivery within the villages and there is no timeframe or trajectory for delivery associated with the overall figure. All parties accept that the headline figure is not a ceiling and that conflict would only arise if there was a material increase over and above the identified 750 dwellings. (para. 13)

1.3 At the time of the Inquiry (July 2018), the housing identified for Category A development was set out in the 2017 Annual Monitoring Report (AMR). The Inspector summarised the position as follows:

The 2017 Annual Monitoring Report for the district identifies that a total of 664 dwellings have been identified for meeting the Policy Villages 2 requirement. By March 2017 there had been 103 completions on those sites. The proposed development would make provision for up to a further 72 dwellings taking the total to 736 (664 + 72). The 750 figure in the policy would not be breached. Furthermore the 750 figure refers to dwellings delivered, of which to date there are only 103, substantially below the 750 figure. As a matter of fact allowing this appeal would not breach this aspect of Policy Villages 2, I return to the criteria based aspects below. (para. 14)

1.4 The Inspector found that the proposals would not result in a breach of the 750-figure aspect of PV2 or the overall plan strategy.

Whilst the level of planning permissions and resolutions to approve is approaching 750 the number of units built is still substantially below that figure. That equates to a delivery rate of some 34 units per annum based on the delivery since 2014. If that were continued the delivery would be too low to reach 750 in the plan period. The latest AMR figures demonstrate that completions and planning permissions outstanding in the two principle towns of Bicester and Banbury amount to in the region of two thirds of housing delivery. The remaining one third being delivery in the rural areas, a substantial proportion of which is at a strategic allocation location. This demonstrates that the overall intention of the strategy to deliver housing in the most sustainable

locations of the main towns and strategic allocation and to limit development in the rural areas is succeeding. The proportion of housing being delivered at the smaller villages is significantly less than half of delivery as was identified as a main driver for the development of the strategy. (para. 17)

The 750 figure is not an upper limit and it would require a material exceedance to justify arriving at a conclusion the policy was being breached. Whilst the figure is moving towards the actual figure there is still some headroom available. Time has moved on and we are now further into the plan period, any permissions that are now granted will take time to produce the delivery of housing and therefore it is likely that the delivery of the units identified in this appeal would not arise until the plan was in the second half of its term. It is in my view no longer appropriate to characterise this as early in the plan period. The CLP 2031 (part 2) plan has the potential to review the implications of these policies or a formal review of the part 1 plan could come forward.(para. 18)

In any event, there is evidence to demonstrate that housing delivery is strengthening. That it is focussing in the main towns of Bicester and Banbury and the strategic allocation and that the contribution from the more sustainable villages (category A villages) in the rural area to the overall delivery of housing is achieving the plans overall need in a manner consistent with the strategy. Whilst I accept that the delivery of all of the level of housing anticipated through Policy Villages 2 could reduce the flexibility later in the plan period I have been provided with no evidence that the granting of permission here would prevent development at a more sustainable location in another Category A village. (para. 20)

Any future developments at Category A villages in the future would need to be considered in the context of the circumstances pertaining at that time which would include, but not be limited to, matters such as whether the 750 figure had been materially exceeded, the specific needs for that development in relation to the village and the effect on the overall settlement strategy. (para. 22)

On the basis of the above conclusions I am satisfied that the location and scale of the proposed development would not conflict with the development plan's strategy for the distribution of housing in the district. The development would not conflict with policy BSC1, Policy Villages 1 or Policy Villages 2 and would not undermine the overall strategy of the development plan, with which it would comply. (para. 23)

Appeal 3228169

1.5 The appeal was against CDCs decision to refuse an application for outline planning permission for up to 84 dwellings on land at Merton Road, Ambrosden by notice dated 20/02/2019. The appeal was allowed on 09/09/2019.

1.6 With regard LPp1 policy PV2, the Inspector states:

CLPP1 Policy Villages 2 (PV2) concerns the distribution of growth across the district's rural areas. It indicates that a total of 750 homes will be delivered at Category A villages². This is in addition to the rural allowance for small site windfalls and planning permissions for 10 or more dwellings that existed as at 31 March 2014. Category A villages are 'Service Centres' listed under Policy Villages 1. These are considered to be the most sustainable villages, of which Ambrosden is one, which offer a wider range of services and are well connected to major urban areas, particularly by public transport. (para. #)

1.7 At the time of the appeal, the housing identified for Category A development was as follows:

The Council's evidence notes that the totals of completed dwellings under PV2 (271) and those benefitting from permissions (479) add up to the 750-figure sought under the policy. It is not claimed there would be a current breach of the policy (since only 271 have been delivered). However, granting permission for up to 84 dwellings, which would be likely to be built out within a short time, together with the other 479 committed and deliverable dwellings, could give rise to a total of 834 dwellings being delivered several years prior to 2031, the end date of CLPP1. (para. 20)

1.8 The Inspector assessed the appeal proposals against PV2:

I am not convinced by the evidence provided by the Appellant's planning witness that the 750-figure has no development management significance. The Inspector determining the appeal against a residential development for up to 51 dwellings in Chesterton considered the use of figure of 750 in PV2 must have some form of constraining effect on total numbers, otherwise the policy would be meaningless in terms of its contribution towards the overall strategy of the plan. Nevertheless, neither within Policy PV2 itself nor within CLPP1 as a whole is the term 'material exceedance' found. Even if to exceed the 750-figure by 84 units now at a point less than halfway through the CLPP1 plan

period was to be regarded as a material exceedance, the question arises what planning harm would arise from such a breach? This is bearing in mind that such a quantum of housing would not be delivered until later in the plan period.

Policy PV2 does not contain any temporal dimension in that it does not specify when during the plan period housing should be delivered, nor does it contain any phasing element. Similarly, other than relating to Category A villages, the policy has no spatial dimension.

A concern of the Council is that to allow an exceedance of the magnitude envisaged could lead to unrestrained growth in Category A villages, although it was acknowledged at the inquiry that a precedent argument was not being advanced. However, I accept that there is force in the point advanced by the Appellant that the specific management criteria of Policy PV2 would seem to ensure that it is a self-regulating policy; if the point is reached where the number of dwellings granted in Category A villages is likely to undermine the Council's overall spatial strategy, a series of planning harms is likely to emerge. These might include the point where local infrastructure is unable to cope, land of higher environmental value is sought, or out-commuting and traffic congestion manifest themselves. (para. 23 – 25)

Overall, I consider the proposal would not materially undermine the Council's housing strategy or prejudice the achieving of a more balanced housing growth. (para. 35)

- 1.9 In refusing application #, RfR 1 made reference to the “*the number of dwellings already permitted in Adderbury*”. The Committee Report confirms that CDC considers Adderbury has already accommodated enough of the overall Category A provision. The Report states that “*the 120 dwellings approved under Policy Villages 2 (i.e. since 31 March 2014) represents 16% of the 750 dwellings*” (para. 9.26) and continues to state that “*concentrating a large proportion of the number of new dwellings in a few larger villages would conflict with the spatial strategy of the Local Plan*” (para. 9.27). CDC attempted to run this argument for appeal 3228169.

Further concerns of the Council are that allowing the proposal would lead to an over-concentration of development in Ambrosden and a disproportionate share of the PV2 housing provision. Existing recent housing developments in the village (Church Leys Farm and Ambrosden Court) permitted under Policy PV2 amount to 129 units, which is 17% of 75010. If allowed, the proposal would represent a 25% share of the increased total of 834.

In an appeal decision on a 54-dwelling proposal in the Category A village of Hook Norton, acknowledged as a relatively sustainable location, the Secretary of State took the view that it would be acceptable for the village to provide a relatively larger share of the 750 dwellings than the other villages listed in PV211. There are some 23 Category A villages which display a wide range of populations, facilities and locations. Whilst the Council categorises these as the more sustainable settlements it is apparent that, comparatively, some settlements are clearly more sustainable than others.

Ambrosden is by population the fifth largest Category A village, with a population of in the region of 2,250¹². It benefits from a range of services including pre-school nurseries, primary school, food shop, post office / general store, village hall, two churches, hairdresser's, public house, recreational facilities and a limited opening doctor's surgery. It is some 4.6km from Bicester, has two bus services through the village which connect to Bicester and Oxford, the more frequent S5 providing an hourly service through the week and on Saturdays. An off-road cycle path links the village with Bicester.

The CLPP1 allocates a considerable amount of land for employment uses on the southern and south-eastern outskirts of Bicester between the edge of the town and Ambrosden, with some development already in place. Whilst these areas are beyond what could be regarded as realistic daily walking distances for most people, they are within ready cycling distances. I address the more specific locational considerations of the appeal site in relation to village services and facilities below.

By comparison with the location and the range of facilities available in many of the other Category A villages, Ambrosden is one of the most sustainable settlements. There is agreement between the Appellant and the Council that this is the case. It is therefore unsurprising that recent housing schemes within the village have been permitted. On this basis, and against a background of no spatial apportionment of additional housing between Category A villages, and the intent of Policy PV2 that development should be enabled in the most sustainable locations, further development of the nature proposed would not be disproportionate. (para. 26 - 30)

- 1.10 CDC sought to challenge the decision. CDC applied for permission to apply for Planning Statutory Review. Permission was refused on 29/11/2019 by order of the Honourable Mrs Justice Lang DBE¹ who gave the following reason:

I agree with the First and Second Defendants' submission in their Summary Grounds of Defence that it is unarguable that the Inspector misinterpreted Policy PV2. He correctly identified the issue as whether the proposal would lead to an over—concentration of new housing development in Ambrosden which would undermine the Council's housing strategy and prejudice a more balanced distribution of housing growth, contrary to Cherwell Local Plan policy and policies in the National Planning Policy Framework ("the Framework"), and he determined that issue by applying a series of planning judgments to the material before him. He concluded that the proposal would not materially undermine the Council's housing strategy or prejudice the achieving of a more balanced housing growth (at paragraph 35). Policy PV2 did not impose a strict ceiling of 750 homes, and although it had a constraining effect on total numbers, it did not limit the number of dwellings which could be built at any one Category A Village, at any particular time in the plan period.

Moreover, the Inspector was entitled to find that strict control of development in the countryside, under CLPP1's spatial strategy, would not be consistent with the Framework's absence of a blanket protection of the countryside.

¹ Appendix #: Refusal of permission to challenge

Appeal 3222428

1.11 The appeal was against CDCs decision to refuse an application for outline planning permission for up to 46 dwellings on land at Tappers Farm, Oxford Road, Bodicote by notice dated 04/05/2018. The appeal was allowed on 30/10/2019.

1.12 With regard LPp1 policy PV2, the Inspector states:

PV2 identifies that 750 homes will be delivered at Category A villages, of which Bodicote is one of twenty-three, as defined in Policy Villages 1 (PV1). It was highlighted at the hearing that Policy Villages 2 contains no requirements in respect of the distribution of housing across the Category A villages, as well as no timeframe or trajectory for their delivery. Both main parties agreed that the 750-figure provided in the policy is not a ceiling or limit. It is also noteworthy that the policy requires the delivery of 750 units, not just a requirement to grant planning permission for this number.

1.13 At the time of the appeal, the housing identified for Category A development was as follows:

Furthermore, the figure refers to dwellings delivered, not consented, of which according to the Council there are 271. There are also a further 425 under construction (para. 11)

1.14 The AMR 2018 stated that there were another # dwellings on sites with permission but not under construction. It was agreed that the Council had resolved to approve a further 21 dwellings at Deddington and the Inspector took account of the 84 dwellings arising from appeal 3228169. This provided a total of # dwellings contributing to Category A development.

1.15 The appellant argued that a 10% non-implementation rate should apply in recognition that not all sites granted planning permission will necessarily come forward. The Inspector stated "*I do not consider it realistic to expect a 100% delivery rate for the permitted dwellings*" (para. 13). CDC has since applied a 10% non-implementation rate in the 2019 Annual Monitoring Report.

1.16 The Inspector assesses the proposals against PV2:

Even if all sites were delivered, and as I state above, I am not convinced that they will be, it is accepted by the Council that the grant of permission for an

additional 46 dwellings would not lead to a material increase over the figure expected by PV2. (para. 14)

The grant of permission for these 84 dwellings adds to the number of dwellings above 750 which have permission, but the number of dwellings that have currently been delivered falls far short of this figure (271 as referred to above). There will undoubtedly be a point where there will be a situation that will result in the material increase over the 750 dwellings figure and at that time there will be some planning harm arising from the figure being exceeded, for example harm to the overall locational strategy of new housing in the district. There is no substantive evidence before me to demonstrate that this is the case in this appeal. Clearly, when considering any subsequent schemes however, this matter will need to be carefully scrutinised. (para. 18)

However, at this time, no evidence of such harm has been presented and, in my view, the allowing of this appeal for 46 dwellings would not harm the overall strategy of the development plan which is to concentrate housing development in and around Banbury and Bicester. This is particularly so given the specific circumstances of this site, including its close proximity to Banbury. (para. 19)

Accordingly, I am satisfied that the scheme would not result in a material increase over the target of delivering 750 dwellings and thus the principle of development is acceptable on this site in accordance with Policy PV2 of the CLP 2011. (para. 21)

- 1.17 CDC attempted to argue that Bodicote had already accommodated enough Category A housing. The Inspector addressed this as follows:

I note that reference is made to Bodicote having been subject to permissions for a number of developments which would deliver 99 new dwellings. However, there is no reference in PV2 to any distribution of new dwellings across the twenty-three Category A villages. Furthermore, given the close proximity of Bodicote and the appeal site to Banbury, together with good accessibility to larger settlements and the services that are within Bodicote itself, the site would be one of the most accessible locations, with access to services, for new residential development, which is reflected in its categorisation in PV1 as a Category A or "Service" village. (para. 15)

The Council also has concern that allowing the appeal scheme would restrict the potential for a more even spread of housing across all of the Category A villages. However, PV2 does not require any spatial distribution. Moreover, the

development is near to one of the main settlements, Banbury, which provides for access to a good range of services and with access to a range of transport modes. (para. 16)

Appeal 3229631

1.18 The appeal was against CDCs decision to refuse an application for outline planning permission for up to 25 dwellings on land off Hook Norton Road, Sibford Ferris by notice dated 30/04/2019. The appeal was allowed on 05/11/2019.

1.19 With regard LPp1 policy PV2, the Inspector states:

Policy Villages 2 (PV2) provides a rural allocation of sites of 10 or more dwellings at the Category A villages. This policy identifies that 750 houses will be delivered at Category A villages; this would be in addition to the 'rural allowance' of small site windfalls and planning permissions that existed at 31st March 2014. Underpinning this policy is a recognition of the need to deliver housing growth evenly across the whole District at the larger villages. A range of criteria to guide new development in Category A villages is identified in policy PV2 covering matters such as the environmental qualities of sites, agricultural value, access to services and landscape impacts. (para. 10)

1.20 At the time of the appeal, the housing identified for Category A development was as follows:

The Council identifies that by 31st March 2019 planning permissions had been granted for over 750 houses on 18 large sites and to date 271 units had been built out on these sites in line with policy PV2 (para. #)

1.21 These figures are set out in the 2019 AMR. The 2019 AMR was only published in December 2019 but it is assumed that some/all of the data relating to Category A villages was provided for appeal 3229631 by CDC. The 2019 AMR states that "a total of 920 dwellings have been identified for meeting the Policy Villages 2 requirement of 750 dwellings" (para. 5.94). This figure allows for a 10% non-implementation rate as suggested for appeal 3222428 but also incorporates the site of appeal 3229631. It is also of note that the decision for appeal 3229631 was published on 05/11/2019, shortly after the decision on appeal 3222428 on 30/10/2019; it is therefore assumed that the Inspector would not have taken the Bodicote decision into account. As such, it can be reasonably assumed that the Inspector for appeal 3229631 based his decision on there being 841 dwellings (920 – 46(-10%) – 25(10%)) identified for meeting the requirement of PV2.

1.22 The Inspector assessed the appeal proposals against PV2:

The Council acknowledges that the 750 housing figure is not a target. A point reinforced by my colleague inspectors in recent appeal decisions. However, it should be regarded as a benchmark to govern future decisions on applications for housing development otherwise the integrity of the plan would be

undermined. The Council can identify 5.2 years housing land supply in excess of the requirement for just 3 years required for the Oxfordshire Districts. Furthermore, it can demonstrate that 168 houses have been delivered against the PV2 target of 750 houses despite the Plan being only 4 years through its 16 years 'life'. The Council's statement identifies that across the District 7,455 houses were completed of which 2,765 are in the rest of the District and a further 6,715 houses are committed of which 1,129 are in the rest of the District.

The Council identifies that by 31st March 2019 planning permissions had been granted for over 750 houses on 18 large sites and to date 271 units had been built out on these sites in line with policy PV2. However, none of these have been permitted within the Sibfords. Evidence provided through the Annual Monitoring Report (AMR) acknowledges the accelerating rate of delivery since 2015 and the Council anticipate that the 750 homes will be built out by 2028.

During the Hearing both parties made references to a large number of appeal decisions involving similar housing schemes throughout the District. Underpinning many of these decisions is the issue of 'material exceedance', a term used to describe the extent to which decisions to allow development above the figure of 750 houses for the Category A villages would erode the basis of the CLPP1. Whilst I do not have all the evidence before me regarding each of these appeal decisions there was discussion during the Hearing of a recent appeal decision, which had been allowed for an additional 84 dwellings at Ambrosden, another Category A village within the District albeit with a much larger population and containing a broader range of services. Again the issue of 'material exceedance' had informed the decision to allow the Appeal.

I do not consider 'material exceedance' to be an issue for this appeal given the modest number of units proposed and the categorisation and size of the Sibfords. The Category A status of the village in the plan warrants further investment in housing. Although the plan period is only 4 years old I do not consider that a decision to allow this appeal would undermine the essential thrust of policy PV2 and by extension the local plan.

For the above reasons on this main issue I conclude that the proposals would be in line with adopted housing policies and in line with the Framework. The proposals are in line with policies PSD1, PSV1 and PSV2 of the CHPP1. They are not in conflict with 'saved' policy H18 given the status of the village defined by PSV1 and PSV2. The scheme would not amount to a material exceedance in breach of policy PV2 and would deliver housing in line with other policies of the Plan. (para. 23)

Appeal 3233293

1.23 The appeal was against CDCs decision to refuse an application for outline planning permission for up to 18 dwellings on land west of Northampton Road, Weston-on-the-Green by notice dated 21/06/2019. The appeal was dismissed on 17/12/2019.

1.24 With regard LPp1 policy PV2, the Inspector states:

Policy Villages 2 of the CLPP1 concerns the distribution of growth across rural areas within the district and provides that “a total of 750 homes will be delivered at Category A villages”, in addition to rural allowance for small site windfalls and planning permissions for ten or more dwellings as at 31 March 2014. This policy further confirms that sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of planning permission applications.

It is agreed between the main parties that the 750 homes figure provided under Policy Villages 2 of the CLPP1, is not a cap or ceiling and therefore does not represent a maximum number of homes to be delivered. (para. 10-11)

1.25 At the time of the appeal, the housing identified for Category A development was as follows:

It has been put to me by the Council that, as of the date of the Hearing, planning permission for a total of 750 homes have been granted since April 2014 under the provisions of Policy Villages 2 of the CLPP1 and that approximately 271 homes have been completed.

1.26 It can be reasonably assumed that the Inspector based the decision on 1021 dwellings contributing to the PV2 requirement.

1.27 The Inspector assessed the appeal proposals against PV2:

As such, the Council contends that if planning permission were to be granted then the 750 homes figure for dwellings at Category A Villages would be exceeded well in advance of the end of the plan period. The Council maintains that by exceeding this figure, the proposed development would undermine the District’s aim to focus growth at the larger settlements of Banbury and Bicester, and would make it more difficult for other Category A Villages within the District to meet their potential housing needs later on during the plan period.

The main parties have cited a number of previous appeal decisions in support of their submissions, which include a previous appeal decision which relates to this appeal site (the previous appeal decision). In this regard, several of the referenced appeal decisions concerned development proposals where the 750 homes figure had not been exceeded. However, the recent decision in relation to a site located at Ambrosden (the Ambrosden Appeal) concerned development where, as in this present case, it was shown that the number of homes delivered during the relevant period, in combination with planning permissions that had been granted, had reached the 750 homes figure.

In this regard, whilst I acknowledge the Council's submissions in relation to this proposal, I concur with the Inspector's findings in the Ambrosden Appeal in that such proposals will not harm the strategy of concentrating development in Bicester and Banbury and, furthermore, that development at Category A Villages which exceeds the 750 homes figure need not place any undue constraint on other villages to meet any specific or identified housing needs, as other policies contained within the development plan, for example Policy Villages 1 and Policy Villages 3 of the CLPP1, would be relevant considerations to cater for any such needs.

Indeed, as noted above, the WNP is at an advanced stage and recognises that additional housing, and specifically affordable housing, is needed in Weston-on-the-Green. Whilst there is disagreement between the main parties regarding the total number of houses that will now be required to meet the aims and objectives of the WNP and further disagreement regarding the availability of alternative suitable sites within the village to meet any such needs, it is clear that in order to meet these objectives it will necessitate exceeding the already reached goal of providing 750 homes in Category A Villages within the District.

In summary of the above, I consider the proposed scheme would not necessarily undermine the District's housing strategy nor place any undue constraint on other villages to meet any specific or identified housing needs during the relevant plan period. Furthermore, I acknowledge that the scheme would provide some affordable housing units which would assist in meeting the objectives of the WNP. (para 12 - 16)

Appendix 28
Ambrosden Challenge



**In the High Court of Justice
Queen's Bench Division
Planning Court**



CO/4091/2019

In the matter of a claim for Planning Statutory Review

CHERWELL DISTRICT COUNCIL

Claimant

versus

**(1) SECRETARY OF STATE FOR HOUSING,
COMMUNITIES AND LOCAL GOVERNMENT
(2) GLADMAN DEVELOPMENTS LIMITED**

Defendants

**Application for permission to apply for Planning Statutory Review
NOTIFICATION of the Judge's decision (CPR PD 8C 7.1 to 7.6)**

Following consideration of the documents lodged by the Claimant and the Acknowledgements of service filed by the Defendants;

Order by the Honourable Mrs Justice Lang DBE

1. Permission is hereby refused.
2. The Claimant do pay the First Defendant's costs of preparation of the Acknowledgment of Service in the sum of £3,067. This is a final order unless within 14 days the Claimant files at court and serves on the First Defendant written objections to it. In that event, the First Defendant has 14 days in which to file and serve a response and the Claimant has a further 7 days in which to file and serve a reply. A Judge will then make a final determination on costs, either on the papers or at a hearing of any renewed application for permission.
3. The Claimant do pay the Second Defendant's costs of preparation of the Acknowledgment of Service in the sum of £3,627.50 This is a final order unless within 14 days the Claimant files at court and serves on the Second Defendant written objections to it. In that event, the Second Defendant has 14 days in which to file and serve a response and the Claimant has a further 7 days in which to file and serve a reply. A Judge will then make a final determination on costs, either on the papers or at a hearing of any renewed application for permission.

Reasons:

Ground 1

I agree with the First and Second Defendants' submission in their Summary Grounds of Defence that it is unarguable that the Inspector misinterpreted Policy PV2. He correctly identified the issue as whether the proposal would lead to an over-concentration of new housing development in Ambrosden which would undermine the Council's housing strategy and prejudice a more balanced distribution of housing growth, contrary to Cherwell Local Plan policy and policies in the National Planning Policy Framework ("the Framework"), and he determined that issue by applying a series of planning judgments to the material before him. He concluded that the proposal would not materially undermine the Council's housing strategy or prejudice the achieving of a more balanced housing growth (at paragraph 35).

Policy PV2 did not impose a strict ceiling of 750 homes, and although it had a constraining effect on total numbers, it did not limit the number of dwellings which could be built at any one Category A Village, at any particular time in the plan period.

Moreover, the Inspector was entitled to find that strict control of development in the countryside, under CLPP1's spatial strategy, would not be consistent with the Framework's absence of a blanket protection of the countryside.

Ground 2

In my view, it is unarguable that the Inspector's reasons did not meet the required standard. They were clear, intelligible and adequate, and enabled the parties to the appeal to understand why he had concluded as he did on the main issues identified.

Signed: 

27.11.19

The date of service of this order is calculated from the date in the section below

For completion by the Planning Court

Sent / Handed to the Claimant, Defendant and any Interested Party / the Claimant's, Defendant's, and any Interested Party's solicitors on (date):

Solicitors:
Ref No:

29 NOV 2019

Notes for the Claimant

If you request the decision to be reconsidered at a hearing in open court under CPR PD 8C 7.8, you must complete and serve the enclosed FORM 86B within 7 days of the service of this order



**In the High Court of Justice
Queen's Bench Division
Planning Court
Administrative Court**

CO Ref no: CO/4091/2019

In the matter of a claim for Planning Statutory Review

CHERWELL DISTRICT COUNCIL

**versus SECRETARY OF STATE FOR HOUSING COMMUNITIES AND
LOCAL GOVERNMENT and Others**

Notice of RENEWAL of claim for permission to apply for Planning Statutory Review (CPR PD 8C 7.4)

1. *This notice must be lodged in the Planning Court Administrative Court Office, by post or in person and be served upon the defendant (and interested parties who were served with the claim form) within 7 days of the service on the claimant or his solicitor of the notice that the claim for permission has been refused.*
2. *If this form has not been lodged within 7 days of service (para 1 above) please set out below the reasons for delay:*

3. *Set out below the grounds for seeking reconsideration:*

4. *Please supply*

COUNSEL'S NAME:

COUNSEL TELEPHONE NUMBER:

Signed

Dated

Claimant's Ref No.

Tel.No.

Fax No.

**To the Planning Court Administrative Court Office, Royal Courts of Justice, Strand,
London, WC2A 2LL**

FORM 86B PLN

IN THE HIGH COURT OF JUSTICE

CO/4091/2019

QUEEN'S BENCH DIVISION

PLANNING COURT

BEFORE HIS HONOUR JUDGE BIRD sitting as a Judge of the HIGH COURT

BETWEEN:

CHERWELL DISTRICT COUNCIL

Claimant

and

**SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT
{2} GLADMAN DEVELOPMENTS LIMITED**

Defendants



ORDER

UPON the Claimant's renewed application for permission to apply for statutory review of the decision of the First Defendant's Inspector dated 9th September 2019 pursuant to s.288 of the Town and Country Planning Act 1990.

AND UPON the Claimant not having filed any representations in respect of costs ordered by Lang J, refusing permission on the papers, in her Order dated 27th November 2019

AND UPON hearing Mr David Forsdick QC for the Claimant, Ms Jacqueline Lean (counsel) for the First Defendant and Mr Jonathan Easton (counsel) for the Second Defendant

IT IS ORDERED THAT:

1. Permission to apply for statutory review is refused.
2. The costs order of Lang J is affirmed. The Claimant do pay the First Defendant's costs of preparation of the Acknowledgement of Service in the sum of £3,067 and the Second Defendant's costs of preparation of the Acknowledgment of Service in the sum of £3,627.50.

Date: 14 January 2020

BY THE COURT

Law and Governance

21 JAN 2020

Appendix 29

2019 Annual Monitoring Report



Annual Monitoring Report 2019

(01/04/2018 – 31/03/2019)

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- 4 Adopted Cherwell Local Plan 2011-2031 Monitoring Framework**
- 5 Neighbourhood Planning Parishes Map (March 2019)**
- 6 Infrastructure Delivery Plan Summary Tables – December 2019**

1.0 Introduction

What is the Annual Monitoring Report?

- 1.1 Our AMR reviews progress in preparing the Council's planning policy documents and assesses whether development plan policies are being effective. It provides monitoring information, amongst other things, on employment, housing and the natural environment.
- 1.2 This year's AMR covers the period 1 April 2018 – 31 March 2019. A base date of 31 March 2019 is therefore used for monitoring performance against specified indicators. However, the AMR includes an up-to-date report on Local Plan progress when measured against the Local Development Scheme (LDS), the programme for producing Local Development Documents. It also includes up-to-date information on the future deliverability of development.
- 1.3 The Cherwell Local Plan 2011-2031 Part 1 was formally adopted by Cherwell District Council on 20 July 2015. The Plan provides the strategic planning policy framework for the District. Policies within the Plan replace some of the saved policies of the adopted Cherwell Local Plan 1996. Policy Bicester 13 of the Local Plan was re-adopted on 19 December 2016 following the outcome of a legal challenge. The re-adopted policy is identical to that originally adopted by the Council on 20 July 2015, other than the deletion of the words, '*That part of the site within the Conservation Target Area should be kept free from built development*' from the third bullet point of the policy's key site specific design and place shaping principles.
- 1.4 This is the fifth AMR to monitor against the indicators and targets from the adopted Local Plan 2011-2031 Part 1. However, as the Plan was adopted on 20 July 2015 which is partly through the monitoring period of 2015/16 this is the third AMR that fully reports on these indicators. There are some data that are still unavailable therefore not all indicators can be reported in this AMR.

Purpose of the Annual Monitoring Report

- 1.5 The purpose of this AMR is to:
 - monitor the preparation of Cherwell's Local Plan against timetables in the Local Development Scheme;
 - assess the extent to which policies are being achieved;
 - review key actions taken under the Duty to co-operate.

Legislative Background

- 1.6 The Council has a statutory obligation to produce a monitoring report. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) sets out the requirements that must be satisfied by the report.

- 1.7 Subject to those requirements, it is a matter for individual Councils to decide the content on their monitoring reports. There is no longer a requirement to submit the report to the Secretary of State for Housing, Communities and Local Government.

Structure of the Annual Monitoring Report

- 1.8 **Section 2** presents the key findings from the monitoring work undertaken during this monitoring year.
- 1.9 **Section 3** reports on the delivery of Cherwell District’s Local Plan and other supporting documents, providing a review of progress against the targets and milestones set out in the Local Development Scheme.
- 1.10 **Section 4** looks at the progress made on neighbourhood planning within the district.
- 1.11 **Section 5** sets out detailed monitoring results using specific indicators from the adopted Local Plan 2011-2031 Part 1.
- 1.12 **Section 6** looks at progress on infrastructure delivery.
- 1.13 For further information relating to the AMR, please contact the Council’s Planning Policy, Conservation and Design team:

Tel: 01295 227985

Email planning.policy@cherwell-dc.gov.uk

2.0 Key Findings

2.1 This chapter sets out the key findings of the AMR for the monitoring year 2018/19. They are discussed in more detail in Chapter 5.

Local Plan Progress / Local Development Scheme

Progress in the Monitoring Year 2018/19

- The Adderbury Neighbourhood Plan referendum was held on 21 June 2018, which resulted in a favourable decision. On 16 July 2018 Cherwell District Council formally 'made' the Adderbury Neighbourhood Plan.
- The Cherwell Residential Design Guide Supplementary Planning Document was adopted by the Council on 16 July 2018.
- The Local Development Scheme was updated, approved and published in December 2018.
- The Council's Brownfield Land Register was published in December 2018.
- The Examination Hearings to the Cherwell Local Plan Part 1 Partial Review: Oxford's unmet housing need were held between 5 and 13 February 2019.
- The Shipton-on-Cherwell and Thrupp Neighbourhood Area was designated on 11 February 2019.

Progress since the end of the Monitoring Year

- The Mid-Cherwell Neighbourhood Plan referendum was held on 21 March 2019, which resulted in a favourable decision. On 14 May 2019 Cherwell District Council formally 'made' the Mid-Cherwell Neighbourhood Plan.
- The Examination of the Deddington Neighbourhood Plan commenced on 28 April 2019 with the Examiner's Report issued on 3 September 2019.

Employment

- The district has seen a considerable gain in employment floorspace with 100,523 sqm completed over 2018/19 following a low gain in 2017/18 (951 sqm).
- At 31 March 2019 there was over 392,000 sqm (net) of employment floorspace with planning permission.
- There is planning permission in place for 184 ha of land on allocations.
- There are 81 ha of remaining allocated employment land yet to receive planning permission.
- Only 0.29 ha of employment land was lost to non-employment use during 2018/19.
- Overall there was a loss of 1870.87 sqm (net) floorspace in tourism related developments over the course of 2018/19.

Housing

- There were 1,489 housing completions (net) during 2018/19.
- The total number of housing completions (net) between 2011 and 2019 is 7,455 dwellings.
- 30% of housing completions (net) in 2018/19 were on previously developed land.
- Net affordable housing completions in 2018/19 were 507.
- At 31 March 2019 there are extant planning permissions for a total of 6,722 dwellings. These are homes with planning permissions but not yet built.
- The District presently has a 4.6 year housing land supply for the period 2019-2020 and a 4.4 year housing land supply for the period 2020-2025 (commencing 1 April 2020).

Natural Environment

- There were 7 planning applications granted permission contrary to Environment Agency's advice on flood risk grounds, however no permissions granted on water quality grounds objection.
- 6 planning permissions were approved for renewable energy schemes including one for a wind turbine, one for a ground source heat pump and four for solar photovoltaics (PVs).
- There has been an increase in total area of priority habitats from 3,913 ha to 3,925 ha (increase of 12 ha).
- The number of priority species listed in the District has very slightly decreased from 126 to 125.
- 97.1% of the SSSI units are in Favourable or Unfavourable recovering conditions, which is a decrease of 1.9% since last year.

3.0 Cherwell Planning Policy Documents

- 3.1 The existing statutory Development Plan comprises the adopted Cherwell Local Plan 2011-2031 Part 1 (July 2015 incorporating Policy Bicester 13 re-adopted December 2016), the saved policies of the adopted Cherwell Local Plan 1996, the made (adopted) Hook Norton, Bloxham, Adderbury and Mid Cherwell Neighbourhood Development Plans. The Development Plan also includes the saved policies of the Oxfordshire Minerals and Waste Local Plan 1996, the production of which is a County Council function. A new Minerals and Waste Core Strategy Part 1 was adopted on 12 September 2017. Progress on the Minerals and Waste Local Plan Part 2 – Site Allocations was made with the Issues and Options consultation held between August and October 2018.
- 3.2 The Cherwell Local Plan 1996 was adopted in November 1996 and its relevant policies were saved from 27 September 2007.
- 3.3 The Cherwell Local Plan 2011-2031 Part 1, containing strategic development sites and policies, was adopted on 20 July 2015. It replaced many of the saved policies of the adopted Cherwell Local Plan 1996. Appendix 7 of the adopted Local Plan 2011-2031 provides a list of the saved policies.
- 3.4 The following Neighbourhood Development Plans have been ‘made’ and therefore form part of the statutory development plan for their designated area:
- Hook Norton – made 19 October 2015
 - Bloxham – made 19 December 2016
 - Adderbury – made 16 July 2018
 - Mid Cherwell – made 14 May 2019

Local Development Scheme Progress

- 3.5 The Local Development Scheme (LDS) is a rolling business plan for the preparation of key planning policy documents relevant to future planning decisions. The LDS that this AMR reports on was published in December 2018. It provided for:
- **Partial Review of the Cherwell Local Plan 2011-2031 (Part 1)** – a supplemental planning strategy with strategic development sites in order for the district to contribute in meeting the identified unmet housing needs of Oxford City.
 - **Oxfordshire Plan 2050 (formerly known as Joint Statutory Spatial Plan (JSSP))** – a new countywide strategic plan prepared jointly by the six Oxfordshire Councils through the Oxfordshire Growth Board.

- **Cherwell Local Plan Review** – a review of the adopted Cherwell Local Plan 2011-2031 to ensure key planning policies are kept up to date, to assist implementation of the JSSP and to replace the remaining saved policies of the 1996 Local Plan.
- **Supplementary Planning Documents (SPDs)** which expand upon and provide further detail to policies in Development Plan Documents. The Banbury Canalside SPD was highlighted.
- **Community Infrastructure Levy Charging Schedule** which raise funds to deliver off-site infrastructure that will support the development proposed within Cherwell.

Partial Review of the Cherwell Local Plan 2011-2031 (Part 1)

- 3.6 In paragraph B.95 of the adopted Local Plan Part 1 the Council recognises that Oxford may not be able to accommodate the whole of its new housing requirement (as identified in the 2014 Oxfordshire Strategic Housing Market Assessment) within its administrative boundary.
- 3.7 The Partial Review process is the means by which Cherwell makes its contribution (4,400 homes) to meeting the identified unmet need from Oxford City. The Partial Review was submitted to Secretary of State for Housing, Communities and Local Government for formal examination on 5 March 2018. Following the Plan's submission, the Plan's progress is guided by the Planning Inspector's examination process and programme.
- 3.8 A Preliminary Hearing took place on 28 September 2018 followed by Main Hearings in February 2019. In response to the Inspector's Post-Hearings Advice Note dated July 2019, the Council prepared a schedule of proposed Main Modifications to the Partial Review. The consultation period on the modifications ended on 20 December 2019.

Supplementary Planning Documents

- 3.9 A draft **Banbury Canalside Development Area SPD** was published for informal consultation between January 2018 and February 2018. Further work on the SPD will be recommenced in 2020.
- 3.10 The **Cherwell Residential Design Guide SPD** was adopted by the Council on 16 July 2018.

Community Infrastructure Levy (CIL) Charging Schedule

- 3.11 The Council has previously consulted upon a Preliminary Draft (Feb/March 2016) and a Draft CIL Charging Schedule (Nov 2016 – Jan 2017). However, work was then paused pending the outcome of the Government's review of CIL. Following the recent completion of this review work it was envisaged that further consultation on a Draft Charging Schedule is expected in September/October 2019 however it has not been progressed due to other commitments. Further work will be recommenced in 2020.

Duty to Co-operate

3.12 Local Councils are expected to consider strategic issues relevant to their areas through a statutory 'Duty to Co-operate' established by the Localism Act (2011) and described in the National Planning Policy Framework (NPPF).

3.13 The Duty:

- relates to sustainable development or use of land that would have a significant impact on at least two local planning areas or on a planning matter that falls within the remit of a County Council;
- requires that councils set out planning policies to address such issues;
- requires that councils and public bodies engage constructively, actively and on an on-going basis to develop strategic policies; and
- requires councils to consider joint approaches to plan making.

3.14 During the monitoring period 2018/19 the Council:

- continued work with the Oxfordshire authorities as part of the Oxfordshire Growth Board to implement the Oxfordshire Housing and Growth Deal 2018. The first stage of public consultation (Regulation 18 part1) of the Oxfordshire Local Plan 2050 was completed in February-March 2019.
- prepared and agreed Statements of Common Ground with the Oxfordshire authorities and a number of prescribed bodies supporting the preparation of the Local Plan Partial Review (February 2019). Published as part of the Plan's examination evidence.
- agreed a Statement of Common Ground (22 March 2019) with the Oxfordshire authorities as part of the submission of the Oxford Local Plan 2036 and South Oxfordshire Local Plan 2034 to the Secretary of State for examination. Published as part of these plans' evidence.

4.0 Neighbourhood Planning

- 4.1 In addition to the made neighbourhood plans listed at paragraph 3.4 above, five Parish Councils have had their administrative areas designated as Neighbourhood Areas. These are shown below.

Neighbourhood Plan Area	Designated Date	Monitoring Year
Bodicote	04/01/2016	2015/16
Deddington	02/12/2013	2013/14
Merton	02/12/2013	2013/14
Stratton Audley	03/06/2013	2013/14
Weston on the Green	02/11/2015	2015/16
Shipton on Cherwell & Thrupp	11/02/2019	2018/19

Deddington

- 4.2 The Deddington Pre-Submission Neighbourhood Plan was consulted upon from 1 October to 19 November 2017 over a seven week period.
- 4.3 Deddington Parish Council submitted their Neighbourhood Plan to Cherwell District Council on 1 October 2019. Cherwell District Council then undertook a six-week public consultation on the draft (Submission) Plan between 8 November 2018 and 21 December 2018. Following the consultation an independent examiner was appointed in April 2019 to carry out the independent examination of the Deddington Neighbourhood Plan. The Examiner's report was published on 3 September 2019. Following receipt of the Examiner's report Deddington Parish Council resolved at their meeting on 20 November 2019 to withdraw the Neighbourhood Plan. It is their intention to continue with the Neighbourhood Plan process and to submit a revised plan at the earliest opportunity.

Weston on the Green

- 4.4 The Weston on the Green Pre-Submission Neighbourhood Plan was consulted from 15 May to 26 June 2017.
- 4.5 The Weston on the Green draft Submission Neighbourhood Plan was submitted by Weston on the Green Parish Council to Cherwell District Council on 11 October 2018. The Neighbourhood Plan and supporting documents were publicised as required and public consultation took place between 19 November 2018 and 11 January 2019. Following the consultation, the Council, in agreement with the Parish Council, appointed an Independent Examiner to undertake the independent examination. The Examiner's report is dated 11 September 2019.
- 4.6 On 4 November 2019 Cherwell District Council, having considered each of the recommendations made by the examiner:

1. approved all the Examiner's recommendations and modifications with the exception of Modifications 15,21, 24, 26 and 27
 2. Agreed not to proceed to referendum on the Weston on the Green Neighbourhood Plan at this time
 3. Approved the area for the future referendum as being the designated Neighbourhood Plan area in accordance with the examiner's recommendations, noting that there will be no extension to the area
- 4.7 The Council is currently inviting comments on its proposed alternative modifications 15, 21, 24, 26 and 27, and the reasons for its decision.

5.0 Monitoring Results

5.1 This section sets out the detailed monitoring results using specific indicators from the adopted Local Plan 2011-2031 (Part 1).

Theme One: Developing a Sustainable Local Economy

Policy	Indicator	Target	Progress
SLE 1 Employment Development	Employment commitments and completions on allocated employment land per sub area (Banbury, Bicester, Kidlington, Rural Areas)	100% take up of allocations by the end of the plan period	<p>During 2018/19, 85,688.8 sqm of employment floorspace was completed. At 31 March 2019 there was permission for 36,6126.3 sqm of employment floorspace yet to be built.</p> <p>At 31 March 2019 the total remaining allocated employment land available in Cherwell District (yet to receive planning permission) was 81.34 ha.</p> <p>There is planning permission for 184.14 ha of land on Local Plan allocations.</p>
SLE 1 Employment Development	Employment commitments and completions on non-allocated employment land per sub area (Banbury, Bicester, Kidlington, Rural Areas)	Yearly increase in employment use class commitments and completions	<p>During 2018/19, 14,834.69 sqm of employment floorspace was completed. At 31 March 2019 there was permission for 26,228.49 sqm of employment floorspace yet to be built.</p>
SLE 1 Employment Development	Completions resulting in a loss of employment use to non-employment use per sub area (Banbury, Bicester, Kidlington, Rural Areas)	No overall net loss of employment land	<p>During 2018/19, a total of 0.29 ha of employment land was lost to non-employment uses.</p>

5.2 The strategic employment allocations (including mixed use sites for housing and employment) in the 2015 Local Plan, as well as development on non-allocated sites, are monitored in this section. Until the adoption of the next Local Plan, non-strategic

employment allocations from the Non-Statutory Local Plan 2011 and saved policies from the adopted 1996 Local Plan are also monitored. Employment (non-commercial) monitoring for 2018/19 was only carried out on sites where more than 200 sqm of employment floorspace is proposed.

Table 1 - Employment completions on allocated land during 2018/19 (sqm)

Location	B1a	B1b	B1c	B1 unable to split	Total B1	B2	B8	Mixed B Use	Total
Banbury	929	0	0	0	929	0	30384.5	0	31313.5
Bicester	13224	0	12077	0	25301	12077	12077	0	49455
Kidlington	0	0	740.15	0	740.15	0	740.15	0	1480.3
Rural Areas	0	0	0	0	0	125.5	3314.5	0	3440
Cherwell Total	14153	0	12817.15	0	26970.15	12202.5	46516.15	0	85688.8

Table 2 - Employment commitments on allocated land at 31/03/19 (sqm)

Location	B1a	B1b	B1c	B1 unable to split	Total B1	B2	B8	Mixed B Use	Total
Banbury	2601.5	0	0	810	3411.5	7548.25	55323.75	2700	68983.5
Bicester	-8959	27525	12077	17871.36	48514.36	29743.7	173611.7	23420	275289.8
Kidlington	0	0	0	0	0	0	0	0	0
Rural Areas	0	0	0	1020	1020	0	0	20833	21853
Cherwell Total	-6357.5	27525	12077	19701.36	52945.86	37291.95	228935.5	46953	366126.3

Table 3 - Policy SLE 1 - Employment completions on non-allocated land during 2018/19 (sqm)

Location	B1a	B1b	B1c	B1 unable to split	Total B1	B2	B8	Mixed B Use	Total
Banbury	-346	0	0	-87.97	-433.97	919.53	6264.53	0	6750.09
Bicester	-210	0	-201.7	550	138.3	0	-201.7	0	-63.4
Kidlington	0	0	0	0	0	0	0	0	0
Rural Areas	117	0	311	0	428	0	7720	0	8148
Cherwell Total	-439	0	109.3	462.03	132.33	919.53	13782.83	0	14834.69

Table 4 - Employment commitments on non-allocated land at 31/03/19 (sqm)

Location	B1a	B1b	B1c	B1 unable to split	Total B1	B2	B8	Mixed B Use	Total
Banbury	-3380	0	7325.33	655	4600.33	4683.33	-10899.17	0	-1615.51
Bicester	2320	0	255	13522	16097	0	-2510	0	13587

Kidlington	-1100	0	-1543.6	23.5	-2620.1	253	-339.4	2238.5	-468
Rural Areas	-178	0	391	12664.5	12877.5	1286.5	561	0	14725
Cherwell Total	-2338	0	6427.73	26865	30954.73	6222.83	-13187.57	2238.5	26228.49

Table 5 - Employment completions during 2018/19 (sqm)

Location	B1a	B1b	B1c	B1 unable to split	Total B1	B2	B8	Mixed B Use	Total
Banbury	583	0	0	-87.97	495.03	919.53	36649.03	0	38063.59
Bicester	13014	0	11875.3	550	25439.3	12077	11875.3	0	49391.6
Kidlington	0	0	740.15	0	740.15	0	740.15	0	1480.3
Rural Areas	117	0	311	0	428	125.5	11034.5	0	11588
Cherwell Total	13714	0	12926.45	462.03	27102.48	13122.03	60298.98	0	100523.5

Table 6 - Employment commitments at 31/03/2019 (sqm)

Location	B1a	B1b	B1c	B1 unable to split	Total B1	B2	B8	Mixed B Use	Total
Banbury	-778.5	0	7325.33	1465	8011.83	12231.58	44424.58	2700	67367.99
Bicester	-6639	27525	12332	31393.36	64611.36	29743.7	171101.7	23420	288876.8
Kidlington	-1100	0	-1543.6	23.5	-2620.1	253	-339.4	2238.5	-468
Rural Areas	-178	0	391	13684.5	13897.5	1286.5	561	20833	36578
Cherwell Total	-8695.5	27525	18504.73	46566.36	83900.59	43514.78	215747.9	49191.5	392354.8

Employment Completions

5.3 Table 5 shows the total employment floorspace completed during 2018/19 (net). The 'net' figures reflect the overall completion totals taking into account any losses which include redevelopments and changes of use away from commercial use.

5.4 In 2017/18, Cherwell saw a gain of 951 sqm of employment floorspace completed and gains in floorspace were located mainly in the rural areas, including for example 10 new employment units at Wroxton. At Bicester a heritage centre and employment building were completed at Bicester airfield. In 2018/19, Cherwell saw a considerable gain of 100,523.5 sqm of employment floorspace completed which was mostly in B8 uses in Banbury and mixed B1 uses in Bicester.

Employment Commitments

- 5.5 Employment commitments include sites which have been granted planning permission in the past and remain extant. The total number of employment commitments have decreased slightly compared to the last monitoring year. At 31 March 2019, there was outstanding employment floorspace to be implemented equating to 392,354.8 sqm. Bicester contributed to majority of the total commitments (74%) followed by Banbury with 17% and Rural Areas with 9%. Kidlington shows a net loss, with -468 sqm of floorspace committed.
- 5.6 Banbury – There are commitments totalling 67,367.99 sqm of employment floorspace, mainly for B8 uses (44,424.58 sqm). Land south of Overthorpe Road and adjacent to the M40 (Local Plan site Banbury 6) remains the most significant commitment at Banbury, where construction continues.
- 5.7 Bicester – There are net gains across all the different B use classes in Bicester with a significant commitment of over 288,876.8 sqm of employment floorspace predominantly in B8 use class (171,101.7 sqm). Planning permission has been granted for employment development at North West Bicester (Local Plan site Bicester 1), Land North East of Skimmingdish Lane (Local Plan site Bicester 11), at South East Bicester (Local Plan site Bicester 12), and at land adjacent to the Oxford Road (Local Plan site Bicester 10) where construction on these sites are underway.
- 5.8 Kidlington and Rural Areas – A range of applications have been granted permission in the rural areas during the monitoring year including at Begbroke Science Park for up to 12 B1 and ancillary D1 units. The Former RAF Upper Heyford site (Villages 5) which is a strategic allocation for mixed use in the adopted Local Plan 2011-2031 proposes 1,075 new homes and over 120,000 sqm of mixed B use class. This site is currently under construction.

Table 7 – Remaining Local Plan Employment Allocations - 31/03/19 (ha)

Location	Remaining Allocated Area (ha)	Comments
Banbury	25.34	The majority of this remaining allocated land consists of the allocation at Employment Land North East of Junction 11 (Local Plan Policy Banbury 15), which has a resolution to approve; and there is no planning on the remaining part at employment Land West of M40 (Local Plan Policy Banbury 6).
Bicester	50.01	The majority of this remaining allocated land consists of a number of sites allocated such as Bicester Business Park (Local Plan Policy Bicester 4), where a new planning application on part of the site is pending; no planning on the remaining part at Bicester Gateway (Local Plan Policy Bicester 10); and South East Bicester (Local Plan Policy Bicester 12), which has a resolution to approve on the larger part of the site.

Rural Areas	5.99	Remaining Non-Statutory Local Plan allocation at Banbury Business Park Phase 2 (Adderbury), Brymbo Ironworks (Hook Norton) and PA Turneys (Weston on the Green). No allocations were made in the adopted Local Plan 2011-2031.
Total	81.34	

5.9 Table 7 shows the total remaining allocated land available in the District (81.34 ha), excluding land with planning permission on Local Plan allocations. However sites ‘committed’ for development (i.e. with planning permission) are still ‘available’ since it is possible that the permission may expire unimplemented or may be superseded by another. The majority of the remaining allocated land available is at strategic sites in the adopted Local Plan 2011-2031. Planning permissions are shown in Table 8.

5.10 The employment trajectory in the Local Plan 2011-2031 shows how strategic sites will be delivered and the Council is working to bring forward strategic sites, for example at Graven Hill (Bicester 2) and North West Bicester (Bicester 1) where planning permissions have been granted. The Council will be exploring the potential of sites for employment through the next Local Plan.

Table 8 – Employment Permissions at 31/03/19 (ha)

Extant permissions on allocations		Extant Permissions on Non-Allocations		Total Extant Permissions	
Location	Site Area (ha)	Location	Site Area (ha)	Location	Site Area (ha)
Banbury	9.66	Banbury	4.55	Banbury	14.21
Bicester	89.05	Bicester	1.66	Bicester	90.71
Kidlington	8.35	Kidlington	0.62	Kidlington	8.97
Rural Areas	77.08	Rural Areas	13.54	Rural Areas	90.62
Total	184.14	Total	20.37	Total	204.51

5.11 Table 8 shows the amount of land taken up with planning permissions at 31/03/19. A total of 204 ha has been permitted with 90% being at strategic allocations. In terms of the planning permissions in Table 8, only new build employment development is shown, not changes of use between employment uses since this would result in no overall gain in employment land.

Table 9 – Total Employment Land on Allocations (adopted Local Plan 2011-2031 and Non-Statutory Local Plan 2011) at 31/03/19 (ha)

Location	Total Area (ha)
Banbury	35.00
Bicester	139.06
Kidlington	8.35

Rural Areas	83.07
Total	265.48

5.12 The total employment land available on Local Plan allocations is 265.48 ha (this includes remaining undeveloped land within allocated sites, a proportion of which will have planning permission). Planning permissions are in place on 184.14 ha of this allocated land. A large proportion of this is located at Bicester where there are six strategic allocations for employment and mixed use development.

Table 10 - Loss of employment land to non-employment use (includes completions on allocations and non-allocations) during 2018/19

Location	Land Area (ha)
Banbury	0.07
Bicester	0.22
Kidlington	0
Rural Areas	0
Cherwell Total	0.29

5.13 During 2018/19, only 0.29 ha of employment land was lost to other uses which was slightly lower than the previous year (0.51 ha).

Policy	Indicator	Target	Progress
SLE 2 Securing Dynamic Town Centres	Town centre uses (including use classes A1-A5, B1a, D2) completions within and outside of each of the town centres	No net loss of town centre use floor space within town centres	This indicator is monitored as part of Bicester 5 and Banbury 7.
SLE 2 Securing Dynamic Town Centres	No. of retail impact assessments submitted with planning applications	100% of applications over the thresholds set out in Policy SLE2	No retail impact assessments were received during 2018/19 as the scale of the applications received did not exceed the thresholds set out in Policy SLE2.

5.14 Please see Bicester 5 and Banbury 7 for the monitoring of the indicator on completions of town centre uses within and outside of Banbury and Bicester town centres.

Policy	Indicator	Target	Progress
Policy SLE 3 Supporting Tourism Growth	Completed tourism developments (including D use class uses and Sui Generis)	An annual increase in completed tourism developments over the plan period	Overall there was a net loss of 1870.87 sqm during 2018/19. The main loss was in SG use which came from a change of use from a military storage building to storage purposes (B8) at Heyford Park.
Policy SLE 3 Supporting Tourism Growth	Number of visitors to tourist attractions in the District	An annual increase over the plan period	Between January and December 2018 there were 8,147,873 visitors to the district, day and overnight.

Table 11 – Completed tourism developments during 2018/19

Use Class	Net floorspace completions (sqm) 2018/19
D1	1485.3
D2	48.1
Sui Generis	-3404.27
Total	-1870.87

5.15 Between January and December 2018 there were 8,147,873 visitors to the district (an increase of over 495,000 visitors from last year): 7,743,873 of day visitors; and 404,000 of overnight trips. The total visitors spend for the year is £370,886,000 which is an increase of £22,963,000 from last year. The total tourism value is £453,549,000.

Policy	Indicator	Target	Progress
Policy SLE 4 Improved Transport and Connections	Completed transport improvement schemes	Timely provision of transport infrastructure in accordance with strategic site delivery and as set out in the IDP	Progress of Transport Schemes is recorded in the IDP Update. Section 6 of this AMR monitors the implementation of Policy INF 1 and contains a summary of completed and new transport infrastructure projects including completion of: <ul style="list-style-type: none"> - Pedestrian crossing over SW Bicester

			<p>perimeter road (Vendee Drive), Oxford Road and Middleton Stoney Road</p> <ul style="list-style-type: none"> - Jubilee Ride, 9.5 mile circular equestrian / mountain bike route to the north of Bicester - Bus service improvements between Bloxham and Banbury - New bus service between Hardwick Farm/Southam Road to Banbury town centre - Improvements to cycling and walking routes on Duke Meadow Drive and between Hanwell Fields and Southam Road, Banbury.
Policy SLE 4 Improved Transport and Connections	Developer contributions to transport infrastructure	To meet development needs, as set out in the IDP	See IDP Update. Specific contributions data not available at this time.

Policy	Indicator	Target	Progress
Policy SLE 5 High Speed Rail 2 – London to Birmingham	Level of Council involvement with the proposed High Speed Rail Link	<p>Respond to all relevant Government consultations on HS2.</p> <p>Respond to all planning</p>	<ul style="list-style-type: none"> - Meetings ongoing. A Works Programme update from HS2 is expected soon. - First Schedule 17 applications are likely to be received in the early part of 2020.

		applications relating to HS2.	
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Theme Two: Building Sustainable Communities

Policy	Indicator	Target	Progress
Policy BSC 1 District Wide Housing Distribution	Housing commitments and completions per sub area (Banbury, Bicester, Kidlington, rural areas)	As set out in Policy BSC 1	<p>During 2018/19, there were 1,489 housing completions (net) and as at 31 March 2019 there were extant planning permissions for another 6,722 dwellings.</p> <p>From 2011-2019, completions were as follows:</p> <p>Banbury – 2,571 Bicester – 2,119 Kidlington – 307 Remaining Areas – 2,458</p> <p>At 31/3/19, the stock of planning permissions was as follows:</p> <p>Banbury – 2,245 homes Bicester – 3,348 homes Kidlington – 151 homes Remaining Areas – 978 homes</p>
Policy BSC 2 The Effective and Efficient Use of Land	% of residential completions on previously developed land	As set out in Policy BSC 2	30% of the 1,489 housing completions were on previously developed land.

Housing Requirement

- 5.16 The housing requirement against which housing delivery and housing land supply is measured against is set out in the adopted Cherwell Local Plan 2011-2031 Part 1 (2015). Policy BSC1: District Wide Housing Distribution plans for 22,840 dwellings to be delivered between 2011 and 2031, which equates to an annual requirement of 1,142 dwellings to meet the needs of Cherwell.
- 5.17 The housing requirement was based on the Oxfordshire Strategic Housing Market Assessment (SHMA) (April 2014) which provided the objective assessment of housing need for the district.

Housing Completions**Table 12 – Housing Completions (net) 2011 - 2019**

	Banbury			Bicester			Elsewhere			District			
	GF	PDL	Total	GF	PDL	Total	GF	PDL	Total	GF	PDL	Total	PDL %
2011 / 12	34	102	136	40	26	66	118	36	154	192	164	356	46%
2012 / 13	4	38	42	116	14	130	50	118	168	170	170	340	50%
2013 / 14	12	22	34	137	33	170	119	87	206	268	142	410	35%
2014 / 15	222	106	328	193	30	223	119	276	395	534	412	946	44%
2015 / 16	257	96	353	307	60	367	316	389	705	880	545	1425	38%
2016 / 17	349	59	408	309	62	371	141	182	323	799	303	1102	27%
2017 / 18	530	86	616	315	40	355	266	150	416	1111	276	1387	20%
2018 / 19	521	133	654	272	165	437	252	146	398	1045	444	1489	30%
Totals	1929	642	2571	1689	430	2119	1381	1384	2765	4999	2456	7455	33%

- 5.18 Table 12 shows the annual housing completions in Cherwell since 2011. The total number of housing completions (net) between 2011 and 2019 is 7,455 dwellings. During 2018/19, 1,489 (net) housing completions were recorded. This is higher than the previous highest recorded completion figure during 2015/16 (1,425).
- 5.19 As a consequence of the local plan and SHMA period being from 2011 onwards (pre-dating adoption of the Local Plan in 2015) there is a 'shortfall' of some 1,681 homes for the period 2011 to 2019 which must be made up.
- 5.20 In 2018/19, 44% of completions were at Banbury, 29% at Bicester and 27% elsewhere. 30% of the 1,489 homes delivered were on previously developed land.
- 5.21 Delivery on strategic development sites has included Longford Park, Banbury (96 dwellings); Southam Road, Banbury (122 dwellings); North of Hanwell Fields, Banbury (117 dwellings); Graven Hill, Bicester (122 dwellings); Kingsmere, Bicester (205 dwellings); and Heyford Park, Upper Heyford (97 dwellings).
- 5.22 There was good progress made at West of Bretch Hill, Banbury; West of Bloxham Road (South of Salt Way), Banbury; and at the North West Bicester eco-development. The sites progressing well in rural areas include Church Leys Field, Ambrosden; Land North of Station Road, Bletchingdon; Land South of Milton Road, Bloxham; Land South of Blackwood Place and Molyneux Drive, Bodicote; and Sibford Road, Hook Norton.

5.23 Table 13 shows the progress being made on strategic sites (100 or more dwellings) that are under construction.

Table 13 – Progress of strategic Sites

Site	No. of developers (Oct 2019)	Completions during 2018/19	Completions during 2017/18	Completions during 2016/17	Completions during 2015/16	Completions during 2014/15
Bankside Phase 1, Banbury (Longford Park)	3	96	142	140	218	148
Land adjoining and West of Warwick Road, Banbury	2	11	0	0	0	0
Land East of Southam Road, Banbury (Local Plan Site Banbury 2)	2	122	100	99	6	0
Land South of Salt Way and West of Bloxham Road, Banbury (Local Plan Site Banbury 16)	1	42	0	0	0	0
North of Hanwell Fields, Banbury (Local Plan Site Banbury 5)	2	117	106	57	0	0
South of Salt Way – East (Local Plan Site Banbury 17)	1	16	62	37	27	0
West of Bretch Hill, Banbury (Local Plan Site Banbury 3)	1	85	93	14	0	0
Graven Hill, Bicester (Local Plan Site Bicester 2)	Primarily 1 with multiple self-builders	122	28	1	0	0
Kingsmere, South West Bicester Phase 1	4	205	196	231	210	179
North West Bicester Eco-Town Exemplar Project, Bicester (Local Plan Site Bicester 1)	1	29	65	0	90	0
Former RAF Upper Heyford (Local Plan Site Villages 5)	2	97	103	106	166	46

5.24 Table 14 shows the housing completions recorded since 2011 for strategic sites (100 or more), non-strategic sites (10-99) and windfall development (<10 homes).

Table 14 – Breakdown of Housing Completions (net) 2011 - 2019

	Banbury	Bicester	Elsewhere	District
Strategic Sites	1792	1659	540	3991
Non-Strategic Sites	429	329	1597	2355
Windfalls (<10)	350	131	628	1109
Totals	2571	2119	2765	7455

Planning Permissions

Table 15 - Housing Commitments as at 31/03/2019

		No. of dwellings
Banbury	GF	1983
	PDL	262
	Total	2238
Bicester	GF	1501
	PDL	1847
	Total	3348
Elsewhere	GF	557
	PDL	572
	Total	1129
District	GF	4041
	PDL	2674
	Total	6722

5.25 At 31 March 2019, there were extant planning permissions for a total of 6,722 dwellings that had not yet been built.

5.26 In Banbury, most of the permissions relate to strategic, greenfield sites such as Southam Road East, West of Bloxham Road (South of Salt Way), West of Warwick Road and West of Bretch Hill. At Bicester there are permissions for greenfield development at Kingsmere (South West Bicester), SW Bicester Phase 2 and the North West Bicester eco-development. Permission also exists for the development of previously developed land at Graven Hill and Bessemer Close/Launton Road.

5.27 There were 323 homes with permission at Former RAF Upper Heyford which have yet to be built. Other extant planning permissions in the rural areas include 65 dwellings at

Ambrosden; 95 dwellings at Bodicote; 40 dwellings at Hook Norton; 54 dwellings at Kidlington and 72 dwellings at Launton.

Housing Land Supply

5.28 The NPPF (paragraph 73) requires local planning authorities to *'identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific sites should in addition include a buffer (moved forward from later in the plan period) of:*

- a) 5% to ensure choice and competition in the market for land; or*
- b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently adopted plan, to account for any fluctuations in the market during that year; or*
- c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.'*

5.29 The NPPF defines what is required for sites to be considered to be deliverable within its glossary and states that:

'To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:

- a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).*
- b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.'*

5.30 The PPG (paragraph 007 Reference ID: 68-007-20190722) provides further clarification on assessing deliverability and the evidence required. For sites with outline planning permission, permission in principle, allocated in a development plan or identified on a brownfield register, *'Such evidence, to demonstrate deliverability, may include:*

- current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out*

the timescale for approval of reserved matters applications and discharge of conditions;

- *firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*
- *firm progress with site assessment work; or*
- *clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.’*

- 5.31 A comprehensive review of housing land supply has been undertaken. All known sites of 10 or more dwellings were individually identified and examined.
- 5.32 Site promoters, developers and agents were engaged in reviewing the deliverability of these sites with each being sent a form containing details on planning applications and permissions and, where applicable, the expected delivery rates from the last AMR. Information was requested concerning progress on planning, expected build-out rates, the number of housebuilders currently on site and/or expected and build-out rates. The responses received were considered in reviewing the deliverability of sites and the projected timescale for delivery having regard to lead-in times, site preparation and infrastructure provision. The base date for updating the progress on individual sites and reviewing deliverability and delivery assumptions was 12 November 2019.
- 5.33 The review included consultation with Development Management officers and other Council services involved in the delivery of sites to ensure that assessments of deliverability were realistic. Sites were discounted as being ‘deliverable’ if there was insufficient demonstrable evidence such as Gavray Drive in Bicester, Land at Merton Road in Ambrosden and Land North of Shortlands and South of High Rock in Sibford Ferris. Consideration was given to the outcome of planning appeals where relevant to the assessment of housing land supply particularly the Inspectors comments regarding evidence for justifying deliverability of sites. This is reflected in the site update forms that were sent to site promoters, developers and agents.
- 5.34 Where site promoters/developers did not respond to requests for information, chasing enquiries were made. Where, ultimately, no update was received, officers made an informed judgement about deliverability and delivery timescales having regard to the information available, to internal consultations and with the benefit of contextual information from the review of other sites.
- 5.35 A peak delivery assumption of 50 dwellings per annum for each housebuilder on strategic sites based on recent evidence (see Table 13), unless specific circumstances suggest otherwise. The results of site visits undertaken for 2019/20 site monitoring (separately for quarters 1 and 2) were used to help understand the most up to date delivery position. The number of developers on site can change over time and at peak build-out, 3-5 developers can be seen on larger strategic sites. At one point there were 5 developers on site at Kingsmere during 2015/16 before coming down to 4 developers from 2016/17.

Once completions start on site a rate of approximately 50 dwellings per year per developer is considered to be a reasonable assumption for strategic sites as demonstrated by Table 13.

- 5.36 Deliverability, timescales and rates of delivery were considered on a site by site basis. For all sites of 10 or more dwellings, no assumptions were made that because a site had planning permission it would be delivered. Consequently, applying a generic lapse rate to planning permissions for those sites was not appropriate.
- 5.37 Sites not considered to be deliverable were assessed for developability over a longer period of time.
- 5.38 The NPPF and the PPG set out that a windfall allowance for small sites (unidentified sites or less than 10 dwellings) may be justified in the five-year supply if a local planning authority has compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Housing and Economic Land Availability Assessment (HELAA), historic windfall delivery rates and expected future trends, and should not include residential gardens.
- 5.39 The Housing Delivery Monitor (HDM) at Appendix 2 includes a windfall allowance of 35 dwellings per year at Banbury, 10 dwellings per year at Bicester and 61 dwellings per year at rural areas. These assumptions have been lowered for the second half of the plan period in the interest of caution. A total of 530 dwellings are added to the five year supply calculation.
- 5.40 The 2018 HELAA (section 5) provides the evidence on windfall allowance. It considered historic completions of small, unidentified sites, the identification of sites on previously developed land, expiries of planning permissions and completions against permissions. The conclusion led to 106 dwellings per year with a breakdown by areas as shown in para 5.39.
- 5.41 The results of the review of housing land supply are presented in the Housing Delivery Monitor at Appendix 2. The Housing Delivery Monitor distinguishes between sites that are considered to be deliverable (those contributing to the 5 year land supply) from those only presently considered to be developable at a future point.

Five Year Housing Land Supply Position

- 5.42 Table 16 provides the calculation of the current five year land supply based on the Housing Delivery Monitor at Appendix 2. Only sites considered to be 'deliverable' are included in the calculation of the five year housing land supply.

Table 16 – Calculation of housing land supply from deliverable sites

		Five Year Period 2019-24 (current period)	Five Year Period 2020- 25 (from 1 April 2020)
a	Plan Requirement (2011-2031)	22840	22840
b	Annual Requirement (a/20)	1142	1142
c	Requirement to date (b*years)	9136	10278
d	Completions	7455	8903
e	Shortfall at 31/3/19 (c-d)	1681	1375
f	Base Requirement over next 5 years (b x 5)	5710	5710
g	Base Requirement over next 5 years plus shortfall (f + e)	7391	7085
h	5 Year Requirement and shortfall plus 5% (g+5%)	7761	7439
i	Revised Annual Requirement over next 5 years (h/5)	1552.1	1487.9
j	Deliverable Supply over next 5 Years	7096	6573
k	Total years supply over next 5 years (j/i)	4.6	4.4
l	'Shortfall' (j – h)	665	866

** projected completions of 1,448 for 2019/20 added to roll forward to 2020/2025*

- 5.43 There are two five year periods shown. The current assessment of supply is for the period 2019 to 2024. However, to ensure that a calculation is provided for the next five years in full, a calculation is also shown for 2020 to 2025 which will be applied in decision making from 1 April 2020. There is no duplication or overlap in the figures as the calculations are produced at the same point in time having regard to the same assessment of supply. The only adjustment necessary to roll forward the five year period is to add the projected completions for 19/20 to overall completions for 2011-2020 and to consider the projected deliverable supply from 2020-2025 rather than 2019-2024.
- 5.44 Table 16 illustrates that the District can demonstrate a 4.6 year supply for the current period 2019-2024 and a 4.4 year supply for the next five year period (2020-2025) commencing on 1 April 2020. The calculations include a 5% buffer to both the base housing requirement and the shortfall and the making up of a delivery shortfall within five years. This AMR shows that a supply of 7,096 homes is expected from deliverable sites from 2019 to 2024 and a supply of 6,573 homes is expected for 2020-2025.
- 5.45 The fall in the district's housing land supply position does not result from recent under-delivery but reflects some caution in the projections for future delivery. This particularly the case for a number of large, complex development sites some of which have been the

subject of protracted discussion. The circumstances of individual sites and developers and market conditions also affects the speed at which homes can be delivered.

- 5.46 The Council considers that the extent of the five year land supply shortfall is manageable and reversible. High levels of delivery in the district demonstrate the demand that exists and a number of large sites are expected to move forward. As illustrated in the Housing Delivery Monitor, the district is experiencing a high level of growth and the supply of development land is evidently abundant. The issue going forward is more one of bringing forward sites that have not commenced and ensuring that higher rates of delivery are achieved where there is current caution.

- 5.47 As site specific issues are resolved, and with the assistance of targeted funds from the Oxfordshire Housing and Growth Deal, it is expected that the five year land supply position will improve. Furthermore, The Housing Delivery Monitor shows that there is some potential additional supply from other developable (rather than deliverable) sites in the medium term which will help maintain a healthy land supply.

Housing Land Supply in Oxfordshire: Written Ministerial Statement, 12 September 2018 (HCWS955)

- 5.48 On 12 September 2018, the Secretary of State for Ministry of Housing, Communities and Local Government issued a written statement containing a *‘temporary change to housing land supply policies as they apply in Oxfordshire’*. Ministerial Statement HCWS955 is a Government commitment as part of the Oxfordshire Housing Growth Deal providing a temporary planning flexibility pending the adoption of the Oxfordshire Plan 2050. For the purpose of decision-taking under paragraph 11(d), footnote 7 of the Framework will apply where the authorities in Oxfordshire cannot demonstrate a three year supply of deliverable housing sites with the appropriate buffer. This statement is a material consideration in planning decisions.

- 5.49 Although the Council presently cannot demonstrate a five year supply, its position exceeds the current three year housing land supply requirement as set out in the Written Ministerial Statement therefore paragraph 11(d) of the NPPF is not engaged for reasons of housing land supply.

Housing Density

Policy	Indicator	Target	Progress
Policy BSC 2 The Effective and Efficient Use of Land	Net housing density of completions	As set out in Policy BSC 2	The housing density of large completed sites (10 or more dwellings) during 2018/19 is 20.7 dwellings per hectare (dph).

Table 17 - Housing density of large completed sites during 2018/19 (10 or more dwellings)

	2018/19
Total Site area (gross)	46.06
No. of dwellings on large sites	953
Housing Density	20.7

- 5.50 The indicator looks at net housing density of completions however for the purpose of this AMR the gross site areas were used therefore the housing density recorded is actually lower than it should have achieved.
- 5.51 The housing density of large completed sites (10 or more dwellings) during 2018/19 is 20.7 dwellings per hectare (dph) which is lower than the previous year (26.3) and below the target set out in Policy BSC 2. Out of the 57 large completed sites, 35 of them have exceeded the target of 30 dph. Examples of completed sites with higher housing densities are primarily on parcels at Graven Hill (various densities) and the Oxford & Cherwell Valley College site (98 dph).

Affordable Housing

Policy	Indicator	Target	Progress
Policy BSC 3 Affordable Housing	Net affordable housing completions/acquisitions per tenure	As set out in Policy BSC 3	During 2018/19 there were 507 net affordable housing completions.
Policy BSC 3 Affordable Housing	No. of self-build completions	An annual increase in the number of self-build completions	There were 122 self-build completions in 2018/19.

Table 18 – Net Affordable Housing Completions

Year	Affordable housing completions (net)
2011/12	204
2012/13	113
2013/14	140
2014/15	191
2015/16	322
2016/17	278
2017/18	426
2018/19	507
Totals	2181

- 5.52 There were 507 net affordable housing completions during 2018/19 which is the highest recorded delivery for affordable housing. This excludes 14 acquisitions (i.e. transfers from market housing stock). The number of affordable housing completions has continued to increase which reflects the higher overall rate of housing delivery across the district. The level of affordable housing completion has continued to exceed the Council’s affordable housing target of 190 dwellings per year.
- 5.53 From the 507 affordable housing completions there were 335 in affordable rented and 172 in shared ownership. There continues to be no delivery of social rented homes.
- 5.54 During 2018/19, there were 122 self-build affordable housing completions in the District which took place at the Graven Hill site (Bicester 2 allocation in the Local Plan). Graven Hill has planning permission for 1,900 self-build dwellings and will be the largest self-build development in the country. The site has made considerable progress during 2018/19 with several plots under construction.

Policy	Indicator	Target	Progress
Policy BSC 4 Housing Mix	Number of completed dwellings per number of bedrooms	As set out in Policy BSC 4	No data is available at this time.
Policy BSC 4 Housing Mix	Number of ‘extra care’ completions	As set out in Policy BSC 4	There were 78 extra care completions during 2018-19.

- 5.55 There were 78 extra-care dwellings completed during 2018/19, all delivered at the Oxford and Cherwell Valley College site on Broughton Road, Banbury.

Area Renewal

Policy	Indicator	Target	Progress
Policy BSC 5 Area Renewal	Completed development per type in the ‘area of renewal’	Improvements in levels of deprivation in the District	Progress recorded in The Brighter Futures in Banbury Programme Annual Report 2018/19.
Policy BSC 5 Area Renewal	The ‘Brighter Futures in Banbury’ performance Measures Package Reports	Positive trends across all the Programme’s indicators	Progress recorded in The Brighter Futures in Banbury Programme Annual Report 2018/19.

- 5.56 Brighter Futures in Banbury is a strong long term partnership programme delivering new opportunities, innovative projects and high quality focussed services in Ruscote, Neithrop and Grimsbury and Castle Wards.
- 5.57 The Brighter Futures in Banbury Programme Annual Report 2018/19 is available to view on the Council’s website
<https://www.cherwell.gov.uk/info/118/communities/483/brighter-futures-in-banbury/2>)

Travelling Communities

Policy	Indicator	Target	Progress
Policy BSC 6 Travelling Communities	Completed/Lost Gypsy & Traveller Plots/Travelling Showpeople Pitches, by location (location criteria as set out in Policy BSC 6)	Provision for new pitches to meet identified shortfall as set out in Policy BSC 6	There remains a need to meet policy requirements and to secure 5 year land supplies. A separate needs assessment was published in June 2017. Applications continue to be considered against the criteria in Policy BSC6.

- 5.58 The Government’s overarching aim is to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers whilst respecting the interests of the settled community. Local Planning Authorities should:
- Make their own assessment of need for the purposes of planning
 - Develop fair and effective strategies to meet need through the identification of land for sites
 - Plan for sites over a reasonable timescale
 - Ensure that their Local Plan includes fair, realistic and inclusive policies
 - To have due regard to the protection of local amenity and local environment.

Table 19 – Existing Supply of Gypsy and Traveller Pitches at 31 March 2019 (Policy BSC 6)

Site	Net Loss / Gain								Net Running Totals
	Supply at 31 March 2012	12/13	13/14	14/15	15/16	16/17	17/18	18/19	
Bicester Trailer Park, Chesterton	8	0	0	0	0	0	0	0	8

Corner Meadow, Fanborough Road, Mollington	4	0	5	0	0	6	0	0	15
Horwood Site, Ardley Road, Ardley	1	0	0	0	0	0	0	0	1
Land adjoining A34 by Hampton Gay and Poyle	8	0	0	0	0	0	3	0	11
Land South West of Woodstock Road, Yarnton	3	0	0	0	0	0	0	0	3
Lower Heyford Road, Caulcott	0	0	0	0	5	0	0	0	5
OS Parcel 3431 Adjoining And North East Of Blackthorn Road Launton	0	2	0	0	0	0	0	0	2
Smiths Caravan Park, Milton	36	0	0	-16	0	-20	0	0	0
Station Caravan Park, Banbury	10	0	0	0	0	0	-10	0	0
Summer Place, Blackthorn Road, Launton	0	0	0	0	0	0	2	0	2
The Stable Block, Fanborough Road, Mollington	0	0	0	0	0	5	0	0	5
Totals	70	2	5	-16	5	-9	-5	0	52

5.59 At 31 March 2019, the total supply of Gypsy and Traveller pitches was 52 which remains unchanged from the previous year due to no new pitches being approved during 2018/19. Therefore there is a net loss of 18 pitches since 1 April 2012.

5.60 Policy BSC 6: Travelling Communities of the adopted Cherwell Local Plan 2011-2031 (Part 1) provides a sequential and criteria based approach for considering opportunities and planning applications. The Policy sets a requirement of 19 (net) additional pitches to meet the needs of Gypsies and Travellers from 2012 to 2031. It also requires 24 (net) additional plots for Travelling Showpeople from 2012 to 2031.

5.61 Tables 20 and 21 below show the remaining Local Plan requirement for Gypsy and Traveller sites and the latest projections for future supply.

Table 20 – Meeting planned requirements for Gypsy and Traveller Pitches (Policy BSC 6)

Policy BSC 6 Requirements	
No. of additional pitches required 2012-2031	19
Completions (2012-2019)	-18
Remaining Requirement 2018-2031	37 pitches (19+18)

5.62 There is a total of 10 new pitches that were given permission during 2019/20 (4 pitches at Summer Place, Launton and 6 pitches at Widnell Lane, Piddington). There is currently a live planning appeal for 3 pitches at Land West of M40, Kirtlington Road, Chesterton and there are no current planning applications pending.

Site	Permissions at 31/3/19	19/20	20/21	21/22	22/23	23/24	24/25	Details
Land North East of HM Bullingdon Prison, Widnell Lane, Piddington	0	0	6	0	0	0	0	Planning permission for 6 pitches - 17/01962/F (28/10/2019). Expected delivery during 2020/21.
Summer Place, Blackthorn Road, Launton	0	0	4	0	0	0	0	Planning permission for 4 pitches - 18/01259/F (13/09/2019). Expected delivery during 2020/21.
Totals	0	0	10	0	0	0	0	

5.63 There is a requirement for Local Planning Authorities, in producing their Local Plan, to identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years’ worth of sites against their locally set targets.

5.64 Table 21 provides the five year supply calculation on the basis of Local Plan requirements.

Table 21 – Calculation of 5 Year Land Supply for Gypsy and Traveller Pitches (Policy BSC 6)

		Five Year Period 2019 - 24 (current period)	Five Year Period 2020 - 25 (from 1 April 2020)
a	Plan Requirement (2012-2031)	19	19
b	Annual Requirement (a/19)	1	1
c	Requirement to date (b x years)	7	8
d	Completions	-18	-18*
e	Shortfall at 31/3/19 (c-d)	25	26
f	Base Requirement over next 5 years (b x 5)	5	5
g	Base Requirement over next 5 years plus shortfall (f + e)	30	31
h	Revised Annual Requirement over next 5 years (g/5)	6	6.2
i	Deliverable Supply over next 5 Years	10	10
j	Total years supply over next 5 years (i/h)	1.7	1.6
k	Shortfall (g-i)	20	21

* There is no projected completion for 2019/20 added to roll forward to 2020-2025

- 5.65 A Gypsy, Traveller and Travelling Showpeople Accommodation Assessment (GTAA) for Cherwell, Oxford, South Oxfordshire and Vale of White Horse Councils was published in June 2017 (<https://www.cherwell.gov.uk/downloads/download/318/gypsy-traveller-and-travelling-showpeople-accommodation-assessment-oxford-cherwell-south-oxfordshire-and-vale-of-white-horse-june-2017>). It identifies a new objective assessment of need for each authority based on the definitions of Gypsies and Travellers and Travelling Showpeople for planning purposes (Annex 1 of the Government's Planning Policy for Traveller Sites (PPTS, 2015)). It identifies a need for 7 additional pitches for households for Cherwell by 2032 where it is known that they meet the planning definition.
- 5.66 The Assessment highlights that there are many households where it is 'unknown' whether or not the new planning definition of Gypsies and Travellers is met. Should further information arise, it states that the overall need could increase by up to 12 pitches. Additionally, a potential need for 8 pitches is highlighted due to the closure of a site (Smiths Caravan Park).
- 5.67 The Assessment advises that that for 'unknown' travellers 'it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not they meet the planning definition...' based on interviews that have taken place (para.7.28 of the study).

5.68 An alternative five year supply calculation is presented in Table 22 which does not include an allowance for 'unknown' need but which includes the potential need for 8 pitches arising from the Smiths site (a site that was previously included in the district's supply).

Table 22 – Calculation of 5 Year Land Supply for Gypsy and Traveller Pitches (GTAA, June 2017)

		Five Year Period 2019 - 24 (current period)	Five Year Period 2020 - 25 (from 1 April 2020)
a	Objective Assessment of Need (2017 - 2032) (meeting the Planning Definition)	15 (7+8)	15 (7+8)
b	Annual Requirement (a/15)	1	1
c	Requirement to date (b x years)	2	3
d	Completions	-5	-5*
e	Shortfall at 31/3/19 (c-d)	7	8
f	Base Requirement over next 5 years (b x 5)	5	5
g	Base Requirement over next 5 years plus shortfall (f + e)	12	13
h	Revised Annual Requirement over next 5 years (g/5)	2.4	2.6
i	Deliverable Supply over next 5 Years	10	10
j	Total years supply over next 5 years (i/h)	4.2	3.8
k	Shortfall (g- i)	2	3

* There is no projected completion for 2019/20 added to roll forward to 2020-2025

5.69 Tables 23 and 24 show the current supply position for plots for Travelling Showpeople. Table 25 shows the five year supply calculation based on Local Plan requirements. Table 26 provides an alternative five year supply calculation based on the Accommodation Assessment and a need for 12 plots from 2017-2032. The 'unknown' need for Travelling Showpeople (not included in the calculation) is only 1 plot. Although the identified need is lower than Local Plan requirements, there remains a five year land supply of zero years for both 2018-23 and 2019-24 as no new supply has yet been identified. Policy BSC6 provides a sequential and criteria based approach for considering opportunities and planning applications.

Table 23 – Existing Supply of Travelling Showpeople Plots (Policy BSC 6)

Site	No. of plots in 2008	Net Loss / Gain										
		08/09	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19
Rose's Yard, Blue Pitts, Bloxham	3	0	0	0	0	0	0	0	0	0	0	0
Carousel Park, Bloxham	2	0	0	0	0	0	0	0	0	0	0	0
Faircare, Bloxham	6	0	0	0	0	0	0	0	0	0	0	0
Hebborn's Yard, Gosford	3	0	0	0	0	0	0	0	0	0	0	0
Totals	14	14	14	14	14	14	14	14	14	14	14	14

Table 24 – Meeting planned requirements for Travelling Showpeople Plots (Policy BSC 6)

Policy BSC 6 Requirements	
No. of additional pitches required 2012-2031	24
Completions	0
Remaining Requirement 2019-2031	24 plots
Current Projected Supply 2019-2031	0 plots

Table 25 – Calculation of 5 Year Land Supply for Travelling Showpeople plots (Policy BSC 6)

		Five Year Period 2019 - 24 (current period)	Five Year Period 2020 - 25 (from 1 April 2020)
a	Plot Requirement (2012-2031)	24 (2008-31)	24 (2008-31)
b	Annual Requirement (a/19)	1.26	1.26
c	Requirement to date (b x years)	8.8	10.1
d	Completions	0	0*
e	Shortfall at 31/3/19 (c-d)	8.8	10.1
f	Base Requirement over next 5 years (b x 5)	6.3	6.3
g	Base Requirement over next 5 years plus shortfall (f + e)	15.2	16.4
h	Revised Annual Requirement over next 5 years (g/5)	3.0	3.3
i	Deliverable Supply over next 5 Years	0	0
j	Total years supply over next 5 years (i/h)	0	0
k	Shortfall (g- i)	15	16

* projected completion of 0 for 2019/20 added to roll forward to 2020-2025

Table 26 – Alternative Calculation of 5 Year Land Supply for Travelling Showpeople plots (GTAA, June 2017)

		Five Year Period 2019 - 24 (current period)	Five Year Period 2020 - 25 (from 1 April 2020)
a	Plot Requirement (2017 - 2032) (meeting the Planning Definition)	12	12
b	Annual Requirement (a/15)	0.80	0.80
c	Requirement to date (b x years)	1.6	2.4
d	Completions	0	0*
e	Shortfall at 31/3/19 (c-d)	1.6	2.4
f	Base Requirement over next 5 years (b x 5)	4.0	4.0
g	Base Requirement over next 5 years plus shortfall (f + e)	5.6	6.4
h	Revised Annual Requirement over next 5 years (g/5)	1.1	1.3
i	Deliverable Supply over next 5 Years	0	0
j	Total years supply over next 5 years (i/h)	0	0
k	Shortfall (g- i)	6	6

* projected completion of 0 for 2019/20 added to roll forward to 2020-2025

Policy	Indicator	Target	Progress
Policy BSC 7 Meeting Education Needs	Completed education infrastructure	Timely provision of education infrastructure in accordance with strategic site delivery and as set out in the IDP	Progress of education schemes is recorded in the IDP Update. Section 6 of this AMR monitors the implementation of Policy INF 1 and contains a summary of completed and new education infrastructure projects including completion of: - Expansion of Warriner School, Bloxham by an additional 56 places per year group - Expansion of Chesterton CE (VA) Primary School from

			an admission number of 20 to 25 pupils.
Policy BSC 7 Meeting Education Needs	Developer contributions to education infrastructure	To meet development needs, as set out in the IDP	See IDP Update. Specific contributions data not available at this time.

Policy	Indicator	Target	Progress
Policy BSC 8 Securing Health and Well Being	Completed health care infrastructure	Timely provision of health infrastructure in accordance with strategic site delivery and as set out in the IDP	Progress of Health and Well Being Schemes is recorded in the IDP Update. Section 6 of this AMR monitors the implementation of Policy INF 1 and contains a summary of new health schemes. There are no completed health schemes reported in this AMR period.
Policy BSC 8 Securing Health and Well Being	Developer contributions to health care infrastructure	To meet development needs, as set out in the IDP	See IDP Update. Specific contributions data not available at this time.
Policy BSC 8 Securing Health and Well Being	Completions at Bicester Community Hospital	Replacement of Bicester Community Hospital within the plan period	The new community hospital was completed during 2014/15.

Policy	Indicator	Target	Progress
Policy BSC 9 Public Services and Utilities	Completed public services/utilities infrastructure	Timely provision of public services/utilities infrastructure in accordance with strategic site delivery and as set out in the IDP	Progress of public services and utilities infrastructure schemes is recorded in the IDP Update. Section 6 of this AMR monitors the implementation of Policy INF 1 and contains a summary of completed and new public services and utilities infrastructure

			<p>projects including completion of:</p> <ul style="list-style-type: none"> - Temporary relocation of Bicester Green Reuse Centre to Claydon's Yard
Policy BSC 9 Public Services and Utilities	Developer contributions to public services/utilities	To meet development needs, as set out in the IDP	See IDP Update. Specific contributions data not available at this time.

Policy	Indicator	Target	Progress
Policy BSC 10 Open Space, Outdoor Sport & Recreation Provision	Amount, type and location of open space/sport/recreation facilities	No net loss of open space/outdoor sport/recreation sites	Progress of Open Space, Outdoor Sport and Recreation Schemes is recorded in the IDP Update. Section 6 of this AMR monitors the implementation of Policy INF 1 and contains a summary of completed and new open space and recreation infrastructure projects.
Policy BSC 10 Open Space, Outdoor Sport & Recreation Provision	Areas deficient in recreation provision by type and amount	Annual improvements over the plan period	Open space, sport and play areas assessment which is nearing completion will identify current deficiencies in open space and play provision. The updated Playing Pitch and Sports Facilities Strategies (2018) contain baseline information on deficiencies in recreation provision. The findings informed the Active Communities Strategy 2019-2023 approved by the Council in June 2019. This indicator will be

			reported in the 2020 AMR.
Policy BSC 10 Open Space, Outdoor Sport & Recreation Provision	Completed built development on (former) sites of open space, outdoor sport and recreation	No net loss of open space/outdoor sport/recreation sites	Progress has been made on updating open space, sport and recreation assessments which will provide updated baseline information. The Open Space and Play Areas Strategy is nearing completion and the Sports Facilities Strategy and Playing Pitch Strategy were published at the end of 2018. The findings informed the Active Communities Strategy 2019-2023 approved by the Council in June 2019. This indicator will be reported in the 2020 AMR.
Policy BSC 10 Open Space, Outdoor Sport & Recreation Provision	Open spaces in the District meeting quality standards	A yearly improvement in the quality of sites/facilities	Progress has been made on updating open space, sport and recreation assessments which will provide updated baseline information. The Open Space and Play Areas Strategy is nearing completion and the Sports Facilities Strategy and Playing Pitch Strategy were published at the end of 2018. The findings informed the Active Communities Strategy 2019-2023 approved by the Council in June 2019. This indicator will be reported in the 2020 AMR.

Policy	Indicator	Target	Progress
Policy BSC 11 Local Standards of Provision - Outdoor Recreation	Developer contributions to open space/sport/recreation facilities per typology	As set out in policy BSC11	See IDP Update. Specific contributions data not available at this time.

Policy	Indicator	Target	Progress
Policy BSC 12 Indoor Sport, Recreation and Community Facilities	Developer contributions to open space/sport/recreation facilities per typology	As set out in policy BSC12	Progress of Indoor Sport and Recreation and community facilities Schemes is recorded in the IDP Update. Section 6 of this AMR monitors the implementation of Policy INF 1 and contains a summary of completed and new schemes including: - The Kingsmere Community Centre was completed in July 2018.
Policy BSC 12 Indoor Sport, Recreation and Community Facilities	Completed community facilities infrastructure	As set out in policy BSC12	See IDP Update. Specific contributions data not available at this time.

Theme Three: Ensuring Sustainable Development

Policy	Indicator	Target	Progress
Policy ESD 1 Mitigating and Adapting to Climate Change	Carbon emissions in the District per capita	Reductions over the plan period	Carbon emissions in the District per capita were 9.8 tonnes in 2011. In 2017, the latest year for which data is available estimates the figure to be 8.5 tonnes.
Policy ESD 1 Mitigating and Adapting to Climate Change	Permissions granted contrary to Environment Agency advice on Flood Risk grounds	No permissions granted contrary to EA advice on flood risk grounds	There were 7 permissions granted with unresolved objections from the Environment Agency. This applies to the same indicator under Policy ESD 6.
Policy ESD 1 Mitigating and Adapting to Climate Change	Access to services and facilities by public transport, walking and cycling	Improvement over the plan period, linked to Oxfordshire LAA target (National Indicator 175)	Refer to Policy SLE4.

5.70 There were 7 planning permissions granted (or allowed on appeal) between 1 April 2018 and 31 March 2019 to which the Environment Agency had initially objected on flood risk grounds.

Policy	Indicator	Target	Progress
Policy ESD 2 Energy Hierarchy	Number of Energy Statements submitted	As set out in Policy ESD2 i.e. required for all major applications	No data is available at this time.

Policy	Indicator	Target	Progress
Policy ESD 3 Sustainable Construction	% of new dwellings completed achieving water use below 110 litres/person/day	As set out in Policy ESD3	All new dwellings are required to meet the mandatory national standard set out in the Building Regulations of 125 litres/person/day. Policy ESD3 seeks a reduced level of water

			use in recognition of the district being in an area of water stress. The reduced limit of 110 litres/person/day is not however currently monitored and requires further liaison with Development Management and water utility companies to identify how best to achieve this target.
Policy ESD 3 Sustainable Construction	Completed non residential development achieving BREEAM Very Good, BREEAM Excellent	As set out in Policy ESD3	All non-residential development is typically required by condition to be constructed to achieve at least a BREEAM 'Very Good' rating based on the relevant BREEAM standard for that building type applicable at the time of the decision. There is however currently no requirement for developers to provide evidence that the development has achieved the required BREEAM rating.

Policy	Indicator	Target	Progress
Policy ESD 4 Decentralised Energy Systems	Number of District Heating Feasibility Assessments submitted	As set out in Policy ESD4 i.e. required for all applications for 100 dwellings or more	No data is available at this time.
Policy ESD 4 Decentralised Energy Systems	Number of permitted District heating schemes in the District	Increase over the plan period	No district heating schemes were permitted during 2018/19.

Policy	Indicator	Target	Progress
Policy ESD 5 Renewable Energy	Permitted renewable energy capacity per type	Increase over the plan period	6 planning permissions were approved for renewable energy schemes.

Table 27 – Permitted renewable energy capacity per type

Type	No. of applications granted permission in 2018/19
Wind	1
Solar PV	4
Solar thermal	0
Ground source	1
Air source	0
Biomass	0
Total	6

5.71 During 2018/19, 6 planning permissions were approved for renewable energy schemes which is an increase of one from 2017/18. The renewable energy schemes approved were small-scale domestic installations. It should be noted that the majority of small scale energy schemes, especially solar PV schemes, benefit from permitted development rights and do not require planning permission. It is not therefore possible to identify and record these installations.

Policy	Indicator	Target	Progress
Policy ESD 6 Sustainable Flood Risk Management	Permissions granted contrary to Environment Agency advice on flood risk grounds	No permissions granted contrary to EA advice on flood risk grounds	There were 7 permissions granted with unresolved objections from the Environment Agency. This applies to the same indicator under Policy ESD 6.
Policy ESD 6 Sustainable Flood Risk Management	Flood Risk Assessments received for development proposals within Flood Zones 2 & 3, within 1 ha of Flood Zone 1, or 9m of any watercourse	As set out in Policy ESD6 i.e. required for all proposals meeting the locational criteria	There were 295 planning applications for development proposals within Flood Zones 2 & 3, 9m of any watercourse or greater than 1ha in area and located within Flood Zone 1.

Table 28 – Planning applications received during 2018/19 for development proposals within Flood Zone 1, 2 or 3, or within 9m of any watercourse

Development Location	Applications Received
Flood Zone 1 exceeding 1 ha in area	147
Flood Zones 2 or 3	110
Within 9m of any watercourse	38
Total	295

5.72 During 2018/19, there were 295 planning applications for development proposals within Flood Zones 2 and 3, 9m of any watercourse or greater than 1 ha in area and located within Flood Zone 1.

Note: This data contains duplicate entries where a development proposal is located in more than one development location. For example, if a development proposal is located in Flood Zone 2 and is also within 9m of a watercourse then it will be counted twice, once per development location.

Policy	Indicator	Target	Progress
Policy ESD 7 Sustainable Drainage Systems (SuDS)	Completed SuDS schemes in the District	Annual increase over the plan period	No data is available at this time.

Policy	Indicator	Target	Progress
Policy ESD 8 Water Resources	Number of permissions granted contrary to Environment Agency advice on water quality grounds	No permissions granted contrary to EA advice on water quality grounds	There have been no planning permissions granted contrary to an Environment Agency objection on water quality grounds.

Policy	Indicator	Target	Progress
Policy ESD 9 Protection of the Oxford Meadows SAC	Number of permissions granted contrary to consultee (Environment Agency, BBOWT, CDC/OCC etc.) advice on water quality grounds within the SAC catchment	No permissions granted contrary to consultee (EA, BBOWT, CDC/OCC etc.) advice on water quality	There were no planning permissions granted within 1000m of the Oxford Meadows SAC contrary to consultee advice.

		grounds within the SAC catchment	
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5.73 There were no planning permissions granted within 1000m of the Oxford Meadows SAC contrary to consultee advice.

Policy	Indicator	Target	Progress
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Total LWS/LGS area	A net gain in total areas of biodiversity importance in the District	The area of Local Wildlife Sites in Cherwell has increased by 12.8 hectares since last year. The area of Local Geological Sites in Cherwell has remained unchanged at 146 ha.
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Changes in priority habitats by number & type	An annual increase over the plan period	The area of priority habitats has increased from 3,913 ha (2018) to 3,925 ha (2019), an increase of 12 ha.
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Changes in priority species by number & type	A net gain in priority species by number and type	The number of priority species listed in Cherwell has decreased from 126 (2008-2018) to 125 (2009-2019).
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Ecological condition of SSSIs	100% of SSSI units in favourable or unfavourable recovering condition	97.1% of the SSSI units in Cherwell are in Favourable or Unfavourable recovering conditions. This represents a decrease of 1.9% compared to 2018.

Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Distribution and status of farmland birds	A yearly increase in the District index of farmland bird presence	There was a small decline in the farmland bird presence index trend from 1.1 (2017) to 1.0 (2018).
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Distribution and status of water voles	A yearly increase in the presence of water voles	There were 8 water vole surveys undertaken in Cherwell in 2018. Of the sixteen sections of the Oxford Canal that were surveyed, two had signs of low water vole activity although no positive sightings were recorded. The number of positive sightings has declined from last year at 20%.
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Permissions granted contrary to tree officer advice	No permissions granted contrary to tree officer advice	No data is available at this time.
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Permissions granted contrary to biodiversity consultee advice	No permissions granted contrary to biodiversity consultee advice	
Policy ESD 10 Protection and Enhancement of	Number of Ecological Surveys submitted with applications	Ecological Surveys to accompany all planning applications which may affect a site,	

Biodiversity and the Natural Environment		habitat or species of known or potential ecological value	
Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment	Local Sites in Positive Conservation Management	A net gain in Local Sites in Positive Conservation Management	There was a significant increase in the number of Local Wildlife Sites in positive conservation management between 2016-17 and 2017-18. After a gradual decline from 2013-2017, this year shows a slight increase in site condition.

5.74 Information on biodiversity has been provided by the Thames Valley Environmental Records Centre (TVERC) in their Biodiversity Annual Monitoring Report.

Table 29 – Total Local Wildlife Sites and Local Geological Sites

Designated Site	Area in hectares (2018)	Area in hectares (2019)	As % of Cherwell (2019)
Local Wildlife Sites (LWS)	1,571	1,584	2.69%
Local Geological Sites (LGS)	146	146	0.25%

5.75 There are 90 Local Wildlife Sites and 12 Local Geological Sites within Cherwell. The area of Local Wildlife Sites has increased by 12.8 hectares since last year. The area of Local Geological Sites remains unchanged.

Table 30 – Changes in priority habitats by number and type

UK priority habitat type	Area (ha) 2017-18	Area (ha) 2018-19
Coastal and floodplain grazing marsh	1,432.23	1,432.71
Eutrophic standing water	108.15	108.34
Lowland beech and yew woodland	0.16	0.16
Lowland calcareous grassland	108.63	108.71
Lowland dry acid grassland	7.34	7.35

Lowland fens	39.90	39.97
Lowland meadows	517.61	517.99
Lowland mixed deciduous woodland	1,029.60	1,040.99
Lowland wood pasture and parkland	443.02	443.35
Open mosaic habitats on previously developed land	83.66	83.72
Ponds	1.75	1.74
Purple moor grass and rush pastures	5.56	5.58
Reedbeds	17.50	17.52
Rivers	19.26	19
Traditional orchards	26.77	26.79
Wet woodland	29.87	29.63
Total area of priority habitat	3,912.66	3,925.22

5.76 Table 30 provides details of the 41 UK priority habitats which have been identified within Cherwell. The changes in the UK priority habitats are mostly attributable to new information such as confirmation of boundaries or habitat types, rather than the creation or loss of habitat.

Table 31 – Change in numbers of UK priority species

	2008-2018	2009-2019
Number of UK priority species	126	125

5.77 The number of priority species listed in Cherwell is 125. One species has been removed from the list as no new records have been made since 2008:

- Oblique Carpet

Table 32 – SSSI condition for 2018-2019

Condition	No. of units or part units 2018/19	Sum of hectares 2018/19	% in Cherwell
Favourable	30	457	74%
Unfavourable declining	1	3	0%
Unfavourable no change	1	6	1%
Unfavourable recovering	12	142	23%
Destroyed	2	9	1%
Total	44	665	

5.78 There are 18 SSSI's wholly or partly within Cherwell covering 0.01% of the District. No SSSI sites were surveyed during 2018-2019 in Cherwell.

Table 33 – Distribution and Status of Farmland Birds (Mean counts per squares (i.e. density per square kilometre) of farmland birds in Cherwell. Results generated from data supplied by the BTO/JNCC/RSPB Breeding Bird Survey)

Species	2012	2013	2014	2015	2016	2017	2018
Corn Bunting	0	0	0	0	0	0	0
Goldfinch	10	4.4	4	6.5	15.2	7.2	10.4
Greenfinch	1.5	0.8	7	3.5	3.6	1.6	0.8
Grey Partridge	0	0	0	0	0.6	0	0
Jackdaw	4	2.8	1.5	3.5	20.6	8	10.4
Kestrel	1	1.6	3.5	1	0	1.2	0.8
Lapwing	14.5	2.8	4.5	3	1.6	5.2	5.2
Linnet	8.5	6.8	11	10.5	10.8	12	11.2
Reed Bunting	6	6.4	7	9.5	4.8	7.2	4.4
Rook	95.5	24.4	27	31.5	15.2	25.6	25.2
Skylark	19.5	13.2	17.5	13	9.6	12.8	18.4
Starling	42	70.4	15.5	0	62.6	9.6	4.4
Stock Dove	1	1.2	1	0	1.2	7.2	5.6
Tree Sparrow	0	0	3	0	7.6	0	0
Turtle Dove	0	1.2	0	0	0	0.4	0
Whitethroat	8.5	10.4	8.5	7.5	3.6	6.4	7.6
Woodpigeon	39	73.6	74	49.5	55.2	62.8	45.2
Yellow Wagtail	0	0.4	0	0	0	0	0.8
Yellowhammer	37	8	17	7.5	6.4	6.4	7.6
Index	1.9	1.5	1.3	0.96	1.4	1.1	1.0

5.79 This indicator uses an established list of 19 species, identifiable as farmland birds, compiled by the RSPB. Survey data were generated by the British Trust for Ornithology

(BTO), survey volunteers and compiled by BTO officers from the BTO/JNCC/RSPB Breeding Bird Surveys, in specific 1km by 1km squares and then used to determine a farmland bird index. These records were then made available to TVERC for processing at a district-specific level, using the methodology established by RSPB Central England Office staff.

5.80 There was a change in the index compared with 2017. Survey effort was changed compared to last year. Most species have shown declines in population density compared to last year, but the index remains higher than the baseline in 2018.

Table 34 – Distribution and Status of Water Voles

Year	Number of sections surveyed along the Oxford Canal (per 500m stretch)	Number of surveys in Cherwell	Number of sites with positive signs in Cherwell
2018	16	8	0 (0%)

5.81 Sixteen sections of the Oxford Canal were surveyed during 2018, two had signs of low water vole activity, however anecdotal reports suggest activity may extend further than the surveys suggest. No water voles were recorded through Kidlington, where small numbers were seen in 2017.

Policy	Indicator	Target	Progress
Policy ESD 11 Conservation Target Areas	Total amount of Natural Environment and Rural Communities (NERC) Act s41 Habitats of Principal Importance within active Conservation Target Areas (CTAs)	A net gain of relevant NERC Act Habitats in active CTAs within the District	The total area of UK priority habitat resource in Conservation Target Areas in Cherwell has risen from 2162.13 ha in 2018 to 2218.23 ha in 2019.
Policy ESD 11 Conservation Target Areas	Permissions granted in Conservation Target Areas contrary to biodiversity consultee advice	No permissions granted in Conservation Target Areas contrary to biodiversity consultee advice	No data is available at this time.

Table 35: UK priority habitat resource in CTAs in Cherwell

Priority Habitat	Total area (ha.) 2018	Total area (ha.) 2019
Coastal and floodplain grazing marsh	912.16	909.94
Eutrophic standing waters	81.02	28.42
Lowland beech and yew woodland	0.16	0
Lowland calcareous grassland	22.51	90.96

Lowland dry acid grassland	3.95	7.32
Lowland fens	33.66	32.68
Lowland meadows	485.56	414.65
Lowland mixed deciduous woodland	319.79	384.68
Lowland wood pasture and parkland	241.25	284.13
Open mosaic habitats on previously developed land	0.11	0.11
Ponds	0.3	0.29
Purple moor grass and rush Pasture	5.55	5.54
Reedbeds	17.15	16.44
Rivers	4.36	6.5
Traditional orchards	4.6	4.26
Wet woodland	17.97	17.84
TOTAL	2162.13	2218.23

Policy	Indicator	Target	Progress
Policy ESD 12 Cotswold AONB	Built development permitted in the AONB	No major development in AONB	No planning permissions were granted for major development within the AONB during 2018/19.
Policy ESD 12 Cotswold AONB	Permissions granted contrary to the advice of the AONB Management Board	No permissions granted contrary to the advice of the AONB Management Board	No planning permissions were granted for development within the AONB contrary to the advice of the AONB Management Board.

Policy	Indicator	Target	Progress
Policy ESD 13 Local Landscape Protection and Enhancement	Number and location of urban fringe restoration / improvement schemes completed	An annual increase over the plan period	No data is available at this time.
Policy ESD 13 Local Landscape Protection and Enhancement	Permissions granted contrary to Landscape Officer advice	No permissions granted contrary to Landscape Officer advice	

Policy	Indicator	Target	Progress
Policy ESD 14 Oxford Green Belt	Completed development (per type) in the Green Belt	All development in Green Belt to comply with Policy ESD14	No data is available at this time.

Policy	Indicator	Target	Progress
Policy ESD 15 The Character of the Built and Historic Environment	Permissions granted contrary to the advice of English Heritage / consultee advice on heritage grounds	All development impacting on non designated/designated heritage assets to comply with ESD15	No data is available at this time.
Policy ESD 15 The Character of the Built and Historic Environment	Permissions granted contrary to design consultee advice on design grounds	No permissions granted contrary to design consultee advice on design grounds	
Policy ESD 15 The Character of the Built and Historic Environment	% of permitted and completed developments with Design and Access Statements (that address the criteria of policy ESD15).	All new developments to complete a Design and Access Statement	
Policy ESD 15 The Character of the Built and Historic Environment	Number of new (and reviews of) conservation area appraisals	Review 6 Conservation Areas annually	

A post 2005 appraisal and management plan for all 60 conservation areas in the district was achieved in 2018/19.
5 conservation area appraisals were reviewed in 2018/19.

Policy	Indicator	Target	Progress
Policy ESD 16 The Oxford Canal	Completed transport/recreation/leisure/tourism uses within 1km of the Oxford Canal	Increase over the plan period	No substantial transport/recreation/leisure or tourism uses have been completed during 2018/19. There are however a number of projects in progress

			including the redevelopment and extension of the Castle Quay Shopping Centre and hotels in Kidlington and Banbury.
Policy ESD 16 The Oxford Canal	Permissions granted contrary to consultee advice on heritage grounds	No permissions granted contrary to consultee advice on heritage grounds	There were no planning permissions granted contrary to consultee advice on heritage grounds.

Policy	Indicator	Target	Progress
Policy ESD 17 Green Infrastructure	Completed green infrastructure schemes	A net gain in green infrastructure provision over the plan period	Progress of GI Schemes is recorded in the IDP Update. Section 6 of this AMR monitors the implementation of Policy INF 1. No completed GI infrastructure projects reported in this AMR period.
Policy ESD 17 Green Infrastructure	Developer contributions to green infrastructure	To meet development needs and as identified in IDP/Green Infrastructure Strategy	No data is available at this time.

Cherwell’s Places

Completions at strategic allocations: Bicester

Policy	Indicator	Target	Progress
Policy Bicester 1 North West Bicester Eco-Town	Housing, infrastructure, employment completions at North West Bicester	As set out in policy Bicester 1 (and agreed masterplan/detailed planning documents)	The site is under construction with 184 dwellings completed at 31 March 2019. The Eco Business Centre has recently opened during 2019/20.

Policy Bicester 2 Graven Hill	Housing, infrastructure, and employment completions at Graven Hill	As set out in policy Bicester 2 (and agreed masterplan/detailed planning documents)	Planning permission granted for 1900 dwellings (11/01494/OUT). A Local Development Order for 276 dwellings was approved in December 2017. The site is under construction with 151 completions at 31 March 2019.
Policy Bicester 3 South West Bicester Phase 2	Housing and infrastructure completions at South West Bicester Phase 2	As set out in policy Bicester 3 (and agreed masterplan/detailed planning documents)	Planning permission granted for 709 dwellings (13/00847/OUT) with currently 2 Reserved Matters approved. The site is currently under construction by CALA Homes, Ashberry Homes and Bellway Homes.
Policy Bicester 4 Bicester Business Park	Completed employment development at Bicester Business Park	As set out in policy Bicester 4 (and agreed masterplan/detailed planning documents)	Planning permission granted for a business park (07/01106/OUT) but not yet started.
Policy Bicester 8 Former RAF Bicester	Completed development at former RAF Bicester	Development to accord with any agreed masterplan/detailed planning documents	No completed development at former RAF Bicester during 2018/19.
Policy Bicester 10 Bicester Gateway	Employment and infrastructure completions at Bicester Gateway site	As set out in Policy Bicester 10 (and agreed masterplan/detailed planning documents)	Planning permission granted for employment use and a hotel on part of the site (16/02586/OUT). Reserved matters was approved for the hotel (17/02557/REM) in 2017/18 and

			construction has now started.
Policy Bicester 11 Employment Land at North East Bicester	Employment and infrastructure completions at Employment Land at North East Bicester	As set out in Policy Bicester 11 (and agreed masterplan/detailed planning documents)	Planning permission granted for employment use on part of the site (17/01289/REM) was completed in 2018/19. A separate Reserved Matters application (18/00584/REM) is under construction.
Policy Bicester 12 South East Bicester	Employment, housing and infrastructure completions at South East Bicester	As set out in Policy Bicester 12 (and agreed masterplan/detailed planning documents)	Planning permission granted for employment use on a small part of the site (16/00861/HYBRID) which is part completed. For the remaining area, a planning application (16/01268/OUT) for 1500 dwellings, 18ha of employment land, local centre with retail and community use and primary school was approved on 25 October 2018 subject to legal agreement.
Policy Bicester 13 Gavray Drive	Housing and infrastructure completions at Gavray Drive	As set out in policy Bicester 13 (and agreed masterplan/detailed planning documents)	A planning application (15/00837/OUT) for 180 dwellings was refused in June 2017 and dismissed at appeal on 16 July 2018.

5.82 At 31 March 2019 there have been 335 housing completions on the strategic allocations at Bicester, Details on the delivery of housing sites are provided in Appendix 2 - Housing Delivery Monitor. At 31 March 2019 there were planning permissions at the above sites for 2,817 dwellings.

Completions at strategic allocations: Banbury

Policy	Indicator	Target	Progress
Policy Banbury 1 Banbury Canalside	Employment, housing and infrastructure completions at Canalside	As set out in Policy Banbury 1 and Canalside SPD (i.e. masterplan/detailed planning documents)	Further work on the Canalside SPD has been put on hold due to other commitments. Planning permissions granted for 51 dwellings at 31 March 2019.
Policy Banbury 2 Hardwick Farm, Southam Road (East and West)	Housing and infrastructure completions at Southam Road	As set out in Policy Banbury 2 (and agreed masterplan/detailed planning documents)	Planning permissions for a total of 604 dwellings granted. Southam Road East is under construction with 327 completions at 31 March 2019.
Policy Banbury 3 West of Bretch Hill	Employment, housing and infrastructure completions at West of Bretch Hill	As set out in Policy Banbury 3 (and agreed masterplan/detailed planning documents)	Planning permissions for 480 dwellings and 500 sqm of employment floorspace granted. The site is under construction with 192 completions at 31 March 2019.
Policy Banbury 4 Bankside Phase 2	Housing and infrastructure completions at Bankside Phase 2	As set out in Policy Banbury 4 (and agreed masterplan/detailed planning documents)	Outline planning applications for 700 and 850 dwellings are pending consideration.
Policy Banbury 5 Land North of Hanwell Fields	Housing and infrastructure completions at Land North of Hanwell Fields	As set out in Policy Banbury 5 (and agreed masterplan/detailed planning documents)	Planning permissions for a total of 515 dwellings granted. The site is under construction with 280 completions at 31 March 2019.
Policy Banbury 6 Employment	Employment and infrastructure completions at Land West of the M40	As set out in policy Banbury 6 (and agreed	Planning permissions for a total of approximately 120,000

Land West of the M40		masterplan/detailed planning documents)	sqm employment floorspace granted. Application 18/00108/F for 30007.5sqm of B8 and 929sqm of B1a was completed during 2018/19.
Policy Banbury 8 Bolton Road Development Area	Housing, Retail and Leisure Completions on the Bolton Road site	In accordance with Policy Banbury 8 and the Masterplan/detailed planning documents for the site	The Bolton Road multi-storey car park has been demolished with a replacement surface long stay car park provided.
Policy Banbury 9 Spiceball Development Area	Completions at the Spiceball Development Area	In accordance with Policy Banbury 9 and the Masterplan/detailed planning documents for the site	Planning permission for a retail foodstore, hotel, cinema, restaurants and cafes has been granted but not yet started.
Policy Banbury 10 Bretch Hill Regeneration Area	Completed development in the Bretch Hill Regeneration Area by type	Increase over the plan period	Progress recorded in The Brighter Futures in Banbury Programme Annual Report 2018/19.
Policy Banbury 15 Employment Land North East of Junction 11	Employment and infrastructure completions at Employment Land North East of Junction 11	As set out in policy Banbury 15 (and agreed masterplan/detailed planning documents)	A planning application for employment uses (19/00128/HYBRID) has a resolution to approve.
Policy Banbury 16 Land South of Salt Way: West	Housing and infrastructure completions at Land at South of Salt Way: West	As set out in policy Banbury 16 (and agreed masterplan/detailed planning documents)	Planning permission for a total of 350 dwellings granted. The site is under construction with 42 completions at 31 March 2019.
Policy Banbury 17 Land South of Salt Way: East	Housing and infrastructure completions at Land at South of Salt Way: East	As set out in policy Banbury 17 (and agreed masterplan/detailed planning documents)	A planning application for 1,000 dwellings has a resolution to approve. A separate planning application for 280 dwellings was allowed

			at appeal on 20 December 2017 with a Reserved Matters application pending consideration. The site benefits from a planning permission for 145 dwellings which delivered 142 completions at 31 March 2019.
Policy Banbury 18 Land at Drayton Lodge Farm	Housing and infrastructure completions at Land at Drayton Lodge Farm	As set out in policy Banbury 18 (and agreed masterplan/detailed planning documents)	Outline application for 320 dwellings has a resolution to approve.
Policy Banbury 19 Land at Higham Way	Housing and infrastructure completions at Land at Higham Way	As set out in policy Banbury 19 (and agreed masterplan/detailed planning documents)	A planning application for approximately 200 dwellings is pending consideration.

5.83 At 31 March 2019 there have been 983 completions on the strategic allocations at Banbury. At 31 March 2019 there were planning permissions at the above sites for 1,442 dwellings.

Completions at strategic allocations: Former RAF Upper Heyford

Policy	Indicator	Target	Progress
Policy Villages 5 Former RAF Upper Heyford	Housing, employment and infrastructure completions at Former RAF Upper Heyford	As set out in policy Villages 5, and agreed masterplan/detailed planning documents	At 31 March 2019 there have been 540 housing completions. 2 small permissions for employment use were completed during 2018/19.

Table 36 - Completions at Strategic Allocations: Former RAF Upper Heyford (at 31/3/19)

Strategic Allocations	Housing completed	Employment completed	Infrastructure completed	Other uses completed
Former RAF Upper Heyford (Policy Villages 5)	540	1.26 ha	0	0

5.84 Planning permission was given in December 2011 for 1,075 dwellings (gross) with a net gain of 761 dwellings. A number of Reserved Matter applications have been approved and the site is currently under construction. Total number of dwellings with permission is 863. There were 540 dwellings completed at 31 March 2019.

Other Indicators – Policy Bicester 1 North West Bicester Eco-Town

Policy	Indicator	Target	Progress
Policy Bicester 1 North West Bicester Eco-Town	Environmental standards of completed development at NW Bicester	As set out in policy Bicester 1	No data is available at this time.
Policy Bicester 1 North West Bicester Eco-Town	Embodied impacts of construction to be monitored, managed and minimised	As set out in policy Bicester 1	
Policy Bicester 1 North West Bicester Eco-Town	Sustainability metrics to be agreed and monitored	As set out in policy Bicester 1	

Other Indicators – Policy Bicester 5 Strengthening Bicester Town

Policy	Indicator	Target	Progress
Policy Bicester 5 Strengthening Town Centre	Permitted residential development at ground floor level in Bicester Town Centre	No residential floorspace permitted at ground floor level	There were no permissions granted during 2018/19.
Policy Bicester 5 Strengthening Town Centre	Town centre vacancies	No increase in vacancy rates over the plan period	No data is available at this time. An update will be provided in the next

			AMR if data becomes available.
Policy Bicester 5 Strengthening Town Centre	Diversity of uses	Maintain or improve the balance of uses within the town centre over the plan period	There was 1 completed scheme in the Bicester town centre during 2018/19 which resulted in a change of use from A1 use to flexible use within Classes A1 and A3.
Policy Bicester 5 Strengthening Town Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Bicester Town Centre	No net loss of town centre use floorspace within Bicester Town Centre	There was a net loss of 210 sqm of town centre uses within Bicester town centre.

5.85 There were no permissions granted for residential development at ground floor level in Bicester town centre during 2018/19.

Table 37 - Town Centre uses completions within and outside of Bicester town centre

Location	A1	A2	A3	A4	A5	B1a	D2	Total
Within Bicester town centre	-150	0	150	0	0	-210	0	-210
Outside Bicester town centre	421.2	21.2	295.2	21.2	295.2	13224	0	14278
Bicester Total	271.2	21.2	445.2	21.2	295.2	13014	0	14068

5.86 Overall, there was an overall net gain of floorspace (14,068 sqm) at Bicester which primarily took place outside of the Bicester town centre. E.g. completion of a mixed use Class B1/B2/B8 development at Land North East of Skimmingdish Lane, Launton (17/01289/REM).

Other Indicators – Policy Bicester 7 Meeting the Need for Open Space, Sport & Recreation

Policy	Indicator	Target	Progress
Policy Bicester 7 Meeting the Need for Open Space, Sport & Recreation	Urban edge park schemes in Bicester	An annual increase in such schemes over the plan period	Refer to Policy BSC10.

Policy Bicester 7 Meeting the Need for Open Space, Sport & Recreation	Community woodland provision in Bicester	An annual increase in provision over the plan period	No data is available at this time.
Policy Bicester 7 Meeting the Need for Open Space, Sport & Recreation	Type of permitted/completed development at Stratton Audley Quarry	In accordance with a planning consent	

Other Indicators – Policy Bicester 9 Burial Site Provision in Bicester

Policy	Indicator	Target	Progress
Policy Bicester 9 Burial Site Provision in Bicester	Developer contributions for Burial Site in Bicester	To meet needs and as set out in IDP	No data is available at this time.

Other Indicators – Policy Banbury 1 Banbury Canalside

Policy	Indicator	Target	Progress
Policy Banbury 1 Banbury Canalside	Progress on completing the Canalside Supplementary Planning Document	As set out in an up to date Local Development Scheme	December 2018 LDS - Consultation is scheduled for March – April 2019 which did not take place. Further work on the SPD has been put on hold due to other commitments.

Other Indicators – Policy Banbury 7 Strengthening Banbury Town Centre

Policy	Indicator	Target	Progress
Policy Banbury 7 Strengthening	Permitted residential development at ground floor level in Banbury Town Centre	No residential floorspace permitted at ground floor level	There were no permissions granted during 2018/19.

Banbury Town Centre			
Policy Banbury 7 Strengthening Banbury Town Centre	Town centre vacancies	No increase in vacancy rates over the plan period	No data is available at this time. An update will be provided in the next AMR if data becomes available.
Policy Banbury 7 Strengthening Banbury Town Centre	Diversity of uses	Maintain or improve the balance of uses over the plan period	There were 3 completed schemes during 2018/19 which resulted in small net losses of -346 sqm in B1a and -8 sqm in A1 uses.
Policy Banbury 7 Strengthening Banbury Town Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Banbury Town Centre	No net loss of town centre use floorspace within Banbury Town Centre	There was a net loss of -354 sqm of town centre uses within Banbury town centre.

5.87 There were no permissions granted for residential development at ground floor level in Banbury town centre during 2018/19.

Table 38 - Town Centre uses completions within and outside of Banbury town centre

Location	A1	A2	A3	A4	A5	B1a	D2	Total
Within Banbury town centre	-8	0	0	0	0	-346	0	-354
Outside Banbury town centre	0	0	0	0	0	929	0	929
Banbury Total	-8	0	0	0	0	583	0	575

5.88 Town centre uses within Banbury town centre received a greater loss of -354 sqm of B1a and A1 use classes, however there was a net gain outside of Banbury town centre with 929 sqm. Overall, there was a net gain of 575 sqm of town centre uses in Banbury.

Other Indicators – Policy Banbury 11 Meeting the need for Open Space, Sport & Recreation

Policy	Indicator	Target	Progress
Policy Banbury 11 Meeting the	Completed open space/sport/recreation facility provision within Banbury	As set out in Policy BSC10 and BSC11	Refer to Policy BSC10.

need for Open Space, Sport & Recreation			
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Other Indicators – Policy Banbury 12 Meeting the Need for Open Space, Sport & Recreation

Policy	Indicator	Target	Progress
Policy Banbury 12 Meeting the Need for Open Space, Sport & Recreation	Completions at the relocation site for Banbury United FC	As set out in policy Banbury 12, to be achieved over the plan period	None.

Other Indicators – Policy Banbury 13 Burial Site Provision in Banbury

Policy	Indicator	Target	Progress
Policy Banbury 13 Burial Site Provision in Banbury	Developer contributions for Burial Site in Banbury	To meet needs and as set out in the IDP	No data is available at this time.

Other Indicators – Policy Banbury 14 Cherwell Country Park

Policy	Indicator	Target	Progress
Policy Banbury 14 Cherwell Country Park	Progress on delivering the Cherwell Country Park	As set out in Policy Banbury 11	Refer to Policy BSC10.

Other Indicators – Policy Kidlington 1 Accommodating High Value Employment Needs

Policy	Indicator	Target	Progress
Policy Kidlington 1 Accommodating High Value Employment Needs	Employment completions in Kidlington (at a. Langford Lane/London-Oxford Airport and b. Begbroke Science Park)	An annual increase over the plan period	Planning permission for a new technology park comprising 40,362 sqm of employment floorspace (14/02067/OUT) has been granted.

			Reserved Matters permission (17/01542/REM) for Phase 1 was granted on 24 November 2017 and construction has started during 2018/19.
Policy Kidlington 1 Accommodating High Value Employment Needs	Completed employment development on Green Belt land in Kidlington beyond review areas	To accord with Policy ESD14	No employment development recorded during 2018/19.

Other Indicators – Policy Kidlington 2 Strengthening Kidlington Village Centre

Policy	Indicator	Target	Progress
Policy Kidlington 2 Strengthening Kidlington Village Centre	Permitted residential development at ground floor level in Kidlington Village Centre	No residential floorspace permitted at ground floor level	There were no permissions granted during 2018/19.
Policy Kidlington 2 Strengthening Kidlington Village Centre	Village centre vacancies	No increase in vacancy rates over the plan period	No data is available at this time. An update will be provided in the next AMR if data becomes available.
Policy Kidlington 2 Strengthening Kidlington Village Centre	Diversity of uses	Maintain or improve the balance of uses within the town centre over the plan period	There was 1 completed scheme in Kidlington village centre during 2018/19 which resulted in a change of use from A2 to a nail and beauty salon (SG).
Policy Kidlington 2 Strengthening Kidlington Village Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Kidlington Village Centre	No net loss of town centre use floorspace within Kidlington Village Centre	There was a net loss of 140.8 sqm of town centre uses within the Kidlington village centre.

Table 39 - Town Centre uses completions within and outside of Kidlington Village Centre

Location	A1	A2	A3	A4	A5	B1a	D2	Total
Within Kidlington village centre	0	-140.8	0	0	0	0	0	-140.8
Outside Kidlington centre	0	0	0	0	0	0	48.1	48.1
Kidlington Total	0	-140.8	0	0	0	0	48.1	-92.7

5.89 Overall, there was a net loss of floorspace (92.7 sqm) in town centre uses within and outside the Kidlington village centre with the majority being within A2. This was due to the change of use of a bank/building society to a nail and beauty salon.

Other Indicators – Policy Villages 1 Village Categorisation

Policy	Indicator	Target	Progress
Policy Villages 1 Village Categorisation	Completed development per village category and size of scheme (number of dwellings)	As set out in policy Villages 1	Progress is recorded in the Housing Delivery Monitor in Appendix 2.

Other Indicators – Policy Villages 2 Distributing Growth Across the Rural Areas

Policy	Indicator	Target	Progress
Policy Villages 2 Distributing Growth Across the Rural Areas	Land allocations made in the rural areas	As set out in policy Villages 2 and to be set out in the Local Plan Part 2.	No non-strategic allocations at this time. There are no land allocations in the 4 'made' Neighbourhood Plans over and above existing planning permissions.
Policy Villages 2 Distributing Growth Across the Rural Areas	Completions on allocated sites in rural areas	100% take up of allocations over the plan period	There are presently no new non-strategic allocations.
Policy Villages 2 Distributing Growth Across the Rural Areas	Completions on non-allocated sites in rural areas	As set out in the criteria in policy Villages 1 and 2	There were 103 completions at Category A villages during 2018/19 that contributes to Policy Villages 2.

- 5.90 Policy Villages 2 of the adopted Local Plan 2011-2031 provides for an additional 750 dwellings at Category A villages (2014-2031) in addition to the rural allowance for small site 'windfalls' and planning permissions as at 31 March 2014. Therefore new planning permissions given at the Category A villages from 1 April 2014 and completions on those sites will contribute to the requirement of 750 dwellings.
- 5.91 Table 40 show 582 dwellings are either completed or under construction on sites with planning permission in Category A villages. During 2018/19 there were 103 dwellings completed at Category A villages that contribute to the Policy Villages 2 requirement of 750 dwellings. There are also 311 dwellings that are under construction from the supply of permitted sites. Between 1 April 2014 and 31 March 2019 there were a total of 271 net housing completions on the above sites. This equates to 36.1% of the total requirement of 750 dwellings. These sites are fully committed to help deliver the Policy Villages 2 requirement.

Delivering Policies Villages 1 and Villages 2 and the Local Plan strategy

- 5.92 Cherwell Local Plan (2011-2031) directs the majority of development to the 2 main towns in Cherwell with a proportion of the overall growth expected to come forward in the rural areas. Policy Villages 1 is intended to manage small scale development in the built-up limits of villages while Policy Villages 2 identifies 750 dwellings to be delivered in Category A villages on sites of 10 or more dwellings. It was intended that sites would be allocated in an emerging Local Plan Part 2 (now Local Plan Review).
- 5.93 Table 41 show sites with planning permission but not yet started (333 dwellings), sites with resolution to approve (21 dwellings) and identified sites without planning permission (17 dwellings) which comprises 371 dwellings. If a 10% non-implementation rate has been applied to sites with permission but not started therefore reducing from 333 dwellings to 300 dwellings.
- 5.94 Since 1 April 2014 a total of 920 dwellings have been identified for meeting the Policy Villages 2 requirement of 750 dwellings. These are included in the Housing Delivery Monitor in Appendix 2. Policy Villages 2 requirement has already been exceeded by 170 dwellings when considering all of the planning permissions and identified sites without planning permission in the above (582+300+38).
- 5.95 There is one rural strategic allocation namely the Former RAF Upper Heyford included in the adopted Local Plan 2011-2031. The completion figure below excludes any completions at this strategic allocation.

**Table 40 - Housing completions at Category A villages for meeting Policy Villages 2 (10 or more dwellings)
(Sites with planning permission that have been completed or under construction at 31/03/2019)**

Site	Location	Dwellings with planning permission	Completions during 14/15	Completions during 15/16	Completions during 16/17	Completions during 17/18	Completions during 18/19	Total Completions	Site Status
East of Deene Close, Aynho Road, Adderbury	Adderbury	60	2	49	9	0	0	60	Complete
Land North of Milton Road, Adderbury	Adderbury	37	0	0	1	30	5	36	Under construction
Land off Banbury Road, Adderbury	Adderbury	25	0	0	0	6	3	9	Under construction
Ambrosden Court, Merton Road, Ambrosden	Ambrosden	44	0	0	22	22	0	44	Complete
Church Leys Field, Blackthorn Road, Ambrosden	Ambrosden	85	0	0	0	0	20	20	Under construction
Land North of Station Road, Bletchingdon	Bletchingdon	61	0	0	0	5	19	24	Under construction
Cotefield Farm, Bodicote	Bodicote	4	0	0	0	0	4	4	Complete
Cotefield Farm, Bodicote Phase 2, Bodicote	Bodicote	95	0	0	0	0	0	0	Under construction
The Paddocks, Chesterton	Chesterton	45	0	0	0	2	38	40	Under construction
Land North of Hook Norton Primary School And South Of Redland Farm, Sibford Road, Hook Norton	Hook Norton	54	0	0	0	0	14	14	Under construction
4 The Rookery, Kidlington	Kidlington	20	0	20	0	0	0	20	Complete
Co Op, 26 High Street, Kidlington	Kidlington	52	0	0	0	0	0	0	Under construction
TOTAL		582	2	69	32	65	103	271	

**Please see Appendix 2 for further details on sites.*

**Table 41 - Housing Sites at Category A villages for meeting Policy Villages 2 (10 or more dwellings)
(Sites with planning permission but not started and sites without planning permission at 12/11/2019)**

Site	Location	Dwellings with planning permission	Permitted Dwellings not started with a 10% non-implementation rate	Dwellings without planning permission
Land at Merton Road, Ambrosden	Ambrosden	84	76	0
Land at Arncott Hill Farm, Buchanan Road, Arncott	Arncott	0	-	17
Land at Tappers Farm, Oxford Road, Bodicote	Bodicote	46	41	0
Stone Pits, Hempton Road, Deddington	Deddington	0	-	21
2 - 4 High Street, Kidlington	Kidlington	16	14	0
British Waterways Site, Langford Lane, Kidlington	Kidlington	10	9	0
Kings Two Wheel Centre, 139 Oxford Road, Kidlington	Kidlington	10	9	0
Taylor Livock Cowan, Suite F, Kidlington Centre, High St, Kidlington	Kidlington	10	9	0
South East Of Launton Road And North East Of Sewage Works Blackthorn Road, Launton	Launton	72	65	0
Land North of The Green and adj. Oak Farm Drive, Milcombe	Milcombe	40	36	0
Land North of Shortlands and South of High Rock, Hook Norton Road, Sibford Ferris	Sibford Ferris	25	23	0
Land North of Oak View, Weston on the Green	Weston on the Green	20	18	0
	TOTAL	333	300	38

Other Indicators – Policy Villages 3 Rural Exception Sites

Policy	Indicator	Target	Progress
Policy Villages 3 Rural Exception Sites	Completions on rural exception sites	To meet needs as per Policy Villages 3	No affordable homes on exception sites completed during 2018/19.

Other Indicators – Policy Villages 4 Meeting the Need for Open Space, Sport & Recreation

Policy	Indicator	Target	Progress
Policy Villages 4 Meeting the Need for Open Space, Sport & Recreation	Developer contributions to open space/sport/recreation facilities in the rural areas	As set out in policy BSC11 and BSC12 and the Infrastructure Delivery Plan	Refer to Policy BSC10.
Policy Villages 4 Meeting the Need for Open Space, Sport & Recreation	Open space/sport/recreation facilities created in the rural areas	As set out in policy Villages 4, BSC11, BSC12 and the Infrastructure Delivery Plan	Open space, sport and play areas assessment which is nearing completion will identify current deficiencies in open space and play provision. The updated Playing Pitch and Sports Facilities Strategies (2018) contain baseline information on deficiencies in recreation provision. The findings informed the Active Communities Strategy 2019-2023 approved by the Council in June 2019. This indicator will be reported in the 2020 AMR.

SA/SEA Adoption Statement – Cherwell Local Plan 2011-2031 Part 1 (July 2015)

SA Objectives and Suggested Indicators

5.96 The SA/SEA Adoption Statement (July 2015) sets out the monitoring indicators for monitoring the effects of the Cherwell Local Plan 2011-2031 Part 1 on the SA objectives. The majority of the suggested indicators have already been included in the Monitoring Framework of the adopted Local Plan Part 1. However there were three not included which related to SA Objectives 5 (crime) and 14 (waste).

SA Objective	Suggested Indicator	Progress
5. To reduce crime and disorder and the fear of crime	Crime levels in Cherwell District	During 2018/19 there were a total of 10,643 recorded crimes in the district.
14. To reduce waste generation and disposal, and achieve the sustainable management of waste	% of household waste sent for re-use, recycling and compost	The latest data published by DEFRA confirms that in 2017/18, 55.64% of Cherwell’s household waste was sent for reuse, recycling and compost.
14. To reduce waste generation and disposal, and achieve the sustainable management of waste	% of construction and demolition waste re-used	Oxfordshire County Council is responsible for minerals and waste. Progress will be recorded on the County’s website. https://www.oxfordshire.gov.uk/cms/content/new-minerals-and-waste-local-plan

Table 42 - Crime Rates in Cherwell District during 2018/19 (Source: www.ukcrimestats.com)

	ASB	Burglary	Robbery	Vehicle	Violent	Shoplifting	CD&A	Other Theft	Drugs	Bike Theft	Theft from the person	Weapons	Public Order	Other	Total
March 2019	125	41	4	59	272	75	80	81	39	5	18	8	27	22	856
February 2019	96	42	3	56	218	86	75	72	35	5	6	5	31	22	752
January 2019	110	58	2	50	215	80	109	90	37	9	8	3	32	34	837
December 2018	100	61	12	36	197	74	67	90	24	13	24	5	29	28	760
November 2018	108	58	10	64	277	81	79	95	33	12	20	6	21	40	904

October 2018	106	43	5	68	263	74	103	90	32	11	15	9	34	21	874
September 2018	117	49	9	81	256	54	81	97	22	18	7	4	43	21	859
August 2018	156	57	8	66	267	65	98	94	34	10	9	4	37	16	921
July 2018	183	38	9	70	317	78	82	129	38	28	10	7	41	32	1062
June 2018	165	43	4	74	294	127	103	104	23	14	22	8	36	24	1041
May 2018	144	29	5	39	247	124	74	105	31	12	14	5	57	23	909
April 2018	136	45	3	59	237	120	65	95	36	5	10	9	30	18	868
Total	1546	564	74	722	3060	1038	1016	1142	384	142	163	73	418	301	10643

5.97 During 2018/19 there were a total of 10,643 recorded crimes in the district which is a decrease of 690 from the previous year (11,333). Similar to the previous year the majority of crimes recorded were in violent (28.8%) and anti-social behaviour (14.5%) followed by other theft (10.7%), shoplifting (9.8%) and criminal damage and arson (9.5%).

Table 43 – Percentage of household waste sent for reuse, recycling and composting (annual) in Cherwell District during 2012/13 – 2018/19 (Source: lginform.local.gov.uk)

Period	Percentage
2012/13	54.80
2013/14	53.90
2014/15	54.80
2015/16	55.10
2016/17	56.50
2017/18	55.64
2018/19	Data not available

6.0 Monitoring progress of infrastructure provision

- 6.1 The Infrastructure Delivery Plan (IDP) contains the infrastructure required to support the adopted Cherwell Local Plan 2011-2031 Part 1 (July 2015) and it is set out in Appendix 8 of the Plan.
- 6.2 The IDP is a live document adjusted over time to reflect changes in circumstances and strategies alongside the annual monitoring of Local Plan infrastructure Policy INF1.
- 6.3 This AMR update includes summary tables of infrastructure progress. IDP Update December 2019 can be viewed at www.cherwell.gov.uk/monitoring.
- 6.4 Appendix 6 of this AMR shows progress on infrastructure delivery including new projects, known to CDC Officers at November 2019. The tables also indicate pipeline projects, those known to be at early project development stage. These pipeline projects could potentially be included in next IDP updates subject to their progression as part of infrastructure providers' plans and programmes.
- 6.5 IDP Update December 2019 includes adjusted phasing periods to reflect project updates as the plan period progresses and projects are completed: Short term: 2017-2020, Medium term: 2020-2025 and Long term 2025-2031.
- 6.6 More detailed information on infrastructure provision will arise through the progression of new Local Plans and Neighbourhood Plans. This includes the Local Plan Part 1 Partial Review.

7.0 Future Monitoring

- 7.1 The Local Plan 2011-2031 Part 1 was adopted in July 2015 which means that this is the second third AMR to cover the full monitoring year. There are still a number of indicators from the Monitoring Framework within the Plan that cannot be monitored but which will be reported upon next year.

- 7.2 Monitoring is important to ensuring the successful delivery and implementation of the Cherwell Local Plan 2011-2031 and in preparing future evidence and policy documents. Monitoring highlights good and poor performance, where action might be necessary and ultimately where policies might need to be reviewed.

- 7.3 The Local Plan Monitoring Framework is closely linked to the monitoring framework developed for the Local Plan Sustainability Appraisal, which sets out the monitoring indicators for monitoring the effects of the Cherwell Local Plan 2011-2031 Part 1 on the SA objectives.

Appendices

Appendix 1: List of Replaced and Retained Saved Policies

Appendix 1: List of Replaced and Retained Saved Policies

Policy Number	Description	Replaced or Retained	Replacement Policy	Does this Affect the Adopted Proposals Map 1996?
Saved Policies of the Cherwell Local Plan 1996				
GB1	Development in the Green Belt	replaced	ESD 14	Yes
GB2	Outdoor Recreation in the Green Belt	retained	-	
GB3	Major Development Sites in the Green Belt	retained	-	
H1	Allocation of sites for housing	replaced	BSC 1 Bicester 1 Bicester 2 Bicester 3 Bicester 12 Bicester 13 Banbury 1 Banbury 2 Banbury 3 Banbury 4 Banbury 5 Banbury 8 Banbury 16 Banbury 17 Banbury 18 Banbury 19 Villages 2 Villages 5	Yes (except BSC1 and Villages 2)
H4	Housing schemes for the elderly and disabled	replaced	BSC 4	No
H5	Affordable Housing	replaced	BSC 3	No
H6	Rural Exception Sites	replaced	Villages 3	No
H12	Housing in the rural areas	replaced	Villages 1 Villages 2 Villages 3	No
H13	Residential development in category 1 settlements	replaced	Villages 1	No
H14	Residential development in category 2 settlements	replaced	Villages 1	No
H15	Residential development in category 3 settlements	replaced	Villages 1	No
H16	White land at Yarnton	retained	-	
H17	Replacement dwellings	retained	-	

H18	New dwellings in the countryside	retained	-	
H19	Conversion of buildings in the countryside	retained	-	
H20	Conversion of farmstead buildings	retained	-	
H21	Conversion of buildings in settlements	retained	-	
H23	Residential Caravans	retained	-	
H25	Sites for travelling showpeople	replaced	BSC6	No
H26	Residential canal moorings	retained	-	
EMP1	Allocation of sites for employment generating development	part replaced sites replaced at Bicester, Banbury and Kidlington Rural sites retained	SLE 1 Bicester 1 Bicester 2 Bicester 4 Bicester 10 Bicester 11 Bicester 12 Banbury 1 Banbury 6 Banbury 15 Kidlington 1 Villages 5	Yes
EMP3	Employment generating development at Kidlington, Yarnton and Begbroke (East)	replaced	SLE1	No
EMP4	Employment generating development in the rural areas	replaced	SLE1	No
S2	Proposals for retail development in the shopping centre and town centre, Banbury	replaced	SLE 2 Banbury 7	Yes
S3	Primary shopping frontages, Banbury	replaced	Banbury 7	Yes
S8	Redevelopment of land north of Bridge Street and east of the inner relief road, Banbury for recreational or cultural use	replaced	Banbury 1	Yes
S9	Change of use of residential buildings in Banbury town centre	replaced	Banbury 7	Yes
S10	Development in Banbury commercial areas	replaced	Banbury 7	Yes
S12	Development proposals in Bicester town centre	replaced	SLE 2 Bicester 5	Yes
S13	Primary shopping frontages, Bicester	replaced	Bicester 5	Yes
S15	Redevelopment of land at Franklin's	replaced	Bicester 6	Yes

	Yard, Bicester			
S21	Development in Kidlington shopping centre	replaced	SLE 2 Kidlington 2	Yes
S22	Provision of rear servicing, Kidlington	retained	-	
S25	Retail development in the rural areas	replaced	SLE2	No
S26	Small scale ancillary retail outlets in the rural areas	retained	-	
S27	Garden centres in the rural areas	retained	-	
S28	Proposals for small shops and extensions to existing shops outside Banbury, Bicester and Kidlington shopping centres	retained	-	
S29	Loss of existing village services	retained	-	
TR1	Transportation funding	retained	-	
TR7	Development attracting traffic on minor roads	retained	-	
TR8	Commercial facilities for the motorist	retained	-	
TR10	Heavy Goods vehicles	retained	-	
TR11	Oxford Canal	retained	-	
TR14	Formation of new accesses to the inner relief road and Hennef Way, Banbury	retained	-	
TR16	Access Improvements in the vicinity of Banbury Railway Station	retained	-	
TR20	Reservation of land for road schemes at Bicester	replaced	SLE 4	Yes
TR22	Reservation of land for road schemes in the countryside	retained	-	
R1	Allocation of land for recreation use	part replaced	Bicester 13	Yes
R5	Use of redundant railway lines and disused quarries for recreation purposes	retained	-	
R7	Protection and enhancement of the recreational roles of the Oxford Canal and River Cherwell	replaced	ESD 16	No
R9	Facilities for canal users	replaced	ESD 16	No
R12	Provision of public open space in association with new residential development	replaced	BSC 11	No
R14	Reservation of land for community buildings in association with housing	replaced	BSC 12	No

	developments at Hanwell Fields, Banbury and Slade Farm, Bicester			
T2	Proposals for hotels, motels, guest houses and restaurants within settlements	retained	-	
T3	Land reserved for hotel and associated tourist or leisure based development, in vicinity of junction 11 of the M40, Banbury	retained	-	
T5	Proposals for new hotels, motels, guesthouses and restaurants in the countryside	retained	-	
T7	Conversion of buildings beyond settlements to self-catering holiday accommodation	retained	-	
AG2	Construction of farm buildings	retained	-	
AG3	Siting of new or extension to existing intensive livestock and poultry units	retained	-	
AG4	Waste disposal from intensive livestock and poultry units	retained	-	
AG5	Development involving horses	retained	-	
C1	Protection of sites of nature conservation value	replaced	ESD 10	Yes
C2	Development affecting protected species	replaced	ESD 10 ESD 11	No
C4	Creation of new habitats	replaced	ESD 10	No
C5	Protection of ecological value and rural character of specified features of value in the District	retained	-	
C6	Development proposals adjacent to the River Thames	retained	-	
C7	Landscape conservation	replaced	ESD 13	No
C8	Sporadic development in the open countryside	retained	-	
C9	Scale of development compatible with a rural location	replaced	ESD 13	No
C10	Historic landscapes, parks and gardens and historic battlefields	replaced	ESD 13 ESD 15	Yes
C11	Protection of the vista and setting of Rousham Park	retained	-	
C12	Development in the Cotswold Area of Outstanding Natural Beauty	replaced	ESD 12	Yes

C13	Areas of High Landscape Value	replaced	ESD 13	Yes
C14	Countryside Management Projects	retained	-	
C15	Prevention of coalescence of settlements	retained	-	
C17	Enhancement of the urban fringe through tree and woodland planting	replaced	ESD 13	Yes
C18	Development proposals affecting a listed building	retained	-	
C21	Proposals for re-use of a listed building	retained	-	
C23	Retention of features contributing to character or appearance of a conservation area	retained	-	
C25	Development affecting the site or setting of a schedule ancient monument	retained	-	
C27	Development in villages to respect historic settlement pattern	replaced	ESD 15	No
C28	Layout, design and external appearance of new development	retained	-	
C29	Appearance of development adjacent to the Oxford Canal	retained	-	
C30	Design Control	retained	-	
C31	Compatibility of proposals in residential areas	retained	-	
C32	Provision of facilities for disabled people	retained	-	
C33	Protection of important gaps of undeveloped land	retained	-	
C34	Protection of views of St Mary's Church, Banbury	retained	-	
C38	Satellite dishes in conservation areas and on listed buildings	retained	-	
C39	Telecommunication masts and structures	retained	-	
ENV1	Development likely to cause detrimental levels of pollution	retained	-	
ENV2	Redevelopment of sites causing serious detriment to local amenity	retained	-	
ENV6	Development at Oxford Airport, Kidlington likely to increase noise nuisance	retained	-	

ENV7	Development affecting water quality	replaced	ESD 8	No
ENV10	Development proposals likely to damage or be at risk from hazardous installations	retained	-	
ENV11	Proposals for installations handling hazardous substances	retained	-	
ENV12	Development on contaminated land	retained	-	
OA2	Protection of land at Yarnton Road Recreation ground, Kidlington for a new primary school	retained	-	
GB1	Saved Policy of the Central Oxfordshire Local Plan (Cherwell) 1992 - Development in the Green Belt	replaced	ESD 14	Yes
H2	Saved Policy of the Oxfordshire Structure Plan 2005 - Upper Heyford	replaced	Villages 5	Yes

Appendices

Appendix 2: Housing Delivery Monitor

Sites	Site Area (ha)	Local Plan Status	Planning Application / Permission Status	Information from developer / agent / landowner	Scheme Progress	Planning Permissions at 31/3/19 minus units built & recorded at 31/03/19 (net)	Completions 01/04/11 to 31/03/19	Projection 19/20	Projection 20/21	Projection 21/22	Projection 22/23	Projection 23/24	Projection 24/25	Projection 25/26	Projection 26/27	Projection 27/28	Projection 28/29	Projection 29/30	Projection 30/31	Total Completions and Projected Completions 2011-2031
1. BANBURY																				
Banbury - Completed Identified Sites (10 or more dwellings)																				
46 West Bar Street	0.09	-	Prior Approval - Planning application 16/01096/O56 for change of use from B1(a) office to C3 residential - 17 units was approved on 8 August 2016.	-	Site completed in September 2017 (2017/18).	0	17	0	0	0	0	0	0	0	0	0	0	0	0	17
62 64 and land to the rear of 58, 60 Oxford Road	0.41	-	Full - Planning permission 07/02377/F for 11 homes (gross) granted on appeal on 1 October 2008.	-	Site completed in January 2012 (2011/12).	0	9	0	0	0	0	0	0	0	0	0	0	0	0	9
Calthorpe House, 60 Calthorpe Street	0.08	Part of land identified for mixed use development in the Non-Statutory Local Plan (2011)	Full - Application (13/01709/CDC) for 15 dwellings was approved on 25 April 2014.	-	Site completed in December 2015 (2015/16).	0	15	0	0	0	0	0	0	0	0	0	0	0	0	15
Canalside House, Tramway Road	0.15	-	Prior Approval - A Commercial Prior Approval (13/01124/CPA) for change of use from office (B1a) to residential (C3) - Conversion to provide 14 dwellings was accepted on 6 September 2013.	-	Site completed in December 2015 (2015/16).	0	14	0	0	0	0	0	0	0	0	0	0	0	0	14
Dashwood School	0.29	-	Full - Full planning permission 10/00664/F granted 1 April 2011. Amended by 11/00683/F.	-	Site completed in October 2012 (2012/13).	0	19	0	0	0	0	0	0	0	0	0	0	0	0	19
Farima Properties, Mercia House, 51 South Bar Street	0.15	-	Full - 16/02363/F - Conversion of existing office building to form 10 No residential apartments was approved on 17 February 2017.	-	Site completed in December 2017 (2017/18).	0	10	0	0	0	0	0	0	0	0	0	0	0	0	10
Former allotment, Miller Road	0.15	-	Full - Planning permission (10/01053/F) granted for 10 flats on 16 September 2010.	-	Site completed in February 2012 (2011/12).	0	10	0	0	0	0	0	0	0	0	0	0	0	0	10
Junction of Warwick Road & Foundry Street, 92-94 Warwick Road	0.13	-	Full - Planning permission 03/02616/F granted on 28 February 2005.	-	Site completed in March 2015 (2014/15).	0	22	0	0	0	0	0	0	0	0	0	0	0	0	22
Land adjoining and north west of 35 Crouch Hill Road	0.6	-	Reserved Matters/Full - 13/00402/REM for 26 dwellings was approved on 18 June 2013. A separate application (13/01238/F) for 2 dwellings (net 1) was approved on 30 October 2013. This is in addition to the 26 that were previously approved.	-	Site completed in December 2014 (2014/15).	0	27	0	0	0	0	0	0	0	0	0	0	0	0	27
Land to the rear of Methodist Church, The Fairway	0.25	-	Full - Application 13/01372/CDC for 11 dwellings was approved on 14 December 2015.	-	Site completed in December 2017 (2017/18).	0	11	0	0	0	0	0	0	0	0	0	0	0	0	11
Lincoln House, Lincoln Close	0.4	-	Full - Application for change of use from former care home to residential to provide 18 units (13/01880/CDC) was approved on 20 October 2014.	-	Site completed in March 2016 (2015/16).	0	18	0	0	0	0	0	0	0	0	0	0	0	0	18
North East Of Crouch Hill Farm Adjoining Broughton Road	2.81	-	Reserved Matters - Outline application 13/01528/OUT for residential development including means of access from Broughton Road was approved on 2 October 2014. A Reserved Matters application for 40 dwellings (15/01215/REM) was approved on 22 March 2016.	-	Site completed in March 2019 (2018/19).	0	40	0	0	0	0	0	0	0	0	0	0	0	0	40
Old Stanbridge Hall, Banbury School, Ruskin Road	0.95	-	Full - Full permission granted on 20 September 2010 (10/00907/F).	-	Site completed in March 2012 (2011/12).	0	70	0	0	0	0	0	0	0	0	0	0	0	0	70
Orchard Lodge, Warwick Road	0.33	-	Full - Application for change of use from former care home to residential use to provide 16 residential units (13/01879/CDC) was approved on 25 April 2014.	-	Site completed in September 2015 (2015/16).	0	16	0	0	0	0	0	0	0	0	0	0	0	0	16

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Oxford & Cherwell Valley College, Broughton Road	0.81	-	Full - Application (15/01024/F) for demolition of existing buildings and change of use from D1 non residential to C3 dwelling houses comprising 78 no 1 bedroom and 2 bedroom extra care residential apartments with associated ancillary accommodation. Approved on 18 February 2016.	-	Site completed in March 2019 (2018/19).	0	78	0	0	0	0	0	0	0	0	0	0	0	0	0	78
Penrose House, 67 Hightown Road	0.16	-	Full - Planning Permission 04/01395/F for 12 flats superseded by 11/00820/F for 14 flats which was granted permission on 20 December 2011.	-	14 new dwellings were completed in December 2015 (2015/16).	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	14
Town Centre House, Southam Road	0.19	-	Prior Approval - Commercial Prior Approval (15/00581/PAJ) for conversion of existing building from its current use (Class B1 offices) to a residential use comprising multiple apartments (Class C3) (39 1 bedroom apartments) was approved on 19 June 2015.	-	Site completed in June 2016 (2016/17).	0	39	0	0	0	0	0	0	0	0	0	0	0	0	0	39
1A Banbury - Completed Identified Sites Sub-Totals						0	429	0	429												
Banbury - Deliverable (Available, Suitable and Achievable) Sites (10 or more dwellings) - Contributing to the '5 year land supply'																					
1 - 6 Malthouse Walk, Banbury	0.07	-	Prior Approval - Change of use of the first and second floors from office (B1a) to residential to create 20 self-contained flats was approved on 18 October 2019 (19/01734/O56).	Agents (UPP Consultants Ltd) advised (November 2019) that the scheme will be converted over the next 12 months and is expected to be completed by January 2021.	This is a small brownfield site in a very sustainable location. Prior approval has already been obtained.	0	0	0	0	20	0	0	0	0	0	0	0	0	0	0	20
3 West Bar Street	0.14	-	Prior Approval/Full - change of use of existing offices to C3 (8 dwellings) was approved on 30 January 2018 (17/02425/O56). This has been superseded by a recent Full permissions for change of existing building together with a 2.5 storey high extension to the eastern elevation to facilitate the conversion of the building to 8 no residential units which was approved on 2 August 2019 (19/00958/F). A separate Full application (17/00914/F) for demolition of existing single storey element and erection of new building to provide 4 flats was approved on 4 July 2017.	Agents (JPPC) advised (October 2019) that they are no longer involved since the latest planning permission was obtained therefore is unable to provide an update.	Full planning permissions secured. This is a small brownfield site in a very sustainable location. Due to the latest planning permission only recently been issued and that the site has not yet started the expected delivery rate is pushed back a year.	12	0	0	12	0	0	0	0	0	0	0	0	0	0	0	12
30 Crouch Street	0.06	-	Prior Approval - Change of use from B1 (office) to C3 (dwelling) to provide 13 residential units was approved on 12 July 2019. (19/00746/O56)	Agents (Walker Graham Architects) advised (October 2019) that development on site is expected to start in November 2019 and will be completed by September 2020.	This is a small brownfield site in a very sustainable location. Prior approval has already been obtained.	0	0	0	13	0	0	0	0	0	0	0	0	0	0	0	13
60-62 Broad Street, Banbury	0.06	-	Full - Planning application for alterations to building and change of use to form retail units at ground floor level and 12 No self contained flats over (16/02529/F) was approved on 24 April 2017.	-	This is a small brownfield site in a very sustainable location. The site is currently under construction (since March 2019). Delivery rate to remain unchanged.	12	0	12	0	0	0	0	0	0	0	0	0	0	0	0	12
Bankside Phase 1 (Longford Park)	75.1	-	Full/Reserved Matters - Permission granted on 30 September 2009 for 1070 homes (05/01337/OUT). Separate (but linked) permission for another 20 dwellings (net) (13/01682/F) which was approved on 5 November 2014. Multiple Reserved Matters have been approved. Total number of homes - 1090 dwellings.	Housebuilders Taylor Wimpey, Barratts and Bovis are developing the site. The three housebuilders have provided (October 2019) combined expected delivery rates of 142 in 2019/20 and 54 in 2020/21. Bovis Homes is likely to be the only housebuilder on site from end of 2020. Bovis Homes advised that their Phase 4 is expected to start in February 2020.	Permitted urban extension for up to 1070 homes. The site is very advanced with over 70% of the homes already built. There are currently 3 housebuilders on site.	292	798	142	54	50	46	0	0	0	0	0	0	0	0	1090	

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Canalside - Crown House, caravan site (Station Road) and Robert Keith Cars Sales	1.31 (part of 26)	Local Plan allocation (2015) - Banbury 1	Full/Outline - There are multiple planning permissions on a small area of the site (Crown House). The most relevant permissions are 17/00243/F - change of use of existing office building into 37 apartments (30/03/2017), 17/00288/F - extension to create 10 apartments (22/5/2017), 17/00658/F - change of use of existing building to create coffee shop (A3) and 4 dwellings (19/6/17). A variation of condition application (19/00279/F) for reducing 10 dwellings to 9 dwellings was approved on 26/04/2019. This supersedes 17/00288/F. A separate application for 63 dwellings (18/00293/OUT) at Station Road was approved on 25 June 2019. An additional application (18/01569/F) for mixed use development comprising 19 apartments, commercial space and associated cycle and bin storage was approved on 7 November 2019. Total number of homes - 132 dwellings.	The Crown House site is owned by Cherwell District Council and was completed in September 2019 (46 dwellings). Station Road - Agent was contacted but no update was received. Robert Keith Car Sales - Agents (SF Planning Ltd) advised (October 2019) that the Section106 is expected to be signed imminently. Conditions will need to be discharged. Development on site is expected to start in April 2020 or earlier depending on the discharge of conditions. The site is expected to be completed in 12 months (2021/22).	Part of a strategic allocation in the adopted Local Plan 2011-2031 for 700 dwellings (Banbury 1). A Supplementary Planning Document is being prepared and will be out for consultation in spring 2019. The remaining Canalside allocation is included as a developable site. HELAA (2018) site HELAA258. Development at Crown House (46 dwellings) was completed in September 2019 (2019/20) . i.e. after basedate for completions. The Robert Keith Car Sales site has recently received full planning permission. Expected delivery rates on the remaining 2 sites allows sufficient time for lead-in.	51	0	50	0	19	63	0	0	0	0	0	0	0	0	0	132
Drayton Lodge Farm	15	Local Plan allocation (2015) - Banbury 18	Outline - Outline application (18/01882/OUT) for up to 320 dwellings including affordable housing, together with a local centre of 0.5ha (providing retail and community facilities) was approved subject to legal agreement on 20 June 2019.	Agents (Savills) advised (October 2019) that there is likely to be 1 or 2 housebuilders on site. Reserved Matters application is unlikely to be submitted until end of 2020/21, however it is envisaged that development on site is expected to start in 2021. Expected build-out rate at 2-3 units per month (36 per year).	Outline planning permission is expected to be issued by end of 2019. A strategic allocation in the adopted Local Plan 2011-2031 for 250 dwellings. HELAA (2018) site HELAA255. The build-out rates are based on 50 dwellings per year per housebuilder. The expected delivery rates allows sufficient lead-in time.	0	0	0	0	0	50	100	100	50	20	0	0	0	0	320	
Former The Admiral Holland, Woodgreen Avenue	0.3	-	Full - Application (18/01591/CDC) for development of 8 No houses and 6 No flats was approved on 28 March 2019.	This is a council owned site. CDC Housing advised (October 2019) that the site is expected to be completed by April 2020. Delivery rate to remain unchanged.	The site is currently under construction (since September 2019) and is expected to be completed by March 2020.	14	0	14	0	0	0	0	0	0	0	0	0	0	0	14	
Land Adjoining And West Of Warwick Road	12.14	-	Reserved Matters - Outline application 13/00656/OUT for up to 300 dwellings with access from Warwick Road together with associated open space, allotments and a 500 sq m retail store was allowed on appeal on 3 March 2014. Reserved Matters application 15/00277/REM was approved on 7 March 2017. A separate Reserved Matters application 16/02428/REM for 148 dwellings was approved on 29 June 2018. This is part of the overall 300 dwellings.	Housebuilder (Taylor Wimpey) provided (October 2019) updated expected delivery rates for their site only as: 42 in 2019/20, 54 in 2020/21 and 39 in 2021/22. There are currently 2 housebuilders on site. Housebuilder - Miller Homes was contacted but no update was received.	The site is being developed by 2 housebuilders (Taylor Wimpey and Miller Homes) and is now under construction. The expected delivery rates are updated based on information from Taylor Wimpey and that both housebuilders are making progress on site. The 2018 AMR identified 50 completions will be expected during 2019/20. The Council's monitoring for quarters 1-2 (19/20) suggests that this is likely to be exceeded.	289	11	100	100	89	0	0	0	0	0	0	0	0	0	300	
Land at Higham Way	3.1	Local Plan allocation (2015) - Banbury 19	Outline - Outline application (16/00472/OUT) for approximately 200 dwellings is pending consideration.	Agents (JSA Architects) advised (October 2019) that there has been some planning delays. It is unclear if the land will be sold to a housebuilder or will be developed by the applicant. No other information is available.	A strategic allocation in the adopted Local Plan 2011-2031 for 150 dwellings. This is not an extensive site and in the interest of caution the site should remain with 150 dwellings as per Local Plan allocation. The Council's Development Management Officer leading on the site advised (November 2019) that the application is expected to go to December's Planning Committee with a recommendation for approval subject to a S106 agreement. There is an outstanding matter with Thames Water which requires survey work therefore the issue of permission could be slightly delayed. The expected delivery rates to be pushed back 2 years to allow sufficient time for determining the Outline application and obtaining a Reserved Matters permission.	0	0	0	0	25	100	25	0	0	0	0	0	0	0	150	
Land East of Southam Road	25.61	Local Plan allocation (2015) - Banbury 2	Reserved Matters/Full - Planning application for 510 homes (13/00159/OUT) was approved on 18 December 2013. A Reserved Matters application (14/02140/REM) for the first 98 homes was approved on 17 July 2015. Reserved Matters (15/00961/REM) for 412 dwellings (phase 2) was approved on 23 October 2015. Separate full applications: 18/00376/F for erection of four pairs of semi-detached houses with detached garages was approved on 09/05/2018. 18/01614/F for 83 dwellings comprising a partial re-plan of the approved layout under 15/00961/REM to include an uplift of 23 dwellings was approved on 12 September 2019. Total number of homes - 537 dwellings.	Housebuilder (Bellway Homes) provided (October 2019) updated expected delivery rates for their site only as: 44 in 2019/20, 77 in 2020/21, 42 in 2021/22 and 18 in 2022/23. There are currently 2 housebuilders on site. Housebuilder Ashberry Homes was contacted but no update was received.	One part of a strategic allocation in the adopted Local Plan 2011-2031 (Banbury 2). There are 2 housebuilders (Bellway Homes and Ashberry Homes) and is under construction. The 2018 AMR identified 50 completions will be expected during 2019/20. The Council's monitoring for quarters 1-2 (19/20) suggests that this is likely to be exceeded.	187	327	70	70	40	30	0	0	0	0	0	0	0	0	537	

Appendix 2 - 2019 AMR Housing Delivery Monitor

Sites	Site Area (ha)	Local Plan Status	Planning Application / Permission Status	Information from developer / agent / landowner	Scheme Progress	Planning Permissions at 31/3/19 minus units built & recorded at 31/03/19 (net)	Completions 01/04/11 to 31/03/19	Projection 19/20	Projection 20/21	Projection 21/22	Projection 22/23	Projection 23/24	Projection 24/25	Projection 25/26	Projection 26/27	Projection 27/28	Projection 28/29	Projection 29/30	Projection 30/31	Total Completions and Projected Completions 2011-2031	
Land South of Salt Way and West of Bloxham Road	18.45	Local Plan allocation (2015) - Banbury 16	Reserved Matters - Outline application (14/01188/OUT) for 350 dwellings was approved on 13 November 2015. Reserved Matters application 17/00669/REM for 318 dwellings was approved on 12 October 2017. A new Reserved Matters application (18/01973/REM) was approved on 29 March 2019.	Housebuilder (Redrow Homes) advised (October 2019) that the site is still expected to be completed in 2024/25 and that the expected delivery rates should remain unchanged.	A strategic allocation in the adopted Local Plan 2011-2031 (Banbury 16). The site is currently under construction by Redrow Homes. The 2018 AMR identified 50 completions will be expected during 2019/20. The Council's monitoring for quarters 1-2 (2019/20) suggests that this is likely to be achieved.	308	42	50	50	50	50	50	26	0	0	0	0	0	0	0	318
Land to the rear of 7 and 7A High Street	0.12	-	Full - Application (18/00487/F) for part three storey, part two storey development of 14 flats with ground floor commercial units, on land to rear on 7 High Street; car parking area to rear accessed from George Street was approved subject to legal agreement on 18 April 2019.	Agents (Cumming Anderton Architects) advised (October 2019) that the S106 is still being discussed. Currently the applicant is looking to develop the site himself. Expect the earliest start on site to be in 2021/22 with a 12 month build programme.	This is a small brownfield site in a very sustainable location. Full planning permission is expected to be issued shortly. The Council's Development Management Officer leading on the site advised (November 2019) that the S106 is currently with the applicants and that the decision is likely to be issued by end of this year. The expected delivery rate allows a sufficient lead-in time.	0	0	0	0	0	14	0	0	0	0	0	0	0	0	0	14
Land West of Southam Road	17.62 (gross)	Local Plan allocation (2015) - Banbury 2	Outline - Outline application (18/00273/OUT) for development of up to 90 residential units (Use Class C3), Class A Uses, Class D Use and associated access, landscaping/open space, parking and related works was approved on 12 November 2018. A Reserved Matters application (19/02226/REM) was submitted in October 2019 and is pending consideration.	Sanctuary Housing advised (October 2019) that the Reserved Matters pre-application was made and a meeting was held in February 2019. A Reserved Matters application was submitted in October 2019. Should Planning be determined within the 13 weeks period the decision is expected in February 2020 with a start on site envisaged May/June 2020. First units would be handed over after circa 9 months from SOS being around March 2021 with handovers subject to sales rates but would envisage 2/3 per month at this moment in time subject to market conditions. Expected delivery rates to be 10 in 2020/21, 40 in 2021/22 and 40 in 2022/23. Only 1 housebuilder is expected on site. Build-out rates 2-3 per month subject to market conditions.	The site is to be developed by Sanctuary Housing who has already submitted a Reserved Matters application. The expected delivery rates updated takes into account information from Sanctuary Housing.	90	0	0	10	40	40	0	0	0	0	0	0	0	0	0	90
Neithrop House, 39 Warwick Road	0.08	-	Full - 05/01431/F was approved on 22 December 2012. 14 dwellings in total, 7 already provided.	-	Site completed in June 2019 (2019/20). i.e. after basedate for completions.	7	0	7	0	0	0	0	0	0	0	0	0	0	0	0	7
North of Hanwell Fields	18.75	Local Plan allocation (2015) - Banbury 5	Full/Reserved Matters - Application for 350 homes (12/01789/OUT) was submitted by Persimmon Homes and was approved on 2 September 2014. First Reserved Matters (15/00462/REM) for 118 dwellings was approved on 13 November 2015. Application (14/00066/OUT) for an additional 160 dwellings was approved on 2 April 2015. Reserved Matters (15/01115/REM) for 160 dwellings from Davidsons Developments was approved on 17 December 2015. Reserved Matters (15/01589/REM) for Phase 2 for 210 dwellings was approved on 18 November 2018. Application 16/01210/F for erection of 20 no. dwellings was approved on 15 March 2017 (partly supersedes the 118 dwellings). Another 20 dwellings approved on 21 May 2018 (17/00708/F). A separate outline application for up to 46 dwellings (18/01206/OUT) was approved subject to legal agreement on 30 May 2019. An additional Full application (19/02126/F) for an extra 34 dwellings was submitted in September 2019 and is pending consideration. The 2 Council schemes for 11 dwellings (16/01484/CDC and 16/01485/CDC) were completed in September 2017. Total number of homes - 595.	Persimmon Homes provided (October 2019) updated expected delivery rates for their phase 2 as: 25 in 2019/20, 55 in 2020/21, 55 in 2021/22, 55 in 2022/23 and 20 in 2023/24. Phase 3 is for another 34 dwellings (19/02126/F) which the application is still pending. The build-out rate is 55 per year. There are currently 2 housebuilders on site.	A strategic allocation in the adopted Local Plan 2011-2031 (Banbury 5). Two housebuilders are currently on site: Persimmon Homes (378 dwellings) and Davidson Homes (160 dwellings), however the Davidson Homes parcel has recently been completed in September 2019 (2019/20).	235	280	50	55	55	55	55	45	0	0	0	0	0	0	595	

Appendix 2 - 2019 AMR Housing Delivery Monitor

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South of Salt Way - East	68	Local Plan allocation (2015) - Banbury 17	Outline/Reserved Matters - Planning permission (12/00080/OUT) given for 145 dwellings on part of the site (on appeal) on 23 September 2013. Reserved Matters application (14/01225/REM) was approved on 28 November 2014. Planning application for 280 dwellings (15/01326/OUT) was allowed on appeal on 20 December 2017. Reserved Matters (19/01037/REM) for 280 dwellings is pending consideration. Planning application for 1,000 homes (14/01932/OUT) was approved on 4 August 2016 subject to legal agreement.	Housebuilder (David Wilson Homes) advised (October 2019) for their site only for 280 homes which relates to 15/01326/OUT and the subsequent Reserved Matters 19/01037/REM. Provided updated expected delivery rates as: 39 in 2020/21, 82 in 2021/22, 82 in 2022/23 and 77 in 2023/24. Development on site is expected to start in May 2020. Only 1 housebuilder is expected on site. The Reserved Matters application is pending but decision is expected by end of 2019. Agents (David Lock Associates) provided (November 2019) updated expected delivery rates for their site only based on the assumption that grant of permission this year and that details requiring approval prior to submission of reserved matters are dealt with by OCC and CDC expeditiously, early in the new year to enable start on site in 2020. Delivery rates as: 50 in 2021/22, 75 in 2022/23, 100 in years 2023/24-26/27, 125 in years 2027/28-2029/30 and 100 in 2030/31.	A strategic allocation in the adopted Local Plan 2011-2031 (Banbury 17). Planning permission for 145 homes on part of the site (north-west corner) which is developed by Morris Homes has recently been completed in June 2019 (2019/20). The David Wilson Home's permission for 280 homes relates to the eastern part of the site. Reserved Matters permission is expected soon. Planning permission is expected to be issued imminently for the Gallagher Estate's outline application for 1000 homes. This covers the remaining area of the site which is the majority of the strategic allocation. Expected delivery rates updated based on a peak of 3 developers, 50 homes per year per developer. The Council's Development Management Officer leading on the site advised (November 2019) that the S106 is nearly finalised and is a matter of the bond with Oxfordshire County Council. An extension of time until 1 December 2019 was agreed therefore the permission is expected to be issued by end of the year.	283	142	3	39	132	157	177	100	100	100	125	125	125	100	1425
West of Bretch Hill	27.03	Local Plan allocation (2015) - Banbury 3	Full/Reserved Matters - Application 13/00444/OUT for 400 dwellings was approved on 9 March 2016. Reserved Matters (16/00576/REM) for the first 110 dwellings was approved on 25 August 2016. Reserved Matters (16/02437/REM) for a specialised housing scheme comprising of 51 units was approved on 24 March 2017. A separate planning application for 319 dwellings (17/00189/F) was approved on 10 November 2017. Total number of homes - 480 dwellings.	Housebuilder (Bloor Homes) advised (November 2019) that 200 dwellings have been completed prior to 2019 with a balance of 280 left to complete. Build-out rate of 60 units per year. Provided updated expected delivery rates as: 60 in years 2019/20-2022/23 and 40 in 2023/24. There is only 1 housebuilder on site.	The site is currently under construction by Bloor Homes. The 2018 AMR identified 60 completions will be expected during 2019/20. The Council's monitoring for quarters 1-2 (19/20) suggests that this is likely to be achieved.	288	192	60	60	60	60	48	0	0	0	0	0	0	0	480
Windfall Allowance (<10 dwellings)					Projection based on the 2018 HELAA. For previously developed sites only and discounted to allow for non-implementation. Expectations lowered for second half of plan period in the interest of caution. Windfall completions on sites less than 10 dwellings are also recorded.	177	350	35	35	35	35	35	17	17	17	17	17	17	17	644
1B Banbury - Deliverable (Available, Suitable and Achievable) Sites Sub-Totals						2245	2142	593	498	615	700	490	288	167	137	142	142	142	117	6173
Banbury - Specific, Developable Sites (10 or more dwellings) - Identified developable sites not yet considered to be deliverable																				
Bankside Phase 2	21.5	Local Plan allocation (2015) - Banbury 4	Outline - Planning application for 700 dwellings (17/01408/OUT) was received on 30 June 2017 and is pending consideration. A new application (19/01047/OUT) for a residential development of up to 850 dwellings was received on 05/06/2019 and is pending consideration.	Agents (Framptons) was contacted but no update was received.	A strategic allocation (Banbury 4) in the adopted Local Plan 2011-2031 for 600 dwellings which will continue from Bankside Phase 1. Planning is ongoing - expected delivery rates to be pushed back a year. 2 developers at a peak with 50 dwellings per year per developer.	0	0	0	0	0	50	100	100	100	100	100	50	0	0	600
Bolton Road	2	Local Plan allocation (2015) - Banbury 8			A strategic allocation in the adopted Local Plan 2011-2031 for mixed use development including 200 dwellings (Banbury 8). Includes site of a multi-storey car park which has already been demolished. However, development scheme awaited. A Supplementary Planning Document is expected to be prepared but has been put on hold due to other commitments. Expected delivery rates to be pushed back 2 years. HELAA (2018) site HELAA257.	0	0	0	0	0	75	75	50	0	0	0	0	0	0	200
Canalside - excluding Crown House, the caravan park (Station Road) and Robert Keith Cars Sales	24.69 remaining	Local Plan allocation (2015) - Banbury 1			A strategic allocation in the adopted Local Plan 2011-2031 for 700 dwellings (Banbury 1). Work on the Supplementary Planning Document has been put on hold due to other commitments. Expected delivery rates to be pushed back a year. HELAA (2018) site HELAA258.	0	0	0	0	0	50	50	100	100	100	100	86	0	0	586

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Land adjacent Bretch Hill Reservoir	2.5	-	-	A site to be Cherwell led. CDC Housing advised (October 2019) that the site is still being considered and there are ongoing discussions. The expected number of homes still remains at 40.	A site that was identified internally for potential housing in the near future. HELAA (2018) site HELAA259. 2018 HELAA concluded that the site is not suitable and has no housing potential. Update provided from the Council's Housing team indicate the site is suitable and could accommodate 40 dwellings on a smaller part of the site. In interest of caution delivery will be pushed back to 2022/23 to allow more lead-in time.	0	0	0	0	0	40	0	0	0	0	0	0	0	0	0	40
Land at Banbury AAT Academy	2.03	-	-	-	The planning permission for 44 dwellings including the variation of condition expired on 24 April 2017. HELAA (2018) site HELAA278. Expected delivery rates to be pushed back 2 years to allow more lead-in time. The site should be kept under review.	0	0	0	0	0	10	34	0	0	0	0	0	0	0	0	44
1C Banbury - Specific, Developable Sites Sub-Totals																					
						0	0	0	0	0	225	259	250	200	200	200	136	0	0	1470	
1D Banbury - Remaining Allocation - Non-Strategic Sites																					
						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1A BANBURY - COMPLETED IDENTIFIED SITES																					
						0	429	0	0	0	0	0	0	0	0	0	0	0	0	0	429
1B BANBURY - DELIVERABLE (AVAILABLE, SUITABLE & ACHIEVABLE) SITES																					
						2245	2142	593	498	615	700	490	288	167	137	142	142	142	117	6173	
1C BANBURY - SPECIFIC, DEVELOPABLE SITES																					
						0	0	0	0	0	225	259	250	200	200	200	136	0	0	1470	
1D BANBURY - REMAINING ALLOCATION FOR NON-STRATEGIC SITES																					
						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
1E BANBURY- HOUSING LAND AVAILABILITY TOTAL (1A + 1B + 1C + 1D)																					
						2245	2571	593	498	615	925	749	538	367	337	342	278	142	117	8072	
2. BICESTER																					
Bicester Completed Identified Sites (10 or more dwellings)																					
Bicester Community Hospital Kings End	0.9	-	-	Full - Application (12/00809/F) for demolition of existing community hospital and redevelopment of site to provide a new community hospital and 14 residential units was approved on 27 September 2012.	Site completed in March 2017 (2016/17).	0	14	0	0	0	0	0	0	0	0	0	0	0	0	0	14
Former Oxfordshire County Council Highways Depot	0.56	Identified for 30 dwellings in the Non-Statutory Local Plan (2011)	-	Full - Outline permission 06/01003/OUT granted for 60 dwellings and a care home. Reserved Matters approvals 06/01166/REM & 09/01077/REM. An amended application (09/01076/F) approved extending permission to 7 October 2014. An alternative application for 42 dwellings (13/01708/CDC) was approved on 25 April 2014. Total number of homes - 62.	Site completed in March 2016 (2015/16).	0	62	0	0	0	0	0	0	0	0	0	0	0	0	0	62
Land South of Talisman Road	3.83	-	-	Reserved Matters - Outline application 09/01592/OUT for 140 dwellings granted on appeal (APP/C3105/A/11/2147212) on 18 August 2011. Reserved Matters application for 125 dwellings (13/01226/REM) was approved on 13 February 2014.	Site completed in March 2018 (2017/18).	0	125	0	0	0	0	0	0	0	0	0	0	0	0	0	125
Transco Depot, Launton Road	0.4	Identified for 25 dwellings in the Non-Statutory Local Plan (2011)	-	Full - 12/01216/F approved 5 March 2013 for 23 dwellings.	Site completed in December 2013 (2013/14).	0	23	0	0	0	0	0	0	0	0	0	0	0	0	0	23
West of Chapel St. & Bryan House	0.5	-	-	Full - Application (10/00106/F) for 23 homes (5 net) was approved on 11 January 2011.	Site completed in September 2012 (2012/13).	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	5
Winners Bargain Centres, Victoria Road	0.33	-	-	Full - Application (15/00412/F) for redevelopment to form 42 sheltered apartments for the elderly, communal facilities, access, car parking and landscaping was approved on 15 June 2015.	Site completed in September 2016 (2016/17).	0	42	0	0	0	0	0	0	0	0	0	0	0	0	0	42
2A Bicester - Completed Identified Sites Sub-Totals																					
						0	271	0	0	0	0	0	0	0	0	0	0	0	0	271	
Bicester - Deliverable (Available, Suitable and Achievable) Sites (10 or more dwellings) - Contributing to the '5 year land supply'																					

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Graven Hill	207.23	Local Plan allocation (2015) - Bicester 2	Outline/LDO/Reserved Matters - Outline application (11/01494/OUT) granted on 8 August 2014 for redevelopment of former MOD sites including demolition of existing buildings, development of 1900 homes; local centre to include a 2 form entry primary school (class D1), a community hall of 660sqm, five local shops or facilities to include A1, A2, A3, A5 and D1 uses totalling up to 1358sqm, up to 1000sqm gross A1 uses, a pub/restaurant/hotel (class A4/A3/C1) up to 1000sqm and parking areas; employment floorspace comprising up to B1(a) 2160sqm, B1(b) 2400sqm, B1(c) and B2 20520sqm and B8 uses up to 66960sqm; creation of public open space and associated highway improvement works, sustainable urban drainage systems, biodiversity improvements, public transport improvements and services infrastructure. Local Development Order for 276 dwellings (17/02107/LDO) was adopted on 20 December 2017. Reserved Matters application for demonstrator plots was approved on 19 December 2016. Multiple Reserved Matters have been approved.	Graven Hill Development Company provided (October 2019) updated expected delivery rates: 71 in 2019/20, 325 in 2020/21, 334 in 2021/22, 192 in 2022/23, 171 in 2023/24, 147 in 2024/25, 113 in 2025/26, 90 in 2026/27, 56 in 2027/28, 54 in years 2028/29 - 2030/31. An additional 57 in 2031/32 and 5 in 2032/33. The high delivery rates in 2020/21 and 2021/22 will be from the completion of apartment blocks which account for 104 and 161 and also for the 65 extra care units. The delivery rates are based on the latest version of the viability evidence. Various housebuilders - self build and custom. Build-out rate varies. Multiple Reserved Matters applications ongoing.	A strategic allocation in the adopted Local Plan 2011-2031 for 2100 dwellings (Bicester 2). The site has been acquired by the Council and transferred to a Graven Hill Village Holding Company. The MoD is contractually obliged to transfer the land in two phases. Phase 1 - 2015 and Phase 2 - 2019. Lead housebuilder - Graven Hill Development Company Ltd. Infrastructure is in place and the site is now under construction. 9 of the first 10 demonstrator plots have been completed to date and the remaining 1 plot is near completion. A revised Local Development Order for 276 plots was approved in December 2017 which will help facilitate the delivery of initial self-build dwellings on the site. Several of these plots are now under construction. The remaining 200 homes will be provided on land at Langford Park. This is a self-build development with primarily 1 housebuilder therefore in interest of caution the expected delivery rates have been amended.	1749	151	71	200	200	200	171	147	113	90	56	54	54	54	54	1561
Inside Out Interiors, 85-87 Churchill Road, Bicester	1.18		Outline - Outline planning application for conversion of existing building to provide 5 no. two bed house, 1 no. two bed flat and 1 no. one bed flat. New build to provide 1 no. commercial unit with outside space parking and cycle storage + 3 no. two bed flats (16/02461/OUT) was approved on 19 May 2017. A Reserved Matters application (19/01276/REM) for 10 dwellings was received in July 2019 and is pending consideration.	Agents (Richard Court Designs Ltd) advised (October 2019) that the Reserved Matters permission is expected to be issued shortly with the applicant planning to start on site in early 2020. The current business to remain therefore the units to the rear will be constructed first followed by the conversion to allow for the business to be relocated to the new premises. A 12 month build programme is expected.	This is a brownfield site in a very sustainable location. There is a plan to relocate the existing commercial units on site which would not affect the housing delivery. The expected delivery rate is based on the information from the agents.	10	0	0	0	10	0	0	0	0	0	0	0	0	0	0	10
Kingsmere (South West Bicester) - Phase 1	82.7	Identified in the Non-Statutory Local Plan (2011)	Full/Reserved Matters - Outline planning permission for an urban extension (1631 homes - 06/00967/OUT (1585) & 14/010207/OUT (46). Reserved Matters for the 46 dwellings (16/00192/REM) was approved on 8 June 2016. Application (11/01840/F) for conversion of existing barns to form 7 no. dwellings and construction of 4 no. dwellings was approved on 15 July 2013 which was completed in September 2014 (2014/15). Planning application for an additional 100 homes (13/00433/OUT) was approved on 15 August 2016. The 100 homes are delivered across all the remaining parcels and were subsequently approved through various Reserved Matters applications. Application for 9 dwellings above the local centre (17/01849/F) was approved on 9 January 2018. A separate application for 57 dwellings (18/01721/OUT) is pending consideration. Reserved Matters approvals ongoing. Total number of homes - 1799 dwellings.	Countryside Properties on behalf of the housebuilders advised (October 2019) that there are currently 4 housebuilders on site, reducing to 3 housebuilders from 2019/20 followed by 1 housebuilder from 2021/22. Provided updated expected delivery rates based on a build-out rate of 200 homes per year.	Countryside Properties joint venture. There are currently 4 housebuilders on site (Bovis Homes, Bellway Homes, Linden Homes and Persimmon Homes). The site is under construction and is very advanced with approximately 70% of the site already delivered. The 2018 AMR identified 200 completions will be expected during 2019/20. The Council's monitoring for quarters 1-2 (19/20) suggests that this is likely to be achieved.	418	1324	200	200	50	25	0	0	0	0	0	0	0	0	0	1799
Land at Bessemer Close / Launton Road	3.35	Identified for 70 dwellings in the Non-Statutory Local Plan (2011)	Reserved Matters - A planning application (15/02074/OUT) for demolition of existing industrial buildings and erection of 21 affordable dwellings and 49 open market dwellings was allowed on appeal on 3 May 2017. A Reserved Matters application (17/01253/REM) was approved on 25 August 2017.	Housebuilder (Vanderbilt Homes) was contacted but no update was received.	The site is currently under construction by Vanderbilt Homes. The 2018 AMR identified 52 completions will be expected during 2019/20. First completions were recorded during 2018/19. The Council's monitoring for quarters 1-2 (19/20) suggests that the remaining homes will be built out during 2019/20 and 2020/21.	55	15	40	15	0	0	0	0	0	0	0	0	0	0	0	70
Land at Skimmingdish Lane	2.4		Full - Application (14/00697/F) for 46 dwellings was approved on 9 December 2015.		Site completed in September 2019 (2019/20). i.e. after basedate for completions.	14	32	14	0	0	0	0	0	0	0	0	0	0	0	0	46
Land South of Church Lane (Old Place Yard and St Edburghs)	0.63	Identified for 15 dwellings in the Non-Statutory Local Plan (2011)	Full - Planning application 16/00043/F for 11 self-contained flats for adults with physical disabilities/learning disabilities and autistic spectrum condition was approved on 13 June 2016.	Council led scheme. CDC Housing advised (October 2019) that the remaining part of the site is likely to deliver only 3 houses. Internal discussions ongoing. A planning application is currently being prepared which is likely to be submitted in December 2019. Development on site is expected to start in Autumn 2020 with the site being completed by end of 2021.	This is a brownfield site in a very sustainable location. The 11 approved dwellings were completed in June 2018. The former Bicester Library still remains vacant. Development principles approved in June 2007. The former library is owned by Cherwell District Council and a planning application for 3 dwellings is expected to be submitted.	0	11	0	0	3	0	0	0	0	0	0	0	0	0	0	14

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Sites	Site Area (ha)	Local Plan Status	Planning Application / Permission Status	Information from developer / agent / landowner	Scheme Progress	Planning Permissions at 31/3/19 minus units built & recorded at 31/03/19 (net)	Completions 01/04/11 to 31/03/19	Projection 19/20	Projection 20/21	Projection 21/22	Projection 22/23	Projection 23/24	Projection 24/25	Projection 25/26	Projection 26/27	Projection 27/28	Projection 28/29	Projection 29/30	Projection 30/31	Total Completions and Projected Completions 2011-2031	
North West Bicester Eco-Town Exemplar Project	22.4	Local Plan allocation (2015) - Bicester 1 Identified in Annex A of the Eco-Towns PPS (2009).	Full - Full approval (10/01780/HYBRID) for 393 residential units, an energy centre (up to 400 square metres), means of access, car parking, landscape, amenity space and service infrastructure and outline permission for a nursery of up to 350 square metres (use class D2), a community centre of up to 350 square metres (sui generis), 3 retail units of up to 770 square metres (including but not exclusively a convenience store, a post office and a pharmacy (use class A1), an Eco-Business Centre of up to 1,800 square metres (use class B1), office accommodation of up to 1,100 square metres (use class B1), an Eco-Pub of up to 190 square metres (use class A4), and a primary school site measuring up to 1.34 hectares with access and layout to be determined. (Approved 10 July 2012).	Housebuilder (A2Dominion) provided (October 2019) updated expected delivery rates: 67 in 2019/20, 56 in 2020/21, 77 in 2021/22, 34 in 2022/23.	The site is currently under construction by A2Dominion and Crest Nicholson. This is the first stage of Council endorsed eco-development. The new primary school (Gagle Brook) was opened in September 2018. The 2018 AMR identified 65 completions will be expected during 2019/20. The Council's monitoring for quarters 1-2 (19/20) suggests that this is likely to be achieved. The expected delivery rates updated takes into account information from A2Dominion and actual completions data recorded by the Council.	209	184	67	56	56	30	0	0	0	0	0	0	0	0	0	393
North West Bicester Phase 2	322.6	Local Plan allocation (2015) - Bicester 1 Identified in Annex A of the Eco-Towns PPS (2009).	Outline/Full - Application 17/00455/HYBRID for highways and residential development (150 dwellings) was approved on 7 August 2017, however a previous application (14/01675/OUT) for a similar scheme for employment use and 4.5ha of residential land was allowed on appeal on 28 November 2017. (Albion Land) Resolutions to approve: 14/01641/OUT for 900 dwellings (A2Dominion), 14/01384/OUT for 2600 dwellings (A2Dominion) and 14/02121/OUT for 1700 dwellings (P3Eco Ltd) (24/10/19). Outline planning application for 75 dwellings (18/00484/OUT-SGR (Bicester)1 Ltd) is pending consideration. Application 14/01968/F for the construction of a new road from Middleton Stoney Road roundabout to join Lord's Lane and to include a new crossing under the existing railway line was approved on 21 August 2019.	Housebuilder, A2Dominion who is the main residential developer advised (October 2019) that there are no dates available for future phases. Agents (Quod) advised (October 2019) that the Albion Land parcel is expected to be offered to the market at some point in the future as the applicant is not a housebuilder. No information is available on delivery. Agents (Quod) advised (October 2019) that the application for the SGR parcel is currently with the Council and has not been determined. Given the application is in outline only, the delivery rates are currently unknown. Agents (Turleys) for the P3Eco Ltd parcel was contacted but no update was received.	The North West Bicester site is allocated for 6000 homes in total with 393 in Phase 1 and at least a further 3293 to be delivered in Phase 2 by 2031 (the Plan does not preclude earlier delivery). Main residential developer is A2 Dominion with other housebuilders expected on site. There are outstanding resolutions to approve, ongoing planning applications pending consideration. The Council's Development Management Officer leading on the site advised (October 2019) that Albion Land are restricted from delivering any of the residential development until the realigned Howes Lane are delivered and opened to vehicular traffic. Tunnels are expected to be delivered by April 2021 followed by the delivery of roads in 2022. Reserved Matters are needed so first completions are expected during 2023/24. There is currently 1 outline permission for 150 dwellings with other outline applications with resolutions to approve. Due to infrastructure requirements and the need for Reserved Matters applications the expected delivery rates are pushed back to allow more lead-in time. Ongoing discussions between the Council and the applicants.	150	0	0	0	0	0	50	155	220	220	220	220	220	220	220	1525
South East Bicester	40	Local Plan allocation (2015) - Bicester 12	Outline - A planning application (16/01268/OUT) for up to 1500 dwellings, up to 18ha of employment land for B1 and/or B8, a local centre with retail and community use to include A1 and/or A2 and/or A3 and/or A4 and/or A5 and/or D1 and/or D2A and/or B1 and/or uses considered as sui generis, up to a 3 Form Primary School was approved on 25 October 2018 subject to legal agreement.	Agents (Boyer Planning) was contacted but no update was received.	Site promoted by Boyer Planning on behalf of Redrow Homes/Wates. Outline permission awaited - S106 is unlikely to be signed off by end of this year. Due to the need for the Outline permission to be issued and Reserved Matters applications to be submitted the expected delivery rates are pushed back 2 years to allow more lead-in time.	0	0	0	0	0	50	100	150	200	200	200	200	200	100	1400	
South West Bicester Phase 2	36.88	Local Plan allocation (2015) - Bicester 3	Outline/Reserved Matters - Application 13/00847/OUT for 709 dwellings was approved on 30 May 2017. A Reserved Matters application for 247 dwellings (18/00647/REM) was approved on 16 October 2018. A separate Reserved Matters for 176 dwellings (18/01777/REM) was approved on 1 March 2019. Reserved Matters application for 226 dwellings was received on 10 October 2019 and is pending consideration. A separate application for 60 dwellings is expected.	Countryside Properties on behalf of the housebuilders advised (October 2019) that there are currently 3 housebuilders on site increasing up to 5 housebuilders. Provided updated delivery rates based on a build-out rate of 200 homes per year.	Countryside Properties joint venture. This is phase 2 of the Kingsmere development which is at an advanced build stage. The Reserved Matters for 247 dwellings was submitted by Cala Homes. A separate Reserved Matters application for 176 dwellings was submitted by Bellway Homes. Ashberry Homes to develop on part of the Bellway's site therefore resulting in 3 housebuilders. The site is expected to have up to 6 housebuilders. In interest of caution the expected delivery rate for the first year is lower as construction had only commenced since June 2019.	709	0	50	200	200	200	59	0	0	0	0	0	0	0	709	
Windfall Allowance (<10 dwellings)					Projection based on 2018 HELAA. For previously developed sites only and discounted to allow for non-implementation. Expectations lowered for second half of plan period in the interest of caution. Windfall completions on sites less than 10 dwellings are also recorded.	34	131	10	10	10	10	10	5	5	5	5	5	5	5	216	
2B Bicester - Deliverable (Available, Suitable and Achievable) Sites Sub-Totals						3348	1848	452	681	529	515	390	457	538	515	481	479	479	379	7743	
Bicester - Specific, Developable Sites (10 or more dwellings) - Identified developable sites not yet considered to be deliverable																					

Appendix 2 - 2019 AMR Housing Delivery Monitor

Sites	Site Area (ha)	Local Plan Status	Planning Application / Permission Status	Information from developer / agent / landowner	Scheme Progress	Planning Permissions at 31/3/19 minus units built & recorded at 31/03/19 (net)	Completions 01/04/11 to 31/03/19	Projection 19/20	Projection 20/21	Projection 21/22	Projection 22/23	Projection 23/24	Projection 24/25	Projection 25/26	Projection 26/27	Projection 27/28	Projection 28/29	Projection 29/30	Projection 30/31	Total Completions and Projected Completions 2011-2031	
Cattle Market	0.79	Identified for 40 dwellings in the Non-Statutory Local Plan (2011)		Council owned site. CDC Parking Services advised (October 2019) that there is no update for the site therefore comments from the 2018 AMR remains relevant. The Cattle Market is the only long stay car park in Bicester town centre and has recently been upgraded to pay on exit. The car park is very well used by local businesses and residents. The car park offers cheap all day parking, the Apcoa contract runs until 31 May 2022 and there are no pending plans to change the position with Apcoa.	Previously granted outline permission subject to s.106 (01/00073/CDC) but granted temporary change of use to public car park (04/00779/CDC & 09/00828/CDC). The site is required as a public car park during town centre redevelopment. Phase 1 has been completed. A review of the town's car parking capacity will need to be undertaken before the site is released. No more than 40 dwellings are likely to be provided due to the anticipated need for some informal parking and/or more scope to provide an attractive, open environment (square/open space). HELAA (2018) site HELAA264. The 2018 HELAA has considered the site to be developable. In temporary use as a public car park. Planning permission to extend the use of existing car park for a further 5 years (14/00461/CDC) was given on 20 June 2014. A new 5 year management plan has recently been signed by the Council which retains the car park use until September 2022. No update since last year - Expected delivery rates to remain unchanged.	0	0	0	0	0	0	20	20	0	0	0	0	0	0	0	40
Gavray Drive	23	Local Plan allocation (2015) - Bicester 13	Outline - Application (15/00837/OUT) for 180 dwellings was refused on 22 June 2017 and was dismissed at appeal on 16 July 2018.	Agents (David Lock Associates) advised (October 2019) that a new and comprehensive application is being prepared for the full site for next year. A more robust assumption would be to push back the start date by a year given that there is no current planning permission on the site allocation. Expected delivery rates: 25 in 2021/22, 75 in 2022/23, 100 in 2023/24, 75 in 2024/25 and 25 in 2025/26.	A strategic allocation in the adopted Local Plan 2011-2031 for 300 dwellings (Bicester 13). The site is located in a sustainable location and close to Bicester town centre. Development could provide integration with the existing Langford Village development to the south and west. Appeal was dismissed due to the uncertainty whether the balance of 120 dwellings can be delivered on the eastern part of the site in a manner that would adequately protect and enhance locally significant ecological interest. There is currently no live planning application therefore the site has been changed to a developable site as there is no prospect of the site being brought forward at present time. Expected delivery rate to be pushed back by an additional year to allow more lead-in time. The site should be kept under review.	0	0	0	0	0	25	75	100	75	25	0	0	0	0	0	300
St. Edburg's School, Cemetery Road	0.7				Planning application 17/01578/OUT for erection of 10 dwellings was received in July 2017 and was withdrawn in September 2017. Due to the uncertainty of the site, it has been taken out of the 5 year housing land supply. This is a potential site if needed to address any identified shortfall in the Council's housing supply. Development principles approved in October 2008. HELAA (2018) site HELAA262. The site is included in the Council's 2018 Brownfield Land Register. Expected delivery to be pushed back 2 years to allow more lead-in time. The site should be kept under review.	0	0	0	0	0	10	0	0	0	0	0	0	0	0	0	10
2C Bicester - Specific, Developable Sites Sub-Totals						0	0	0	0	0	35	95	120	75	25	0	0	0	0	0	350
2D Bicester - Remaining Allocation - Non-Strategic Sites						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2A BICESTER - COMPLETED IDENTIFIED SITES						0	271	0	271												
2B BICESTER - DELIVERABLE (AVAILABLE, SUITABLE & ACHIEVABLE) SITES						3348	1848	452	681	529	515	390	457	538	515	481	479	479	379	379	7743
2C BICESTER - SPECIFIC, DEVELOPABLE SITES						0	0	0	0	0	35	95	120	75	25	0	0	0	0	0	350
2D BICESTER - REMAINING ALLOCATION FOR NON-STRATEGIC SITES						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
2E BICESTER - HOUSING LAND AVAILABILITY TOTALS (2A + 2B + 2C + 2D)						3348	2119	452	681	529	550	485	577	613	540	481	479	479	379	379	8364
3. OTHER AREAS																					
Other Areas - Completed Identified Sites (10 or more dwellings)																					

Appendix 2 - 2019 AMR Housing Delivery Monitor

Sites	Site Area (ha)	Local Plan Status	Planning Application / Permission Status	Information from developer / agent / landowner	Scheme Progress	Planning Permissions at 31/3/19 minus units built & recorded at 31/03/19 (net)	Completions 01/04/11 to 31/03/19	Projection 19/20	Projection 20/21	Projection 21/22	Projection 22/23	Projection 23/24	Projection 24/25	Projection 25/26	Projection 26/27	Projection 27/28	Projection 28/29	Projection 29/30	Projection 30/31	Total Completions and Projected Completions 2011-2031	
1-20 Lakesmere Close, Kidlington	0.32	-	Prior Approval - A Commercial Prior Approval (13/00948/CPA) for conversion from 20 office units to provide 18 dwellings and 4 apartments was accepted on 19 August 2013.	-	Site completed in March 2015 (2014/15).	0	22	0	0	0	0	0	0	0	0	0	0	0	0	0	22
4 The Rookery, Kidlington	0.5	-	Full - Outline permission for 11 dwellings (10 net) (12/01321/OUT) was approved on 22 November 2012. Superseded by application 13/01947/F for redevelopment to form 31 retirement living apartments (30 net) was approved on 28 August 2014.	-	Site completed in March 2016 (2015/16).	0	30	0	0	0	0	0	0	0	0	0	0	0	0	0	30
Ambrosden Court, Merton Road, Ambrosden	1.62	-	Reserved Matters - Outline application 13/00621/OUT for demolition of Ambrosden Court and erection of 45 no residential units (44 net) was allowed on appeal on 2 April 2014. Reserved Matters application (15/00480/REM) was approved on 13 October 2015.	-	Site completed in September 2017 (2017/18).	0	44	0	0	0	0	0	0	0	0	0	0	0	0	0	44
Chestnut Close, Launton	0.36	-	Full - Application 13/00186/F for 11 dwellings was approved on 4 September 2013.	-	Site completed in September 2015 (2015/16).	0	11	0	0	0	0	0	0	0	0	0	0	0	0	0	11
Cotefield Farm, Bodicote	4.1	-	Full/Reserved Matters - Permission granted 26 March 2012 (11/00617/OUT) on appeal (APP/C3105/A/11/2159619). Reserved Matters application 12/01802/REM for 82 dwellings was approved on 10 April 2013. A separate application (16/01599/F) for amendment to create an additional 4 dwellings was approved on 10 March 2017. Total number of proposed homes on site - 86 dwellings.	-	Site completed in December 2018 (2018/19).	0	86	0	0	0	0	0	0	0	0	0	0	0	0	0	86
DJ Stanton (Engineering) Ltd Station Road, Hook Norton	1.88	-	Full - Permission for 37 units (09/01450/F, 11/00585/F & 12/00472/F approved.	-	Site completed in September 2015 (2015/16).	0	37	0	0	0	0	0	0	0	0	0	0	0	0	0	37
Former DLO Caversfield	9.52	-	Full - 11/00151/F - approved on 16 December 2011 - change of use and conversion of buildings to form 160 new dwellings, construction of 27 new dwellings, change of use to a shop/cafe, change of use to B8 storage and ancillary development. 11/00805/F - additional 8 dwellings. 12/00764/F - additional 1 dwelling. Separate applications (13/00764/F) for change of use at Building 22 to 2 dwellings (net 1) approved on 22 July 2013 and (14/00877/F) for change of use at Building 19 for 2 dwellings was approved on 31 July 2014. Application (15/00141/F) for conversion of part of building 16 to form three dwellings (1 net gain) was approved on 14 April 2015. Total number of proposed homes on site - 200 dwellings.	-	Site completed in December 2015 (2015/16).	0	200	0	0	0	0	0	0	0	0	0	0	0	0	0	200
Former Little Bourton Service Station (now Pinson Close), Southam Road, Little Bourton	0.55	-	Full/Reserved Matters - Outline Planning Permission 06/00698/OUT. Alternative reserved matter applications (07/00856/REM (22 dwellings) & 07/01670/REM (20 dwellings) both allowed on appeal on 1 May 2008. Permission for a further 2 dwellings instead of a shop and flat (10/00002/F).	-	Site completed in August 2012 (2012/13).	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	5
Land adjoining and South of St Christopher Lodge, Barford Road, Bloxham	2.65	-	Reserved Matters - Outline application 12/00926/OUT for 75 dwellings was refused in December 2012, called in by the Secretary of State and was allowed on appeal on 23 September 2013. Reserved Matters application (14/00761/REM) was approved on 9 January 2015.	-	Site completed in December 2016 (2016/17).	0	75	0	0	0	0	0	0	0	0	0	0	0	0	0	75
Land Adjoining Fenway & West Of Shepherd's Hill, Steeple Aston	0.43	-	Full - Planning application (12/01611/F) for 12 dwellings was approved on 24 July 2013.	-	Site completed in March 2014 (2013/14).	0	12	0	0	0	0	0	0	0	0	0	0	0	0	0	12
Land East Of Deene Close, Aynho Road, Adderbury	3.14	-	Full - Application 13/01768/F for demolition of existing agricultural building and development of 60 dwellings was approved on 19 June 2014.	-	Site completed in September 2016 (2016/17).	0	60	0	0	0	0	0	0	0	0	0	0	0	0	0	60

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Land North of The Bourne and adjoining Bourne Lane, Hook Norton	3.7	-	Reserved Matters - Outline application 11/01755/OUT of up to 70 dwellings was refused in September 2006, called in by the Secretary of State and was allowed on appeal on 23 September 2013. Reserved Matters application (14/00379/REM) for 66 dwellings was approved on 17 October 2014.	-	Site completed in September 2016 (2016/17).	0	66	0	0	0	0	0	0	0	0	0	0	0	0	0	66
Land North of Gaveston Gardens, Deddington	3.79	-	Reserved Matters - Granted permission on appeal on 18 December 2013 for 85 homes (13/00301/OUT). A Reserved Matters (14/02111/REM) was approved on 26 May 2015.	-	Site completed in December 2018 (2018/19).	0	85	0	0	0	0	0	0	0	0	0	0	0	0	0	85
Land South West of Orchard Close and adjoining Murcott Road, Arncott	1.7	-	Reserved Matters - Outline planning permission granted on 13/7/11 (10/00807/OUT) for 50 dwellings. Reserved Matters application (12/00799/REM) for 48 dwellings approved 31 May 2012.	-	Site completed in June 2014 (2014/15).	0	48	0	0	0	0	0	0	0	0	0	0	0	0	0	48
Land to the South West of Tadmarton Road, Bloxham	6.23	-	Reserved Matters - Outline application 13/00496/OUT for erection of up to 60 dwellings was allowed on appeal on 27 March 2014. A Reserved Matters application (14/01634/REM) was approved on 20 April 2015.	-	Site completed in September 2018 (2018/19).	0	60	0	0	0	0	0	0	0	0	0	0	0	0	0	60
Land to the West of Garners House, Main Street, Great Bourton	1.91	-	Full - Planning application for 43 dwellings (16/01979/F) was approved on 31 May 2017.	-	Site completed in March 2019 (2018/19).	0	43	0	0	0	0	0	0	0	0	0	0	0	0	0	43
North of Cassington Road (land adjacent to Exeter Farm), Yarnton	5.87	Identified for 135 dwellings in the Non-Statutory Local Plan (2011)	Full - Full Planning Permission 08/02541/F for 168 dwellings and 08/02594/F for 63 bed nursing home. Permission granted for 50 extra care homes on 23 November 2011 (10/01302/F). Subsequent variation of conditions. Total number of homes - 115.	-	Site completed in September 2013 (2013/14).	0	115	0	0	0	0	0	0	0	0	0	0	0	0	0	115
Oak Farm, Milcombe	0.93	-	Reserved Matters - Outline permission (10/00967/OUT) granted on 5 April 2011 for 29 dwellings. Non-statutory allocation for 15 dwellings. Reserved Matters application 12/01095/REM approved on 27 January 2012.	-	Site completed in December 2014 (2014/15).	0	29	0	0	0	0	0	0	0	0	0	0	0	0	0	29
OS Parcel 4100 Adjoining and South of Milton Road, Adderbury	4.8	-	Reserved Matters - Application 13/00456/OUT for erection of 65 dwellings with associated access, open space and structural landscaping was allowed on appeal on 23 January 2014. Reserved Matters application 14/01673/REM was approved on 17 December 2014.	-	Site completed in December 2016 (2016/17).	0	65	0	0	0	0	0	0	0	0	0	0	0	0	0	65
South of Milton Road, Bloxham	1.9	-	Full - Full planning permission (09/01811/F) for 61 dwellings was approved on 26 July 2010.	-	Site completed in September 2012 (2012/13).	0	61	0	0	0	0	0	0	0	0	0	0	0	0	0	61
Springfield Farm, Ambrosden	8.19	-	Full - Application for 90 dwellings (89 net) (13/00344/HYBRID) was approved on 3 March 2014.	-	Site completed in September 2016 (2016/17).	0	89	0	0	0	0	0	0	0	0	0	0	0	0	0	89
The Green, Chesterton	4.75	-	Reserved Matters - 12/00305/OUT for 44 units village hall/sports pavilion and associated car parking, enlarged playing pitches, new children's play area, access and landscaping granted on appeal on 21 February 2013 (12/00050/REFAPP). Reserved Matters for 44 dwellings (13/01525/REM) was approved on 15 January 2014. A separate application for 6 dwellings with associated means of access, car parking and landscaping was approved on 5 August 2016. Total number of homes - 50.	-	Site completed in March 2016 (2015/16).	0	50	0	0	0	0	0	0	0	0	0	0	0	0	0	50
Thornbury House, The Moors, Kidlington	0.72	-	Full - Planning application (13/00395/F) for 54 extra care flats was approved on 30 August 2013.	-	Site completed in September 2015 (2015/16).	0	54	0	0	0	0	0	0	0	0	0	0	0	0	0	54
Yew Tree Farm, Station Road, Launton	2.58	-	Full - Application 11/01907/F for 40 dwellings (including 3 barn conversions) was approved on 11 February 2013.	-	Site completed in September 2015 (2015/16).	0	40	0	0	0	0	0	0	0	0	0	0	0	0	0	40
3A Other Areas - Completed Identified Sites Sub-Totals						0	1387	0	1387												
Other Areas - Deliverable (Available, Suitable and Achievable) Sites (10 or more dwellings) - 'Contributing to the '5 year land supply'																					

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2 - 4 High Street, Kidlington	0.11	-	Prior Approval (18/00809/O56) - Change of Use from Class B1(a) offices to Class C3 residential - 16 No one and two bedroom and studio flats was approved on 12 July 2018.	Agents (Mike Gilbert Planning Ltd) advised (October 2019) the housebuilder, Ede Homes is looking to start on site in March 2020 and expect the site to be completed by Spring 2021.	This is a brownfield site in a very sustainable location. A housebuilder is involved. The expected delivery rate is a realistic date to allow for the change of use to be implemented.	16	0	0	0	16	0	0	0	0	0	0	0	0	0	0	16	
British Waterways Site, Langford Lane, Kidlington	0.4	-	Full - application (17/01556/F) for redevelopment of site comprising the erection of 10 residential dwellings was approved on 2 July 2018.	Applicants (Canal & River Trust) advised (October 2019) that a housebuilder is currently in the process of working on discharging conditions and one aspect has already been agreed with the Council. Once details are agreed development is anticipated to commence immediately with a construction period of around 12 months. Occupation will follow completion of the whole scheme and as such occupation is anticipated in the monitoring year 2021/22. 10 completions during 2021/22. 1 housebuilder is expected and is looking to start on site in spring/summer 2020.	This is a small brownfield site in a reasonably sustainable location. A housebuilder is involved. Full planning permission is secured and the expected delivery rate allows a sufficient lead-in time.	10	0	0	0	10	0	0	0	0	0	0	0	0	0	0	10	
Church Leys Field, Blackthorn Road, Ambrosden	5.6	-	Full - Planning application for 85 dwellings (16/02370/F) was approved on 25 January 2018.	Housebuilder (Bellway Homes) advised (October 2019) that there is currently 1 housebuilder on site and provided updated expected delivery rates: 46 in 2019/20 and 39 in 2020/21.	The site is currently under construction by Bellway Homes (since June 2018). The expected delivery rates updated takes into account information from Bellway Homes and actual completions data recorded by the Council.	65	20	40	25	0	0	0	0	0	0	0	0	0	0	0	85	
Co Op, 26 High Street, Kidlington	0.55	-	Full - Application (15/01872/F) for 54 dwellings was refused on 22 February 2017 but allowed on appeal on 3 January 2018.	Housebuilder (Cantay Estates) advised (November 2019) that phase 1 residential units are to be occupied in early 2020 and phase 2 comprising 44 units will be completed and ready for occupation in March 2021.	This is a brownfield site in a very sustainable location. The site is currently under construction by Cantay Estates (since June 2019). Phase 1 for 8 dwellings is near completion and are expected to be completed by March 2020. This is based on information from Cantay Estates and the Council's monitoring information. Expected delivery rates to remain unchanged.	54	0	8	44	0	0	0	0	0	0	0	0	0	0	0	52	
Cotefield Farm Phase 2, Bodicote	5.4	-	Outline/Reserved Matters - Application (14/02156/OUT) for 95 homes was approved on 3 October 2016. Reserved Matters application for 37 dwellings (18/00193/REM) was approved on 28 August 2018. Reserved Matters application for 58 dwellings (18/01309/REM) was approved on 5 November 2018.	Housebuilder (Crest Nicholson) was contacted but no update was received.	The site is currently under construction by Crest Nicholson (since March 2019). Reserved Matters permissions secured. Show homes are opened. The 2018 AMR identified 30 completions will be expected during 2019/20. The Council's monitoring for quarters 1-2 (19/20) suggests that this is likely to be achieved. In interest of caution the expected delivery rates are updated slightly in years 2 and 3.	95	0	30	50	15	0	0	0	0	0	0	0	0	0	0	95	
Former RAF Upper Heyford	505	Local Plan allocation (2015) - Villages 5	Outline/Full/Reserved Matters - Outline permission 08/00716/OUT for a new settlement of 1075 (there are 314 existing homes, leaving a net new build of 761) dwellings, together with associated works and facilities including employment uses, community uses, school, playing fields and other physical and social infrastructure was granted on appeal on 11 January 2010. Revised outline application 10/01642/OUT permitted on 22 December 2011. Reserved Matters approvals ongoing. A separate application for additional 60 dwellings (13/01811/OUT) was approved on 31 March 2016 with the Reserved Matters (16/00627/REM) approved on 31 August 2016. A Full application for 43 dwellings (16/00263/F) was approved on 8 May 2017. A permission for 13 dwellings (16/00627/REM) which resulted in a net loss of 1. Resolution to approve for 79 homes (15/01357/F) on a greenfield site within the strategic allocation by Pye Homes and 297 homes (16/02446/F) by Dorchester on the western part of the site. A new Hybrid application (18/00825/HYBRID) for 1175 dwellings is pending. Total number of homes on site with planning permission (including completions at 31/3/18) is 863.	Housebuilder (Dorchester Living) advised (November 2019) that due to unforeseen contamination issues the 2018/19 year saw a drop in delivery. Provided updated expected delivery rates for their site only as: 64 in 2019/20, 130 in years 2020/21 and 2021/22, 150 in years 2022/23-2030/31. On target to get back up to the delivery rates of 130 units per year in the 2020/21 year and expect the Hybrid planning application for 1,175 units to go to Planning Committee in early 2020. There are currently 2 housebuilders on site. There is a team onsite who can deliver circa 150 units per year however quicker determination of planning applications and S106 negotiations will be needed to deliver full potential. Housebuilder (Bovis Homes) provided (October 2019) updated expected delivery rates as: 71 in 2019/20 and 2020/21. Advised the build-out rate of 71 units per year. Phase 6 is expected to start shortly with phase 4a and 4b in 2020. Housebuilder, Pye Homes to develop on a separate parcel for 79 dwellings. Contact was made but no update was received.	The site has been acquired by the Dorchester Group who have signed up Bovis Homes as a partner housebuilder. The site is currently under construction with over 60% of the permitted dwellings delivered. Expected delivery rates takes into account information from the housebuilders.	323	540	130	150	130	150	150	150	150	150	150	150	150	150	150	150	2300
Kings Two Wheel Centre, 139 Oxford Road, Kidlington	0.1	-	Full - Application (18/01388/F) for demolition of existing vacant workshop and show room buildings, and erection of two and three storey building to provide 10no. dwellings (8 x 2-bed and 2 x 1-bed) was approved on 28 March 2019.	Agents (JP Planning Ltd) was contacted by no update was received.	This is a small brownfield site in a very sustainable location. Full planning permission is secured. The commercial unit has already been demolished and work on the residential has commenced. The site is expected to be completed during 2020/21,	10	0	0	10	0	0	0	0	0	0	0	0	0	0	0	10	

Appendix 2 - 2019 AMR Housing Delivery Monitor

Sites	Site Area (ha)	Local Plan Status	Planning Application / Permission Status	Information from developer / agent / landowner	Scheme Progress	Planning Permissions at 31/3/19 minus units built & recorded at 31/03/19 (net)	Completions 01/04/11 to 31/03/19	Projection 19/20	Projection 20/21	Projection 21/22	Projection 22/23	Projection 23/24	Projection 24/25	Projection 25/26	Projection 26/27	Projection 27/28	Projection 28/29	Projection 29/30	Projection 30/31	Total Completions and Projected Completions 2011-2031
Land adj to Cotswold Country Club and South Of properties on Bunkers Hill, Shipton On Cherwell	0.97	-	Outline - application (18/01491/OUT) for demolition of existing club house, bowling club pavilion and ancillary store, and erection of 10 no. dwellings was approved on 21 June 2019. A Reserved Matters application (19/01410/REM) was approved on 23 October 2019.	Housebuilder (Keble Homes) advised (November 2019) that the site is expected to be completed during 2020/21.	Reserved Matters permission secured. A small site with a housebuilder involved. Expected delivery rate is based on the information from Keble Homes.	0	0	0	10	0	0	0	0	0	0	0	0	0	0	10
Land at Station Road, Enslow	0.58	-	Full - Planning application for 14 dwellings (15/00822/F) was approved on 21 November 2016.	Housebuilder (Portdevon) advised (October 2019) that the site is expected to be completed in 2019/20. Delivery rate to remain unchanged.	The site is currently under construction with Portdevon. The site is expected to be completed by March 2020.	12	2	12	0	0	0	0	0	0	0	0	0	0	0	14
Land at Tappers Farm, Oxford Road, Bodicote	2.19	-	Outline - application (18/00792/OUT) for the demolition of existing buildings and erection of up to 52 no. dwellings (now 46) with associated works and provision of open space was allowed on appeal on 30 October 2019.	-	Outline planning permission secured. The agents (Hollins Strategic Land) advised in the Appeal Statement (February 2019) that the 46 dwellings are expected to be completed within 5 years. Expected to start the development on site within 12 months with a 18 months build programme. In August 2019 Bovis Homes has expressed an interest in opening negotiations to acquire the site therefore there has already been discussions with a housebuilder. A Reserved Matters application will be needed therefore the expected delivery rates allows a sufficient lead-in time.	0	0	0	0	0	20	26	0	0	0	0	0	0	0	46
Land East Of Jersey Cottages Station Road, Ardley	0.357	-	Full - Planning application (18/01881/F) for erection of 13 new affordable dwellings together with associated external works, car parking and landscaping was approved on 28 March 2019.	Agents (Oakley Architects Ltd) advised (October 2019) that contract has commenced and work on site is expected to start in December 2019. The site is expected to be completed by end of 2020.	A rural exception site. The site is owned by Waterloo housing association who will be developing the site. The site is part of the Oxfordshire Housing and Growth Deal therefore will be offered funding to assist the delivery of the site. This is one of the priority sites to be delivered within a short timeframe. Full planning permission is secured and the housebuilder is expected to start on site by end of this year. Expected delivery rate to remain unchanged.	13	0	0	13	0	0	0	0	0	0	0	0	0	0	13
Land North of Hook Norton Primary School And South Of Redland Farm, Sibford Road, Hook Norton	2.68	-	Reserved Matters - Planning application 14/00844/OUT for erection of 54 dwellings, landscape, public open space and associated works was approved on 8 December 2015. Reserved Matters application (17/00950/REM) was approved on 21 December 2017.	Housebuilder (Lioncourt Homes) was contacted but no update was received.	The site is currently under construction by Lioncourt Homes. The site is expected to be completed during 2019/20.	40	14	40	0	0	0	0	0	0	0	0	0	0	0	54
Land North of Milton Road, Adderbury	5.83	-	Full - Planning application (14/00250/F) for 31 dwellings was approved on 1 December 2014. A separate planning application for 5 additional dwellings on land previously allocated for possible community use (17/00813/F) was approved on 9 November 2017. A separate application (18/00691/F) for an additional dwelling was approved on 12 November 2018.	-	Site completed in June 2019 (2019/20). i.e after basedate for completions.	1	36	1	0	0	0	0	0	0	0	0	0	0	0	37
Land North Of Oak View, Weston On The Green	0.89	The site is included in the pre-submission Weston on the Green Neighbourhood Plan for 20 dwellings.	Reserved Matters - Outline application 13/01796/OUT for residential development of up to 20 dwellings was approved on 7 April 2015. A Reserved Matters application (16/00574/REM) was approved on 20 December 2016. A variation of condition application (17/01458/OUT)) to amend the details to layout, appearance, access and landscaping; including alterations to the Courtyard arrangement and alterations to the layout & plots was approved on 8 May 2018. An additional 4 dwellings was approved on 30 July 2019 (18/02066/F).	Agent (Msquare Architects) was contacted but no update was received.	This is a reasonably small greenfield site with Reserved Matters permission. In interest of caution the expected delivery rate is pushed back a year.	20	0	0	24	0	0	0	0	0	0	0	0	0	0	24
Land North of Station Road, Bletchington	3.92	-	Full/Reserved Matters - Application (13/00004/OUT) for 40 market homes plus 18 affordable, school, village hall, shop was approved on 14 May 2014. Reserved Matters application (14/01141/REM) was approved on 18 December 2014. A Variation of condition (16/00362/F) was approved on 2 September 2016. A separate planning application (16/02616/F) for conversion of 2 proposed houses into 5 flats (net gain of 3) was approved on 21 February 2017.	Applicants (Places For People) advised (October 2019) that delivery has been slower than the Council's assumed programme due to the bespoke product and the need to maintain construction output aligned with sales rate. Provided updated expected delivery rates: 30 in 2019/20 and 15 in 2020/21.	The site is currently under construction by ZeroC with over 70% of the permitted dwellings delivered. The expected delivery rates updated takes into account information from the applicants and actual completions data recorded by the Council. The site is expected to be completed by March 2021.	37	24	30	7	0	0	0	0	0	0	0	0	0	0	61

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Land North of The Green and adj. Oak Farm Drive, Milcombe	1.43	-	Outline - Outline application 15/02068/OUT for 40 dwellings was approved on 25 October 2017. A Variation of Condition (19/00045/OUT) in relation to footpath links and open space/play spaces was approved on 14 October 2019. Reserved Matters (19/00046/REM) for 40 dwellings was received in January 2019 and is pending consideration.	Sanctuary Housing advised (October 2019) that the Reserved Matters application is with the Council and that a revised outline permission (variation of condition) is still outstanding however this is expected to be issued shortly. The Reserved Matters permission is expected to follow. Development on site is expected to start on site in March 2020 with 30 completions in 2021 and remaining balance in 2022 (30 in 2021/22 and 10 in 2022/23).	The site is owned by Sanctuary Housing who will be developing the site. Ongoing discussions between Sanctuary Housing and the Council's Development Management team. The Reserved Matters application is received and is expected to be issued soon. The updated expected delivery rates are based on the information from Sanctuary Housing which allows a sufficient lead-in team.	40	0	0	0	30	10	0	0	0	0	0	0	0	0	0	40
Land off Banbury Road, Adderbury	0.84	-	Full - Planning application (13/00996/F) for 26 dwellings was allowed on appeal on 3 September 2014. A Variation of condition (16/01459/F) was approved on 15 March 2017. 25 dwellings being proposed on the site.	Housebuilder (Barwood Homes) was contacted but no update was received.	The site is currently under construction by Barwood Homes. The block of apartments are near to completion. The Council's monitoring for quarters 1-2 (19/20) suggests that the site is expected to be completed by March 2020.	16	9	16	0	0	0	0	0	0	0	0	0	0	0	0	25
Land South of Milton Road, Bloxham	5.4	-	Reserved Matters - Outline application 12/01139/OUT of up to 85 dwellings was undetermined, called in by the Secretary of State and allowed on appeal on 23 September 2013. Permission expired on 23 September 2014. Planning application (14/01017/OUT) for 85 dwellings was approved on 9 February 2015. Reserved Matters application (15/01021/REM) was approved on 21 December 2016.	Housebuilder (Miller Homes) was contacted but no update was received.	The site is currently under construction by Miller Homes. The Council's monitoring for quarters 1-2 (19/20) suggests that the site is expected to be completed by March 2020.	30	55	30	0	0	0	0	0	0	0	0	0	0	0	0	85
South East Of Launton Road And North East Of Sewage Works Blackthorn Road, Launton	5.34	-	Outline - application (17/01173/OUT) for development of up to 72 dwellings with associated large area of public open space was allowed at appeal on 18 September 2018. A Reserved Matters application for 65 dwellings (19/02419/REM) submitted by Mulberry Homes was received on 29 October 2019 and is pending consideration.	Agent/Housebuilder (Manor Oak Homes) advised (October 2019) that the site has been sold to a housebuilder and there is no other information available. Housebuilder (Mulberry Homes) who has purchased the site was contacted but no update was received.	The site has been purchased by a housebuilder (Mulberry Homes) who has recently submitted a Reserved Matters application for 65 dwellings. Expected delivery rates to be pushed back a year to allow more lead-in time.	72	0	0	0	15	30	20	0	0	0	0	0	0	0	0	65
Stone Pits, Hempton Road, Deddington	1.02	-	Outline - application (18/02147/OUT) for up to 21 dwellings comprising 1, 2, 3 and 4 bedroom dwellings was approved subject to legal agreement on 30 May 2019.	Agents (Pembury Estates Ltd) was contacted but no update was received.	Outline permission is expected to be issued by end of this year. The Council's Development Management Officer leading on the site advised (November 2019) that the S106 is currently with the applicant and there is only 1 outstanding issue to resolve. Ground investigations work is being undertaken before the site is expected to be put on the market. The expected delivery rate allows a sufficient lead-in time.	0	0	0	0	0	21	0	0	0	0	0	0	0	0	0	21
Taylor Livock Cowan, Suite F Kidlington Centre, High Street, Kidlington	0.05	-	Full - application (18/00587/F) for the erection of ten residential flats with associated undercroft car parking, cycle storage and bin storage was approved on 6 November 2019.	Agents (Edgars Ltd) advised (October 2019) that the S106 is still pending. If permission is issued by end of the year, development on site is expected by middle of 2020 with a 12 month build programme. The site is expected to be completed in 2021/22.	This is a small brownfield site in a very sustainable location. Full planning permission is secured. The expected delivery rate is based on the information from the agents which allows a sufficient lead-in time.	0	0	0	0	10	0	0	0	0	0	0	0	0	0	0	10
The Paddocks, Chesterton	3.08	-	Reserved Matters - Planning application (14/01737/OUT) for 45 dwellings was approved on 2 February 2016. A Reserved Matters application (16/00219/REM) was approved on 9 December 2016.	-	Site completed in June 2019 (2019/20). i.e after base date for completions.	5	40	5	0	0	0	0	0	0	0	0	0	0	0	0	45
Windfall Allowance (<10 dwellings)		-	-	-	Projection based on 2018 HELAA. For previously developed sites only and discounted to allow for non-implementation. Expectations lowered for second half of plan period in the interest of caution. Windfall completions on sites less than 10 dwellings are also recorded.	270	638	61	61	61	61	61	30	30	30	30	30	30	30	30	1153
3B Other Areas - Deliverable (Available, Suitable and Achievable) Sites Sub-Totals						1129	1378	403	394	287	292	257	180	4271							
Other Areas - Specific, Developable Sites (10 or more dwellings) - Identified developable sites not yet considered to be deliverable																					
Land at Arncott Hill Farm, Buchanan Road, Arncott	0.58	-	-	-	A Reserved Matter application (12/01003/REM) was approved on 18/10/12. Implementation was required within a year of the decision (18 Oct 2012). Planning permission lapsed on 18 October 2013. Site taken out of the 5 year housing land supply. This is a potential site if needed to address any identified shortfall in the Council's housing supply. HELAA (2018) site HELAA265. The 2018 HELAA considered the site to be developable. Site to be kept under review.	0	0	0	17	0	0	0	0	0	0	0	0	0	0	0	17

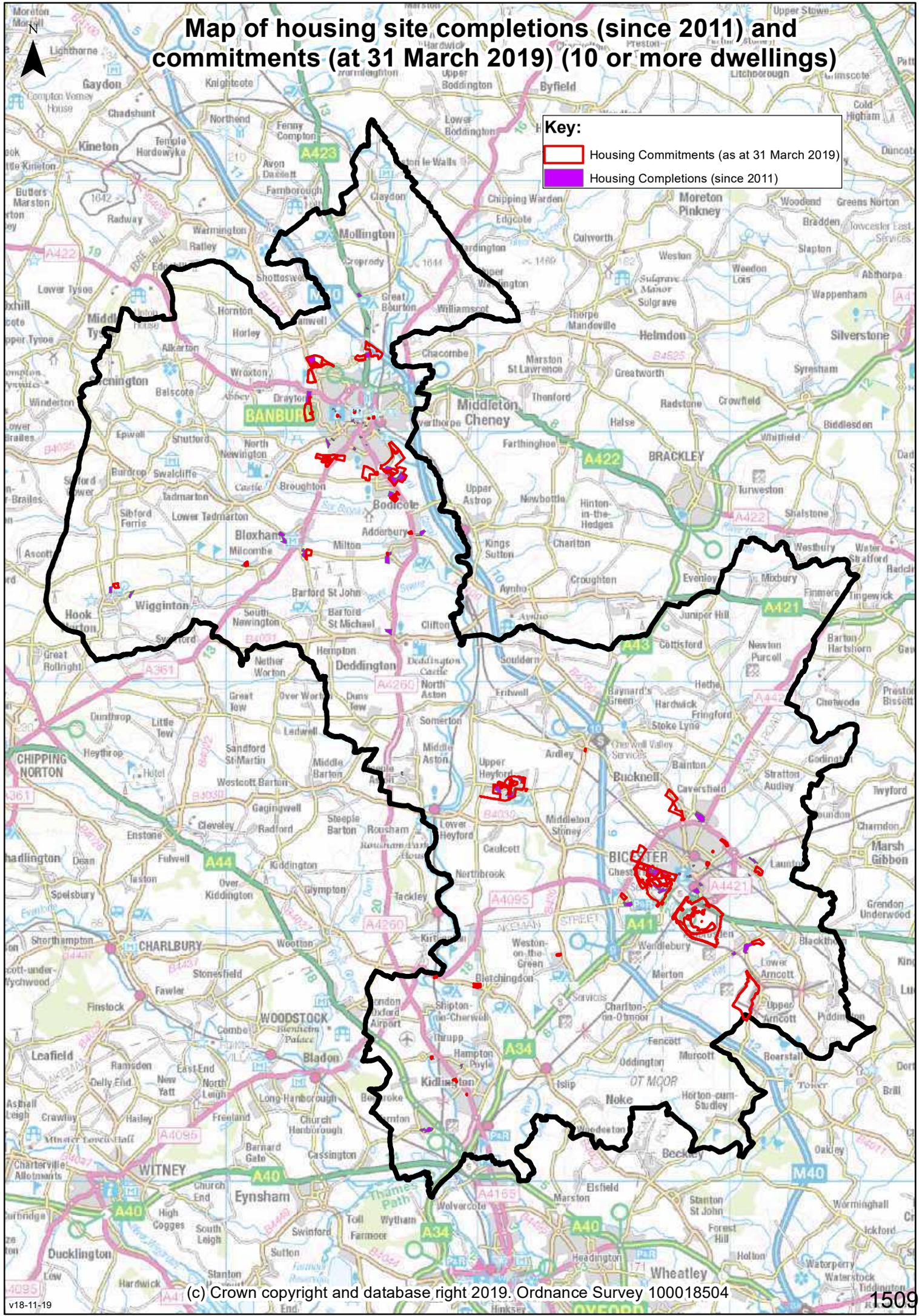
Appendix 2 - 2019 AMR Housing Delivery Monitor

Sites	Site Area (ha)	Local Plan Status	Planning Application / Permission Status	Information from developer / agent / landowner	Scheme Progress	Planning Permissions at 31/3/19 minus units built & recorded at 31/03/19 (net)	Completions 01/04/11 to 31/03/19	Projection 19/20	Projection 20/21	Projection 21/22	Projection 22/23	Projection 23/24	Projection 24/25	Projection 25/26	Projection 26/27	Projection 27/28	Projection 28/29	Projection 29/30	Projection 30/31	Total Completions and Projected Completions 2011-2031		
Land at Merton Road, Ambrosden	4.12	-	Outline - application (18/02056/OUT) for 84 dwellings was allowed on appeal on 9 September 2019.	Agents (Gladman) was contacted but no update was received.	Outline planning permission secured. The site will need to be marketed before a Reserved Matters application is submitted. No information in available at this stage. Expected delivery rates allows sufficient lead-in time. Site to be kept under review.	0	0	0	0	30	30	24	0	0	0	0	0	0	0	0	84	
Land North of Shortlands and South of High Rock, Hook Norton Road, Sibford Ferris	3.7	-	Outline - application (18/01894/OUT) for up to 25 dwellings with associated open space, parking and sustainable drainage was allowed on appeal on 5 November 2019.	-	Outline planning permission recently secured on a site comprising 25 dwellings. A Reserved Matters application will be needed therefore the expected delivery rate allows a sufficient lead-in time.	0	0	0	0	0	25	0	0	0	0	0	0	0	0	0	25	
3C Other Areas - Specific, Developable Sites Sub-Totals						0	0	0	17	30	55	24	0	126								
3D Other Areas - Remaining Allocation - Non-Strategic Sites						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
3A OTHER AREAS - COMPLETED IDENTIFIED SITES						0	1387	0	1387													
3B OTHER AREAS - DELIVERABLE (AVAILABLE, SUITABLE & ACHIEVABLE) SITES						1129	1378	403	394	287	292	257	180	4271								
3C OTHER AREAS - SPECIFIC, DEVELOPABLE SITES						0	0	0	17	30	55	24	0	126								
3D OTHER AREAS - REMAINING ALLOCATION FOR NON-STRATEGIC SITES						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
3E OTHER AREAS - HOUSING LAND AVAILABILITY TOTALS (3A + 3B + 3C + 3D)						1129	2765	403	411	317	347	281	180	5784								
4. DISTRICT TOTALS																						
4A DISTRICT - COMPLETED IDENTIFIED SITES (1A + 2A + 3A)						0	2087	0	0	2087												
4B DISTRICT - DELIVERABLE (AVAILABLE, SUITABLE AND ACHIEVABLE) SITES (YEARS 1-5) (1B + 2B + 3B)						6722	5368	1448	1573	1431	1507	1137	925	885	832	803	801	801	676	18187		
4C DISTRICT - SPECIFIC, DEVELOPABLE SITES (YEARS 6-15) (1C + 2C + 3C)						0	0	0	17	30	315	378	370	275	225	200	136	0	0	1946		
4D DISTRICT - REMAINING ALLOCATION FOR NON-STRATEGIC SITES						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
4E DISTRICT - HOUSING LAND AVAILABILITY TOTALS (4A + 4B + 4C + 4D)						6722	7455	1448	1590	1461	1822	1515	1295	1160	1057	1003	937	801	676	22220		

Appendices

**Appendix 3: Map of housing site completions (since 2011) and commitments (at 31 March 2019)
(10 or more dwellings)**

Map of housing site completions (since 2011) and commitments (at 31 March 2019) (10 or more dwellings)



Appendices

Appendix 4: Adopted Local Plan 2011-2031 Monitoring Framework

Appendix 4: Adopted Local Plan 2011-2031 Monitoring Framework

A Strategy for Development in Cherwell

Policy Reference	Policy Title	Local Plan Indicators	Target
PSD 1	Presumption in favour of Sustainable Development	Monitoring of PSD1 is undertaken by Sustainability Indicators	Monitoring of PSD1 is undertaken by Sustainability Indicators

Policies for Development in Cherwell

Theme One: Policies for Developing a Sustainable Local Economy

Policy Reference	Policy Title	Local Plan Indicators	Target
SLE 1	Employment Development	Employment commitments and completions on allocated employment land per sub area (Banbury, Bicester, Kidlington, Rural Areas)	100% take up of allocations by the end of the plan period
SLE 1	Employment Development	Employment commitments and completions on non-allocated employment land per sub area (Banbury, Bicester, Kidlington, Rural Areas)	Yearly increase in employment use class commitments and completions
SLE 1	Employment Development	Completions resulting in a loss of employment use to non employment use per sub area (Banbury, Bicester, Kidlington, Rural Areas)	No overall net loss of employment land
SLE 2	Securing Dynamic Town Centres	Town centre use (including use classes A1-A5, B1a, D2) completions within and outside of each of the town centres	No net loss of town centre use floor space within town centres
SLE 2	Securing Dynamic Town Centres	No. of retail impact assessments submitted with planning applications	100% of applications over the thresholds set out in Policy SLE2
SLE 3	Supporting Tourism Growth	Completed tourism developments (including D use class uses, Sui Generis uses)	An annual increase in completed tourism developments over the plan period
SLE 3	Supporting Tourism Growth	Number of visitors to tourist attractions in the District	An annual increase over the plan period
SLE 3	Supporting Tourism Growth	Number of visitors to tourist attractions in the District	An annual increase over the plan period

SLE 4	Improved Transport and Connections	Completed transport improvement schemes	Timely provision of transport infrastructure in accordance with strategic site delivery and as set out in the IDP
SLE 4	Improved Transport and Connections	Developer contributions to transport infrastructure	To meet development needs, as set out in the IDP
SLE 5	High Speed Rail 2 – London to Birmingham	Level of Council involvement with the proposed High Speed Rail Link	Respond to all relevant Government consultations on HS2 Respond to all planning applications relating to HS2.

Theme Two: Policies for Building Sustainable Communities

Policy Reference	Policy Title	Local Plan Indicators	Target
BSC 1	District Wide Housing distribution	Housing commitments and completions per sub area (Banbury, Bicester, Kidlington, rural areas)	As set out in Policy BSC1
BSC 2	The Effective and Efficient Use of Land	% of residential completions on previously developed land	As set out in Policy BSC2
BSC 2	The Effective and Efficient Use of Land	Net housing density of completions	As set out in Policy BSC2
BSC 3	Affordable Housing	Net affordable housing completions/acquisitions per tenure	As set out in Policy BSC3
BSC 3	Affordable Housing	No. of self-build completions	An annual increase in the number of self-build completions
BSC 4	Housing Mix	Number of completed dwellings per number of bedrooms	As set out in Policy BSC4
BSC 4	Housing Mix	Number of 'extra care' completions	As set out in Policy BSC4
BSC 5	Area Renewal	Completed development per type in the 'area of renewal'	Improvements in levels of deprivation in the District
BSC 5	Area Renewal	The 'Brighter Futures in Banbury' Performance Measures Package Reports	Positive trends across all the Programme's indicators
BSC 6	Travelling Communities	Completed/Lost Gypsy & Traveller Plots/Travelling Showpeople Pitches, by location (location criteria as set out in Policy BSC6)	Provision for new pitches to meet identified shortfall as set out in Policy BSC6

BSC 7	Meeting Education Needs	Completed education infrastructure	Timely provision of education infrastructure in accordance with strategic site delivery and as set out in the IDP
BSC 7	Meeting Education Needs	Developer contributions to education infrastructure	To meet development needs, as set out in the IDP
BSC 8	Securing Health and Well Being	Completed health care infrastructure	Timely provision of health infrastructure in accordance with strategic site delivery and as set out in the IDP
BSC 8	Securing Health and Well Being	Developer contributions to health care infrastructure	To meet development needs, as set out in the IDP
BSC 8	Securing Health and Well Being	Completions at Bicester Community Hospital	Replacement of Bicester Community Hospital within the plan period
BSC 9	Public Services and Utilities	Completed public services/utilities infrastructure	Timely provision of public services/utilities infrastructure in accordance with strategic site delivery and as set out in the IDP
BSC 9	Public Services and Utilities	Developer contributions to public services/utilities	To meet development needs, as set out in the IDP
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Amount, type and location of open space/sport/recreation facilities	No net loss of open space/outdoor sport/recreation sites
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Areas deficient in recreation provision by type and amount	Annual improvements over the plan period
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Completed built development on (former) sites of open space, outdoor sport and recreation	No net loss of open space/outdoor sport/recreation sites
BSC 10	Open Space, Outdoor Sport & Recreation Provision	Open spaces in the District meeting quality standards	A yearly improvement in the quality of sites/facilities
BSC 11	Local Standards of Provision - Outdoor Recreation	Developer contributions to open space/sport/recreation facilities per typology	As set out in policy BSC11
BSC 12	Indoor Sport, Recreation and Community	Developer contributions to open space/sport/recreation facilities per typology	As set out in policy BSC12

	Facilities		
BSC 12	Indoor Sport, Recreation and Community Facilities	Completed community facilities infrastructure	As set out in policy BSC12

Theme Three: Policies for Ensuring Sustainable Development

Policy Reference	Policy Title	Local Plan Indicators	Target
ESD 1	Mitigating and Adapting to Climate Change	Carbon emissions in the District per capita	Reductions over the plan period
ESD 1	Mitigating and Adapting to Climate Change	Permissions granted contrary to Environment Agency advice on Flood Risk grounds	No permissions granted contrary to EA advice on flood risk grounds
ESD 1	Mitigating and Adapting to Climate Change	Access to services and facilities by public transport, walking and cycling	Improvement over the plan period, linked to Oxfordshire LAA target (National Indicator 175)
ESD 2	Energy Hierarchy	Number of Energy Statements submitted	As set out in Policy ESD2 i.e. required for all major applications
ESD 3	Sustainable Construction	% of new dwellings completed achieving water use below 110 litres/person/day	As set out in Policy ESD3
ESD 3	Sustainable Construction	Completed non residential development achieving BREEAM Very Good, BREEAM Excellent	As set out in Policy ESD3
ESD 4	Decentralised Energy Systems	Number of District Heating Feasibility Assessments submitted	As set out in Policy ESD4 i.e. required for all applications for 100 dwellings or more
ESD 4	Decentralised Energy Systems	Number of permitted District heating schemes in the District	Increase over the plan period
ESD 5	Renewable Energy	Permitted renewable energy capacity per type	Increase over the plan period
ESD 6	Sustainable Flood Risk Management	Permissions granted contrary to Environment Agency advice on flood risk grounds	No permissions granted contrary to EA advice on flood risk grounds
ESD 6	Sustainable Flood Risk Management	Flood Risk Assessments received for development proposals within Flood Zones 2 & 3, within 1 ha of Flood Zone 1, or 9m of any watercourse	As set out in Policy ESD6 i.e. required for all proposals meeting the locational criteria
ESD 7	Sustainable Drainage	Completed SuDS schemes in the District	Annual increase over the plan period

	Systems (SuDS)		
ESD 8	Water Resources	Number of permissions granted contrary to Environment Agency advice on water quality grounds	No permissions granted contrary to EA advice on water quality grounds
ESD 9	Protection of the Oxford Meadows SAC	Number of permissions granted contrary to consultee (Environment Agency, BBOWT, CDC/OCC etc) advice on water quality grounds within the SAC catchment	No permissions granted contrary to consultee (EA, BBOWT, CDC/OCC etc) advice on water quality grounds within the SAC catchment
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Total LWS/LGS area	A net gain in total areas of biodiversity importance in the District
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Changes in priority habitats by number & type	An annual increase over the plan period
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Changes in priority species by number & type	A net gain in priority species by number and type
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Ecological condition of SSSIs	100% of SSSI units in favourable or unfavourable recovering condition
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Distribution and status of farmland birds	A yearly increase in the District index of farmland bird presence
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Distribution and status of water voles	A yearly increase in the presence of water voles
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Permissions granted contrary to tree officer advice	No permissions granted contrary to tree officer advice
ESD 10	Protection and	Permissions granted contrary to	No permissions granted

	Enhancement of Biodiversity and the Natural Environment	biodiversity consultee advice	contrary to biodiversity consultee advice
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Number of Ecological Surveys submitted with applications	Ecological Surveys to accompany all planning applications which may affect a site, habitat or species of known or potential ecological value
ESD 10	Protection and Enhancement of Biodiversity and the Natural Environment	Local Sites in Positive Conservation Management	A net gain in Local Sites in Positive Conservation Management
ESD 11	Conservation Target Areas	Total amount of Natural Environment and Rural Communities (NERC) Act s41 Habitats of Principal Importance within active Conservation Target Areas (CTAs)	A net gain of relevant NERC Act Habitats in active CTAs within the District
ESD 11	Conservation Target Areas	Permissions granted in Conservation Target Areas contrary to biodiversity consultee advice	No permissions granted in Conservation Target Areas contrary to biodiversity consultee advice
ESD 12	Cotswolds AONB	Built development permitted in the AONB	No major development in AONB
ESD 12	Cotswolds AONB	Permissions granted contrary to the advice of the AONB Management Board	No permissions granted contrary to the advice of the AONB Management Board
ESD 13	Local Landscape Protection and Enhancement	Number and location of urban fringe restoration/improvement schemes completed	An annual increase over the plan period
ESD 13	Local Landscape Protection and Enhancement	Permissions granted contrary to Landscape Officer advice	No permissions granted contrary to Landscape Officer advice
ESD 14	Oxford Green Belt	Completed development (per type) in the Green Belt	All development in Green Belt to comply with Policy ESD14
ESD15	The Character of the Built Environment	Permissions granted contrary to the advice of English Heritage/consultee advice on heritage grounds	All development impacting on non designated/designated heritage assets to comply with ESD15
ESD15	The Character of the Built Environment	Permissions granted contrary to design consultee advice on design grounds	No permissions granted contrary to design consultee advice on design

			grounds
ESD15	The Character of the Built Environment	% of permitted and completed developments with Design and Access Statements (that address the criteria of policy ESD15).	All new developments to complete a Design and Access Statement
ESD15	The Character of the Built Environment	Number of new (and reviews of) conservation area appraisals	Review 6 Conservation Areas annually
ESD16	The Oxford Canal	Completed transport/recreation/leisure/tourism uses within 1km of the Oxford Canal	Increase over the plan period
ESD16	The Oxford Canal	Permissions granted contrary to consultee advice on heritage grounds	No permissions granted contrary to consultee advice on heritage grounds
ESD17	Green Infrastructure	Completed green infrastructure schemes	A net gain in green infrastructure provision over the plan period
ESD17	Green Infrastructure	Developer contributions to green infrastructure	To meet development needs and as identified in IDP/Green Infrastructure Strategy

Policies for Cherwell's Places

Bicester

Policy Reference	Policy Title	Local Plan Indicators	Target
Bicester 1	North West Bicester Eco-Town	Housing, infrastructure, employment completions at North West Bicester	As set out in policy Bicester 1 (and agreed masterplan/detailed planning documents)
Bicester 1	North West Bicester Eco-Town	Environmental standards of completed development at NW Bicester	As set out in policy Bicester 1
Bicester 1	North West Bicester Eco-Town	Embodied impacts of construction to be monitored, managed and minimised	As set out in policy Bicester 1
Bicester 1	North West Bicester Eco-Town	Sustainability metrics to be agreed and monitored	As set out in policy Bicester 1
Bicester 2	Graven Hill	Housing, infrastructure, and employment completions at Graven Hill	As set out in policy Bicester 2 (and agreed masterplan/detailed planning documents)
Bicester 3	South West Bicester Phase 2	Housing and infrastructure completions at South West	As set out in policy Bicester 3 (and agreed

		Bicester Phase 2	masterplan/detailed planning documents)
Bicester 4	Bicester Business Park	Completed employment development at Bicester Business Park	As set out in policy Bicester 4 (and agreed masterplan/detailed planning documents)
Bicester 5	Strengthening Bicester Town Centre	Permitted residential development at ground floor level in Bicester Town Centre	No residential floorspace permitted at ground floor level
Bicester 5	Strengthening Bicester Town Centre	Town centre vacancies	No increase in vacancy rates over the plan period
Bicester 5	Strengthening Bicester Town Centre	Diversity of uses	Maintain or improve the balance of uses within the town centre over the plan period
Bicester 5	Strengthening Bicester Town Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Bicester Town Centre	No net loss of town centre use floorspace within Bicester Town Centre
Bicester 6	Bure Place Town Centre Redevelopment Phase 2	Completions (plot level) at Bicester Town Centre Phase 1 & 2	Development to accord with Policy BIC6 and agreed masterplan/detailed planning documents for the site
Bicester 7	Meeting the Need for Open Space, Sport & Recreation	Urban edge park schemes in Bicester	An annual increase in such schemes over the plan period
Bicester 7	Meeting the Need for Open Space, Sport & Recreation	Community woodland provision in Bicester	An annual increase in provision over the plan period
Bicester 7	Meeting the Need for Open Space, Sport & Recreation	Type of permitted/completed development at Stratton Audley Quarry	In accordance with a planning consent
Bicester 8	Former RAF Bicester	Completed development at former RAF Bicester	Development to accord with any agreed masterplan/detailed planning documents
Bicester 9	Burial Site Provision in Bicester	Developer contributions for Burial Site in Bicester	To meet needs and as set out in IDP
Bicester 10	Bicester Gateway	Employment and infrastructure completions at Bicester Gateway site	As set out in Policy Bicester 10 (and agreed masterplan/detailed planning documents)
Bicester 11	Employment Land at North East Bicester	Employment and infrastructure completions at Employment	As set out in Policy Bicester 11 (and agreed

		Land at North East Bicester	masterplan/detailed planning documents)
Bicester 12	South East Bicester	Employment, housing and infrastructure completions at South East Bicester	As set out in Policy Bicester 12 (and agreed masterplan/detailed planning documents)
Bicester 13	Gavray Drive	Housing and infrastructure completions at Gavray Drive	As set out in policy Bicester 13 (and agreed masterplan/detailed planning documents)

Policies for Cherwell's Places

Banbury

Policy Reference	Policy Title	Local Plan Indicators	Target
Banbury 1	Banbury Canalside	Employment, housing and infrastructure completions at Canalside	As set out in Policy Banbury 1 and Canalside SPD (i.e. masterplan/detailed planning documents)
Banbury 1	Banbury Canalside	Progress on completing the Canalside Supplementary Planning Document	As set out in an up to date Local Development Scheme
Banbury 2	Hardwick Farm, Southam Road (East and West)	Housing and infrastructure completions at Southam Road	As set out in Policy Banbury 2 (and agreed masterplan/detailed planning documents)
Banbury 3	West of Bretch Hill	Employment, housing and infrastructure completions at West of Bretch Hill	As set out in Policy Banbury 3 (and agreed masterplan/detailed planning documents)
Banbury 4	Bankside Phase 2	Housing and infrastructure completions at Bankside Phase 2	As set out in Policy Banbury 4 (and agreed masterplan/detailed planning documents)
Banbury 5	Land North of Hanwell Fields	Housing and infrastructure completions at Land North of Hanwell Fields	As set out in Policy Banbury 5 (and agreed masterplan/detailed planning documents)
Banbury 6	Employment Land West of the M40	Employment and infrastructure completions at Land West of the M40	As set out in policy Banbury 6 (and agreed masterplan/detailed planning documents)
Banbury 7	Strengthening Banbury Town Centre	Permitted residential development at ground floor level in Banbury Town Centre	No residential floorspace permitted at ground floor level

Banbury 7	Strengthening Banbury Town Centre	Town centre vacancies	No increase in vacancy rates over the plan period
Banbury 7	Strengthening Banbury Town Centre	Diversity of uses	Maintain or improve the balance of uses over the plan period
Banbury 7	Strengthening Banbury Town Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Banbury Town Centre	No net loss of town centre use floorspace within Banbury Town Centre
Banbury 8	Bolton Road Development Area	Housing, Retail and Leisure Completions on the Bolton Road site	In accordance with Policy Banbury 8 and the Masterplan/detailed planning documents for the site
Banbury 9	Spiceball Development Area	Completions at the Spiceball Development Area	In accordance with Policy Banbury 9 and the Masterplan/detailed planning documents for the site
Banbury 10	Bretch Hill Regeneration Area	Completed development in the Bretch Hill Regeneration Area by type	Increase over the plan period
Banbury 11	Meeting the Need for Open Space, Sport & Recreation	Completed open space/sport/recreation facility provision within Banbury	As set out in Policy BSC10 and BSC11
Banbury 12	Meeting the Need for Open Space, Sport & Recreation	Completions at the relocation site for Banbury United FC	As set out in policy Banbury 12, to be achieved over the plan period
Banbury 13	Burial Site Provision in Banbury	Developer contributions for Burial Site in Banbury	To meet needs and as set out in the IDP
Banbury 14	Cherwell Country Park	Progress on delivering the Cherwell Country Park	As set out in Policy Banbury 11
Banbury 15	Employment Land North East of Junction 11	Employment and infrastructure completions at Employment Land North East of Junction 11	As set out in policy Banbury 15 (and agreed masterplan/detailed planning documents)
Banbury 16	Land South of Salt Way: West	Housing and infrastructure completions at Land at South of Salt Way: West	As set out in policy Banbury 16 (and agreed masterplan/detailed planning documents)
Banbury 17	Land South of Salt Way: East	Housing and infrastructure completions at Land at South of Salt Way: East	As set out in policy Banbury 17 (and agreed masterplan/detailed planning documents)
Banbury	Land at Drayton	Housing and infrastructure	As set out in policy Banbury 18

18	Lodge Farm:	completions at Land at Drayton Lodge Farm	(and agreed masterplan/detailed planning documents)
Banbury 19	Land at Higham Way	Housing and infrastructure completions at Land at Higham Way	As set out in policy Banbury 19 (and agreed masterplan/detailed planning documents)

Policies for Cherwell's Places Kidlington

Policy Reference	Policy Title	Local Plan Indicators	Target
Kidlington 1	Accommodating High Value Employment Needs	Employment completions in Kidlington (at a. Langford Lane/London-Oxford Airport and b. Begbroke Science Park)	An annual increase over the plan period
Kidlington 1	Accommodating High Value Employment Needs	Completed employment development on Green Belt land in Kidlington beyond review areas	To accord with Policy ESD14
Kidlington 2	Strengthening Kidlington Village Centre	Permitted residential development at ground floor level in Kidlington Village Centre	No residential floorspace permitted at ground floor level
Kidlington 2	Strengthening Kidlington Village Centre	Village centre vacancies	No increase in vacancy rates over the plan period
Kidlington 2	Strengthening Kidlington Village Centre	Diversity of uses	Maintain or improve the balance of uses within the town centre over the plan period
Kidlington 2	Strengthening Kidlington Village Centre	Completed town centre uses (including use classes A1-A5, B1a, D2) within and outside of Kidlington Village Centre	No net loss of town centre use floorspace within Kidlington Village Centre

Policies for Cherwell's Places Our Villages and Rural Areas

Policy Reference	Policy Title	Local Plan Indicators	Target
Villages 1	Village Categorisation	Completed development per village category and size of scheme (number of dwellings)	As set out in policy Villages 1
Villages 2	Distributing Growth Across the Rural Areas	Land allocations made in the rural areas	As set out in policy Villages 2 and to be set out in the Local Plan Part 2.

Villages 2	Distributing Growth Across the Rural Areas	Completions on allocated sites in rural areas	100% take up of allocations over the plan period
Villages 2	Distributing Growth Across the Rural Areas	Completions on non-allocated sites in rural areas	As set out in the criteria in policy Villages 1 and 2
Villages 3	Rural Exception Sites	Completions on rural exception sites	To meet needs as per Policy Villages 3
Villages 4	Meeting the Need for Open Space, Sport & Recreation	Developer contributions to open space/sport/recreation facilities in the rural areas	As set out in policy BSC11 and BSC12 and the Infrastructure Delivery Plan
Villages 4	Meeting the Need for Open Space, Sport & Recreation	Open space/sport/recreation facilities created in the rural areas	As set out in policy Villages 4, BSC11, BSC12 and the Infrastructure Delivery Plan
Villages 5	Former RAF Upper Heyford	Housing, employment and infrastructure completions at Former RAF Upper Heyford	As set out in policy Villages 5, and agreed masterplan/detailed planning documents

The Infrastructure Delivery Plan

Policy Reference	Policy Title	Local Plan Indicators	Target
INF 1	Infrastructure	Projects provided to date in the Infrastructure Delivery Plan	Key infrastructure to be delivered in accordance with the Infrastructure Delivery Plan

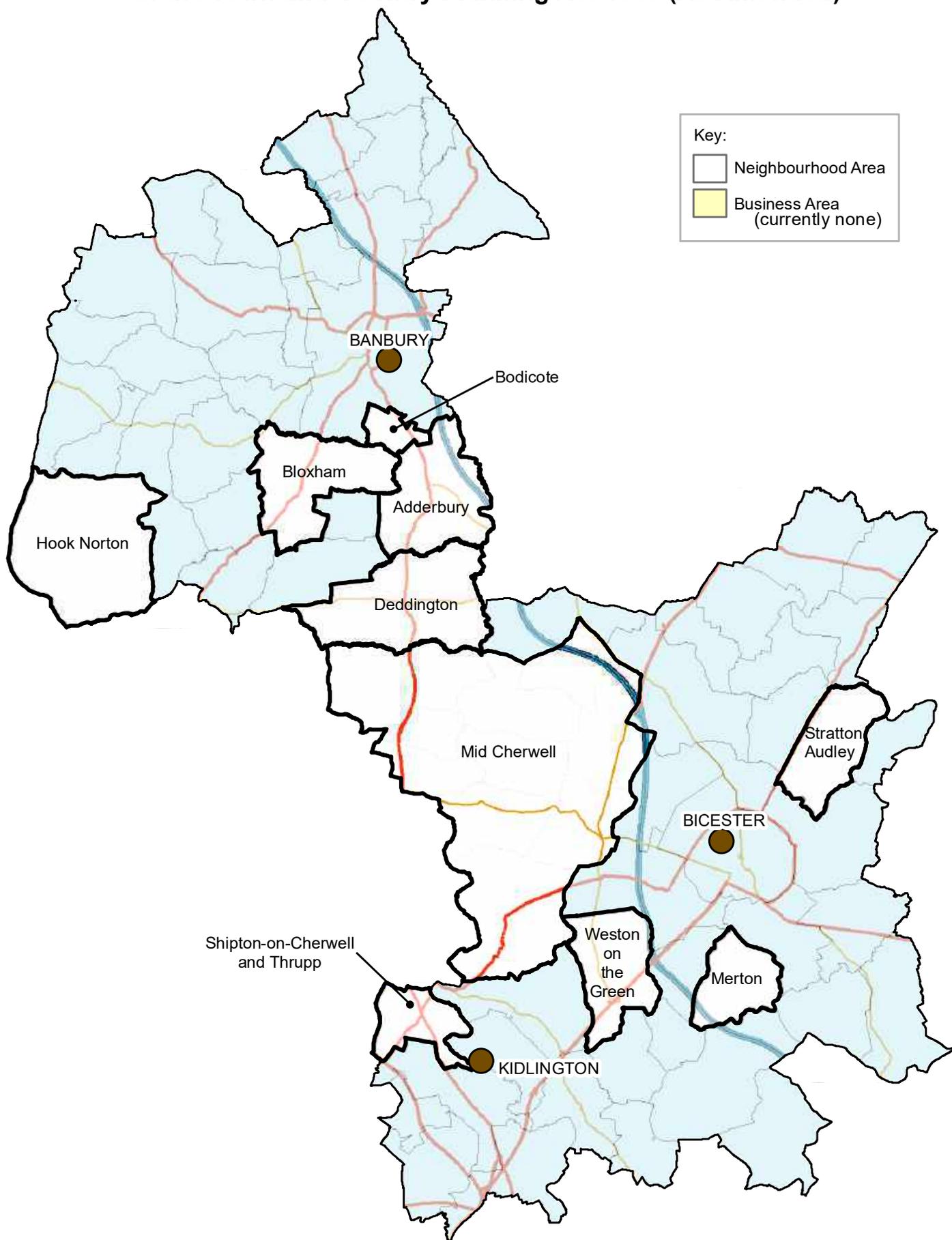
Duty to Cooperate

Reference	Title	Local Plan Indicators	Target
DTC 1	Duty to cooperate – Partial Review of the Cherwell Local Plan Part 1	Meet milestones for Partial Review of the Cherwell Local Plan Part 1 as set out in the Local Development Scheme (Nov 2014)	Adoption of a Partial Review of the Cherwell Local Plan 2011-31 Part 1 addressing wider unmet need within the housing market area within 2 years of Local Plan Part 1 adoption.

Appendices

Appendix 5: Neighbourhood Planning Parishes Map (March 2019)

**Cherwell District Council
Neighbourhood and Business Area Designations
Under Sections 61G (8) and 61H (4)
of the Town and Country Planning Act 1990 (As Amended)**



Key:

- Neighbourhood Area
- Business Area (currently none)



Appendices

Appendix 6: Summary of Infrastructure Updates – December 2019

Bicester Projects

No. Project	BICESTER Projects	Main aim	Priority Critical Necessary Desirable	Update
Transport and movement				
(1) Comp	East West Rail Phase 1 – Oxford to Bicester Village Station (formerly known as Evergreen 3) New station at Oxford Parkway (Water Eaton), upgrades to the current stations at Islip and Bicester Village and a new fast Chiltern Railways service between Oxford and London Marylebone	Supporting economic growth and new homes with better access to the national rail network	Necessary	Completed in Autumn 2015
(2) Comp	Introducing bus facilities at Bicester Village Station, including a bus turning head and new bus stops on London Road	Improving access and facilities at train stations	Critical	Completed
(7b) Comp	Ensuring delivery of high-quality public transport from all Strategic Sites to Bicester Town Centre and Rail Stations: South West Bicester Phase 1	Improving access and facilities at town centres and train stations	Critical	Completed
(7c) Comp	Ensuring delivery of high-quality public transport from all Strategic Sites to Bicester Town Centre and Rail Stations: North West Bicester Ecotown Phase 1 (Exemplar site)	Improving access and facilities at town centres and train stations	Critical	Completed
(9) Comp	Cycle parking facilities at Bicester Village station	Improving access and facilities at train stations at Bicester North. Some cycle parking has already been installed	Desirable	Completed
(10) Comp	New bus interchange hub in Manorsfield Road and 500 space multi-storey car park		Necessary	Completed in July 2013
(10a) Comp	Oxford Road corridor: Pingle Drive access	Improvements to strategic highways capacity – Reduce traffic congestion into the Tesco and Bicester Village development and implement a park and ride at South West Bicester	Necessary	Completed in January 2017
(10b) Comp	A41 Oxford Road corridor: Widening of A41 for right and left turn lanes and new signalised crossing	Improvements to strategic highways capacity – Reduce traffic congestion into the Tesco and Bicester Village development and implement a park and ride at South West Bicester	Necessary	Completed
Comp	Central corridor: Improve Queens Avenue junction with the Community College junction to provide a better pedestrian environment	To improve pedestrian environment and provide environmental improvements	Necessary	Completed
(11) Comp	Bringing Bicester area bus stops to Premium Route standard: Town Centre	To reduce traffic congestion, provide environmental improvements and increase attractiveness of the town centre	Necessary	Completed in July 2013
(13) Comp	Park & Ride to serve Bicester town centre, employment and rail stations, Bicester Village and Oxford. South West of Bicester	To reduce traffic congestion, provide environmental improvements and increase attractiveness of the town centre	Necessary	Completed in November 2015
(13a) Comp	Improvements to Middleton Stoney Road roundabout western end: Shakespeare Drive and Howes Lane roundabouts	To improve journey time reliability and traffic flow while improving access for all forms of transport	Necessary	Completed
(14a) Comp	M40 Motorway capacity enhancements: M40, Junction 9	Improvements to strategic highways capacity	Critical	Completed Spring 2015
(14b) Comp	M40 Motorway capacity enhancements: M40, Junction 10	Improvements to strategic highways capacity	Critical	Completed Spring 2015
(16) Comp	Bicester Strategic Highway Improvements: South West Peripheral Route (Vendee Drive)	Improvements to strategic highways capacity To improve journey time reliability and traffic flow while improving access for all forms of transport To facilitate integration of new development with the town	Critical	Completed in April 2012
(16a) Comp	Highway capacity improvements to peripheral routes: Western corridor. Improvements to Howes Lane / Bucknell Road Junction: North West Bicester Ecotown Phase 1	Improvements to strategic highways capacity To improve journey time reliability and traffic flow while improving access for all forms of transport To facilitate integration of new development with the town	Critical	Completed
(17a) Comp	A41 Oxford Road corridor: A41 Oxford Road / Boundary Way roundabout	Improvements to strategic highways capacity – Reduce traffic congestion into the Tesco and Bicester Village development and implement a park and ride at South West Bicester	Necessary	Completed in January 2017
(17h) Comp	Bicester pedestrian and cycle links – Footpath and appropriate signage from Priory Lane to Bicester Village Station	Physical improvements to cycling and walking routes to key destinations. Deliver improved cycle/footpath links around the town and into the neighbourhoods to encourage visits to the town centre and sustainable travel.	Necessary	Completed
Comp	Bicester pedestrian and cycle links – Pedestrian crossing over South West Perimeter Road (Vendee Drive), Oxford Road and Middleton Stoney Roads	Physical improvements to cycling and walking routes to key destinations. Deliver improved cycle/footpath links around the town and into the neighbourhoods to encourage visits to the town centre and sustainable travel.	Necessary	Completed
Comp	Bicester pedestrian and cycle links – Jubilee Ride 9.5-mile circular equestrian / mountain bike route to the north of Bicester	Improving public rights of way	Desirable	Completed

No. Project	BICESTER Projects	Main aim	Priority Critical Necessary Desirable	Update
(19a) Comp	Town centre access improvements Phase 1: Sheep Street and Manorsfield Road junction improvements (junctions remodelled)	To improve journey time reliability and traffic flow while improving access for all forms of transport – including buses, cyclists and pedestrians to improve access to Bicester town centre and sustainable travel	Necessary	Completed in July 2013
(20) Comp	Bicester Wayfinding Project	Improve facilities for pedestrians with better legibility and wayfinding to key facilities	Desirable	Completed
(21a) Comp	Improvements to Middleton Stoney Road Roundabout western-end: Shakespeare Drive and Howes Lane roundabouts	To improve journey time reliability and traffic flow while improving access for all forms of transport	Necessary	Completed
(23) Comp	Improvements to St. John's Street and the 5-arm junction at the northern end of Field Street . to allow for 2-way traffic, linking with the Bus Interchange and Bure Place	To reduce traffic congestion and provide environmental improvements	Necessary	Completed in July 2013
(24b) Comp	Vehicle charging points installed at Bicester North Rail Station and Bure Place	To reduce pollution from road traffic.	Desirable	Completed
(26a) Comp	Bicester pedestrian and cycle links: Northwest Bicester (Phase 1- Exemplar site) to town centre - implementation of new cycle route on the B4100 from site to Lord's Lane junction and across Lord's Lane	Physical improvements to cycling and walking routes to key destinations. Deliver improved cycle/footpath links around the town and into the neighbourhoods to encourage visits to the town centre and sustainable travel.	Necessary	Completed
(26e) Comp	Bicester Pedestrian and cycle links Bridge Over Railway - Tubbs Crossing	Bridge to facilitate access over railway replacing level crossing	Necessary	Completed
(4b) Del	London Road level crossing solution – pedestrian/cycle link	To avoid severance of town centre from the development areas to the south east of the town	Necessary	Project DELETED from IDP given its removal from OCC capital programme. A scheme remains for road access: 3b London Road level crossing - vehicular solution
1	East West Rail Phase 2 - Oxford to Milton Keynes, Bletchley to Bedford	Supporting economic growth and new homes with better access to the national rail network.	Necessary	Public Inquiry into the western section to take place in February 2019. Advance works are already started (removal of track) under existing Network Rail powers.
(7) Comp	Cycle parking facilities at Bicester North station	Improving access and facilities at train stations at Bicester North. Some cycle parking has already been installed	Desirable	Completed
(14a) Comp	Electric vehicle initiatives. Charging points at Bicester North and Bicester Village Stations, Elmsbrook, Sainsbury's at Pioneer Square, Bicester Little Chef and Grovesbury Cars	To reduce pollution from road traffic.	Desirable	Completed
(15a) Comp	Car Club at Elmsbrook (NW Bicester Phase 1)	To reduce pollution from road traffic.	Desirable	Completed
Pipeline	A34 Oxford to Cambridge Expressway	Improvements to strategic highways capacity	TBC	Part of the Government's Road Investment Strategy, commissioned by the Department for Transport Preferred corridor B 'east-West Rail route' announced in September 2018 Announcement of preferred route in 2020 Commencement of work in 2025 Expressway opening in 2030
Pipeline	Investigating and delivering better cycle routes to Bicester Village station.	Improving access and facilities at train stations at Bicester North. Some cycle parking has already been installed	Desirable	Projects to be aligned with the Bicester Sustainable Transport Strategy published in October 2015 with project plan currently under development
Pipeline	Investigating and delivering better cycle routes to Bicester North station.	Improving access and facilities at train stations at Bicester North. Some cycle parking has already been installed	Desirable	Projects to be aligned with the Bicester Sustainable Transport Strategy published in October 2015 with project plan currently under development
Pipeline	Strategic Road Network: A new motorway junction at Arncott, Bicester (new motorway junction and link road)	Improvements to strategic highways capacity	TBC	Garden town project investigating a motorway option to take strategic highway traffic away from the town and reduce congestion on key links. Currently at project development stage
Pipeline	Highway capacity improvements to peripheral routes: eastern corridor. Skimmingdish Lane dualling and signalisation of junctions.	Improvements to strategic highways capacity	Critical	Progression of IDP scheme 9a
Pipeline	Highway capacity improvements to peripheral routes: eastern corridor. Provision of a new south east link road (western end)	Improvements to strategic highways capacity	Critical	South East link road option now identified by OCC. Both projects are now part of IDP scheme 9c Highway capacity improvements to peripheral routes: southern corridor Provision of new highway link in the form of a south east perimeter road

No. Project	BICESTER Projects	Main aim	Priority Critical Necessary Desirable	Update
Pipeline	Highway capacity improvements to peripheral routes: eastern corridor. Provision of a new south east link road -section from A41 Pioneer Road junction to Gavray Drive junction on Wretchwick Way	Improvements to strategic highways capacity	Critical	South East link road option now identified by OCC. Both projects are now part of IDP scheme 9c Highway capacity improvements to peripheral routes: southern corridor Provision of new highway link in the form of a south east perimeter road
Pipeline	The Causeway	Physical improvements to cycling and walking routes to key destinations. Deliver improved cycle / footpath links around the town and into the neighbourhoods to encourage visits to the town centre and sustainable travel	Necessary	Projects to be aligned with the Bicester Sustainable Transport Strategy published in October 2015 with project plan currently under development.
Pipeline	Increasing long term highway capacity. New M40/Southam Road slip roads	Improvements to strategic highways capacity	TBC	Whilst a new link road east of M40 J11 (Overthorpe Road to A422) was an option to increase long term highway capacity reported in the 2018 IDP, OCC are currently exploring a solution incorporating new slip roads onto the M40 at Southam Road. Optioneering for this proposal will take place during 2019/20; consultation will be undertaken at the project level and through LTCP5.
Education				
(22) Comp	Primary school (1 x 2FE) - North West Bicester phase 1 – Exemplar site (Elmsbrook) Gagle Brook Primary School	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education	Critical	School opened in 2018 as a 1 FE. Timing of expansion to 2FE will depend on housing delivery.
(31) Comp	Expansion and relocation of St Edburg's Primary - Southwest Bicester phase 1 (Kingsmere) 2FE with inclusive Foundation Stages	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education	Critical	Completed
(33a) Comp	New secondary school provision to accommodate growth to 2031: Expansion of The Cooper School	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education	Critical	Completed
(33d) Comp	Bicester Technology Studio	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education	Critical	Completed
Utilities				
(34) Comp	Waste water treatment - foul drainage Upgrading sewage treatment works near Horton and Horley	Ensure utilities infrastructure grows at the same rate as communities	Critical	Completed
(42) Comp	Biomass Boiler - Bicester Leisure Centre	Ensure utilities infrastructure grows at the same rate as communities	Desirable	Completed
(43) Comp	Bicester Green Reuse Centre McKay Trading Estates	Ensure utilities infrastructure grows at the same rate as communities	Necessary	Completed
33 a, b, c	Reinforcement of existing electricity network: East Claydon to Bicester	Ensure utilities infrastructure grows at the same rate as communities	Critical	The entire 18.6km route from East Claydon to the new grid substation at Bicester North is now ducted, with over 80% of this being cabled and jointed successfully. The next phase is to build the resilience of the local electricity infrastructure, this has commenced.
34a Comp	Bicester Green Reuse Centre temporary relocation to Claydon's Yard	Ensure utilities infrastructure grows at the same rate as communities	Necessary	Temporary relocation
35a	CHP and use of heat from Ardley Energy Recovery Facility: North West Bicester 12.5 MW supply capacity from Ardley 5.3 km transmission length	Ensure utilities infrastructure grows at the same rate as communities	Desirable	Feasibility completed, project no being pursued at this stage.
Flood risk				
(45) Comp	Realignment of the River Bure	Reduce probability of flooding	Critical	Completed
Emergency and rescue services				

No. Project	BICESTER Projects	Main aim	Priority Critical Necessary Desirable	Update
39b NEW	Provision of touchdown police facilities as part of community facilities	Ensure emergency and rescue infrastructure grows at the same rate as communities	Necessary	New scheme to be explored as part of provision of community facilities
Health				
(48) Comp	Conversion of existing non-GP space at Bicester Health Centre to create the additional capacity needed in East Bicester and Upper Heyford	Ensure health infrastructure grows at the same rate as communities	Critical	Completed
(50a) Comp	Bicester Community Hospital	Ensure health infrastructure grows at the same rate as communities	Critical	Completed in December 2014
Community Infrastructure				
(55) Comp	Civic Building within the Town Centre Redevelopment: Relocated and expanded library	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Completed
(56) Comp	Adult Learning Service within the Town Centre Redevelopment – Bicester Adult Learning Centre	Ensure social infrastructure grows at the same rate as communities	Necessary	Completed
43	Sports Facilities Strategy, October 2018 The strategy identifies future needs for sport and recreation up to 2031.	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Sports Facilities Strategy completed. Projects to address needs to be identified in 2019
(43d) Comp	Community facility/centre - South West Bicester Phase 1 (Kingsmere) South West Bicester Phase 2 – expected to be served by provision at SW Phase 1 with an increase in size to accommodate increased use.	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Completed in September 2018
(44) Del.	Increased floor area of community facilities built to support increased demand for Adult Learning 40m2 increased floor space at 2 centres	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Project DELETED – No longer pursued by County Council, it does not directly affect implementation of local plan policies
(45) Del.	Older People's Resource Centre integrated within a new Extra Care Housing development	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Project DELETED – No longer pursued by County Council, it does not directly affect implementation of local plan policies
(46) Del.	Early Years Facilities. Increased floor area of community facilities Increase of 30m2 at four centres	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Project DELETED – No longer pursued by County Council, it does not directly affect implementation of local plan policies
(48) Del.	Early Intervention Hub - Expansion of facilities in the town centre Increase of 15m2 at four centres	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Project DELETED – No longer pursued by County Council, it does not directly affect implementation of local plan policies
(49) Del.	Expansion of Registration Service	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Project DELETED – No longer pursued by County Council, it does not directly affect implementation of local plan policies
(50) Del.	Expansion of Health and Wellbeing Centre, Launton Road	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Project DELETED – No longer pursued by County Council, it does not directly affect implementation of local plan policies
(43d) Comp	Community facility/centre - South West Bicester Phase 1 (Kingsmere) South West Bicester Phase 2 – expected to be served by provision at SW Phase 1 with an increase in size to accommodate increased use.	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Completed in September 2018
(46) NEW	The provision of public art to enhance the quality of the place, legibility and identity. Installation of public art including participatory workshop in SW Bicester	Improve health, social and cultural wellbeing	Desirable	Participatory workshop in progress. Artwork installed including: mosaic panels, wooden benches, metal pergola and marker post
(47) Comp	The provision of public art to enhance the quality of the place, legibility and identity. Installation of 'The Magical Forest' public art featuring silver birch lit trees forming an entrance feature to Bicester Village (on the former Tesco site)	Improve health, social and cultural wellbeing	Desirable	Completed
Open space, recreation and biodiversity				
53	Playing Pitches and Sports Facilities strategies. Identify future needs for sport and recreation up to 2031 taking into account the housing requirements in the adopted Cherwell Local Plan 2011-2031 (Part 1)	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Playing Pitches and Sports Facilities strategies completed in 2018. Projects addressing need to be identified in 2019.
(53c) Comp	Whitelands Sports Village Phase 1 and 2 P1- construction of grass pitches (full size rugby compliant) P2- pavilion and car park P3a – 3G synthetic pitch	Ensure play and sports infrastructure grows at the same rate as communities and develop competition level facilities	Necessary	Completed
Pipeline	Ecological enhancement and restoration opportunities in the Rivers Cherwell and Ray Catchment Areas (Rivers Cherwell and Ray Catchment Plan)	To identify ecological enhancement and restoration opportunities in the catchments and prioritise them	Desirable	Rivers Cherwell and Ray Catchment Plan due to be agreed by the Cherwell and Ray Catchment Partnership. Funding will be sought by the partnership to carry out the work

Banbury Projects

No. Project	BANBURY Projects	Main aim	Priority Critical Necessary Desirable	Update
Transport and movement				
(3) Comp.	Multi-storey car parks to serve Banbury railway station (700 space)	Deliver new railway station car park without increasing traffic congestion	Desirable	Completed
(3) Comp	Calthorpe Street Multi-storey car park	Rationalisation of existing car parking sites to be replaced with new multi-storey parking integrated into the planned commercial and employment areas	Necessary	Completed
(10a) Comp.	Delivering bus stop improvements to a Premium Route standard: Routes S4	New or improved bus services Improve the transport and movement networks into and through the town	Necessary	Completed
(10b) Comp.	Delivering bus stop improvements to a Premium Route standard: Routes B1, B2, B5 and B8	New or improved bus services Improve the transport and movement networks into and through the town	Necessary	Completed
(16b) Comp.	Vehicle charging point installed at Banbury Railway Station	To reduce pollution from road traffic.	Desirable	Completed
(24) Comp.	Grimsbury environmental improvements - East Street and Centre Street	Improvements to public realm	Necessary	Completed in February 2013.
(9a) Comp.	Bus service from Bankside developments (Longford Park)	New or improved bus services	Critical	Completed, service commenced in November 2017.
(7) Comp	Developing interurban services through enhancements or new services: Improving the Oxford to Banbury bus service (especially on the Banbury to Deddington section) and quality of bus, along with equipping vehicles with real-time information equipment Improve the frequency of the Deddington to Banbury bus service.	New or improved bus services	Necessary	Improvements made to Banbury to Oxford S4 service. Deddington Service has been withdrawn for commercial unviability reasons.
(8) Comp	Improve the frequency of the Bloxham to Banbury bus service	New or improved bus services	Desirable	Frequency has been stabilised at one bus per hour
(9b) Comp	Bus link between Bridge Street and Tramway Road to better serve the railway station, Canalside redevelopment and Longford Park (Bankside);	New or improved bus services Improve the transport and movement networks into and through the town	Necessary	New service to Warwick Road (B9 service) also serving the western end of Dukes Meadow Drive. New B4 route serves the eastern end of Dukes Meadow Drive. Community Transport Service now covering the Daimler A venue section of the B8 service.
(9c) Comp	Bus service from Hardwick Farm/Southam Road to town centre	New or improved bus services Improve the transport and movement networks into and through the town	Necessary	Completed
(9d) Comp	Bus service linking development sites to the town centre via Highlands and Longelandes Way	New or improved bus services Improve the transport and movement networks into and through the town	Necessary	Completed
12	Improving the routing, quality and level of bus services and facilities to employment areas and new residential areas.	New or improved bus services Improve the transport and movement networks into and through the town	Desirable	A trial service started in November 2017 to extend the B5 service from Bretch Hill across to Ermont Way during peak periods. It has not been a popular service and is being withdrawn in January 2019.
(19b) Comp	Provide footways and cycleways from all Strategic Sites: Improve track from Hanwell Fields to A361 Southam Road with surface and safety improvements for walking and cycling.	Improving cycling and walking routes Provide sustainable movement routes for pedestrians and cyclists	Desirable	Completed
(22) Comp	Potential crossing upgrades. Cycle and pedestrian way on Dukes Meadow Drive and Southam Road	Improving cycling and walking routes Provide sustainable movement routes for pedestrians and cyclists	Desirable	Completed
Pipeline	Increasing long term highway capacity: Link Road East of M40 J11 (Overthorpe Road to A422)	Improving capacity of the highways network and anticipated traffic growth at M40 Junction 11	TBC	New schemes from LTP4
Pipeline	Increasing long term highway capacity: Potential link road crossing from Tramway to Higham Way or a South East Link Road	Improving capacity of the highways network and anticipated traffic growth at M40 Junction 11	TBC	New schemes from LTP4
Education				
(32) Comp.	2FE primary school - Bankside Phase 1 & 2 (Longford Park Primary School	Expand the schools and colleges provision to match the needs of residents and businesses.	Critical	Longford Park Primary School opened in September 2017 as a 1.5 FE school. Expansion to 2FE not yet scheduled. It will depend on housing delivery.

No. Project	BANBURY Projects	Main aim	Priority Critical Necessary Desirable	Update
		Provide opportunities for local people to improve the quality of their life: Skills, training and education		
33	Expansion of one or more existing schools to the equivalent of at least 1FE primary school (to serve Warwick Rd & Bretch Hill and Drayton Lodge Farm)	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education	Critical	Recent expansions of Hill View and Hanwell Fields provide sufficient capacity for now; further expansion may still be required in the longer term
(36) Comp.	School expansions at Hanwell Fields Primary School and Hill View Primary School	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education	Critical	Completed
(35) Comp.	School expansion to 2 FE at Queensway Primary School	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education	Critical	Completed
Utilities				
(34) Comp.	Waste water treatment - foul drainage Upgrading sewage treatment works near Horton and Horley	Ensure utilities infrastructure grows at the same rate as communities	Critical	Completed
Pipeline	Potential water conservation measures resulting from emerging Water Cycle Study supporting new Local Plans	Ensure utilities infrastructure grows at the same rate as communities and respond to Climate change and Water Stress	Necessary	New schemes to be explored
Flood risk				
(42) Comp.	Banbury Flood Alleviation scheme	Reduce probability of flooding	Critical	Completed in 2012
Emergency and rescue services				
No updates				
Health				
No updates				
Community Infrastructure				
(59) Comp	Improvements to Woodgreen Leisure Centre	Ensure social infrastructure grows at the same rate as communities	Necessary	Completed
(58) Comp.	Improvements to the Sunshine Centre Phase 1 – Internal works	Ensure social infrastructure grows at the same rate as communities	Necessary	Completed
56	Sports Facilities Strategy, October 2018 The strategy identifies future needs for sport and recreation in Cherwell to 2031.	Ensure social infrastructure grows at the same rate as communities	Necessary	Strategy completed. Projects addressing need to be identified in 2019.
56	Sports Facilities Strategy, October 2018 The strategy identifies future needs for sport and recreation in Cherwell to 2031.	Ensure social infrastructure grows at the same rate as communities	Necessary	Strategy completed. Projects addressing need to be identified in 2019.
(65) Comp.	Expansion of the Health & Wellbeing Centre - Stanbridge House Re-provision of Banbury Resource Centre as part of new extra care	Ensure social infrastructure grows at the same rate as communities	Necessary	Completed
(62) NEW	Provision of public art to enhance the quality of the place, legibility and identity. Installation of public artwork at Central M40, Banbury	Improve health, social and cultural wellbeing	Desirable	Artist appointed to create 'The Figure of Industry' sculpture
(63) NEW	Provision of public art to enhance the quality of the place, legibility and identity. Installation of public artwork at Oxford and Cherwell College, Broughton Road, Banbury	Improve health, social and cultural wellbeing	Desirable	Artist commissioned by the college for the project
(64) NEW	Provision of public art to enhance the quality of the place, legibility and identity. Installation of public artwork at Crown House, Bridge Street, Banbury	Improve health, social and cultural wellbeing	Desirable	Artist commissioned to create artwork for the walkway
(65) NEW	Provision of public art to enhance the quality of the place, legibility and identity. Installation of public artwork at Broughton Road, Banbury	Improve health, social and cultural wellbeing	Desirable	Artist commissioned to create either a feature or seating
60	Exploring provision of community hub facilities that enable multi agency facilities to be co-located including provision of library accommodation of an appropriate size.	Project changed from increasing size of existing library to facilitating community hub facilities with library accommodation		
(61) Del.	Adult Learning Service – Spiceball Development Area	Project DELETED - No longer pursued by County Council, it does not directly affect implementation of local plan policies.		
(62) Del.	Early Intervention Centre – Increase of 15m2 at two centres	Project DELETED - No longer pursued by County Council, it does not directly affect implementation of local plan policies.		

No. Project	BANBURY Projects	Main aim	Priority Critical Necessary Desirable	Update
(63) Del.	Registration Service – Bodicote House	Project DELETED - No longer pursued by County Council, it does not directly affect implementation of local plan policies.		
(65) Del.	Increased floor area of community facilities built to support increased demand for Adult Learning 40 m2 increased floor space at one centre	Project DELETED - No longer pursued by County Council, it does not directly affect implementation of local plan policies.		
(66) Del.	Early Years Facility Increased floor area of community facilities 30 m2 increased floor space at 4 centres	Project DELETED - No longer pursued by County Council, it does not directly affect implementation of local plan policies.		
Open space, recreation and biodiversity				
73	Playing Pitches and Sports Facilities Strategies Identify future needs for sport and recreation up to 2031 taking into account the housing requirements in the adopted Cherwell Local Plan 2011-2031 (Part 1) (2015).	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Playing Pitches Strategy and Sports Facilities Strategy completed. Projects to address forecasted need to be identified in 2019.
Pipeline	Ecological enhancement and restoration opportunities in the Rivers Cherwell and Ray Catchment Areas (Rivers Cherwell and Ray Catchment Plan)	To identify ecological enhancement and restoration opportunities in the catchments and prioritise them	Desirable	Rivers Cherwell and Ray Catchment Plan due to be agreed by the Cherwell and Ray Catchment Partnership. Funding will be sought by the partnership to carry out the work

Kidlington and Rural Areas Projects

No. Project	Kidlington and Rural Areas Projects	Main aim	Priority Critical Necessary Desirable	Update
Transport and movement				
(3a) Comp.	Oxford Parkway - New station at Water Eaton as part of the East West Rail Phase 1 (Evergreen 3 project) The station is served every 30 minutes by trains running in both directions between Oxford and London Marylebone. The	Supporting economic growth and new homes with better access to the national rail network.	Desirable	Completed
(3b) Comp.	Improved Park & Ride and highway to support the new stations	Supporting economic growth and new homes with better access to the national rail network.	Desirable	Completed
(4a) Comp.	Integration of bus and rail transport: Extending the existing Oxford Plus bus zone to include Water Eaton station	Ensuring delivery of high-quality public transport. Integration of rail and bus transport	Desirable	Completed
(4b) Comp.	Integration of bus and rail transport: Bus link to the rail network (probably via Water Eaton station)	Ensuring delivery of high-quality public transport. Integration of rail and bus transport	Necessary	Completed
(4c) Comp.	Direct bus services from Kidlington and/or Water Eaton to serve Oxford's Eastern Arc	Ensuring delivery of high-quality public transport. Integration of rail and bus transport	Necessary	Completed. 700 Service runs from Kidlington to Oxford Parkway, JR and Churchill Hospital
Pipeline	Oxford Corridor Phase 2 Project Nationally significant improvements to the 'corridor' Didcot to Banbury / Leamington, linking to other main 'arteries' at Birmingham/Coventry / Nuneaton The project is also an 'enabler' via works in the Oxford station area for East West Rail 2 trains from Oxford to Bicester/Bletchley/Milton Keynes/Bedford.	Delivering increased train paths which will allow more trains to run and with less conflict/delay between trains. Ensure that the level crossing risk overall on the 'corridor' is less going forward. The increased number of trains cannot be achieved without closure of Yarnton Lane and Sandy Lane Automatic Half Barrier (AHB) crossings AHB crossings	TBC	TBC
Education				
(17a) Comp.	Heyford Park Free School - Providing 500 secondary and sixth form school places	Expand the schools and colleges provision to match the needs of residents and businesses.	Critical	Completed

No. Project	Kidlington and Rural Areas Projects	Main aim	Priority Critical Necessary Desirable	Update
		Provide opportunities for local people to improve the quality of their life: Skills, training and education.		
19 (25)	Permanent expansion to 1 FE: Launton CE Primary School, Launton	Project not currently being progressed – capacity currently exists at schools in Bicester		
(21) Comp.	Expansion of Christopher Rawlins CE (VA) Primary School, Adderbury	Expand the schools and colleges provision to match the needs of residents and businesses. Provide opportunities for local people to improve the quality of their life: Skills, training and education.	Critical	Completed
24a NEW	Special Needs Education – expansion of existing provision	Expand the schools and colleges provision to match the needs of residents and businesses	Critical	In addition to the new school at Bloxham and existing schools, additional space may be needed
Utilities				
28 NEW	Water supply links and network upgrades within Anglian Water area of responsibility (Ardley, Cottisford, Finmere, Fringford, Fritwell, Godington, Hardwick with Tusmore, Hethe, Mixbury, Newton Purcell with Shelswell, Somerton, Stoke Lyne and Stratton Audley)	Ensure utilities infrastructure grows at the same rate as communities	Critical	A site (including windfall sites) within AW area of responsibility will require a connection to the existing foul sewerage network which may include upgrades. Additional development may have an impact on existing water recycling centres (formerly wastewater treatment works) dependent upon the location of proposed sites. The adopted Local Plan Part 1 does not identify specific housing allocations within AW area of responsibility. No Updates for 2018 IDP
29a NEW	Sewerage links and treatment works upgrade within Anglian Water area of responsibility (Ardley, Cottisford, Finmere, Fringford, Fritwell, Godington, Hardwick with Tusmore, Hethe, Mixbury, Newton Purcell with Shelswell, Somerton, Stoke Lyne and Stratton Audley)	Ensure utilities infrastructure grows at the same rate as communities	Critical	A site (including windfall sites) within AW area of responsibility will require a connection to the existing foul sewerage network which may include upgrades. Additional development may have an impact on existing water recycling centres (formerly wastewater treatment works) dependent upon the location of proposed sites. The adopted Local Plan Part 1 does not identify specific housing allocations within AW area of responsibility. No Updates for 2018 IDP
Flood risk				
EA considering projects for future capital works at the time of this update				
Emergency and rescue services				
No updates				
Health				
No updates				
Community Infrastructure				
Comp.	Chester ton Community Hall	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Completed in 2016
37	Sports Facilities Strategy 2018 Identifies future needs for sport and recreation up to 2031 taking into account the housing requirements in the adopted Cherwell Local Plan 2011-2031 (Part 1)	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Sports Facilities Strategy completed. Projects to addressing need to be identified in 2019.
Comp.	Chesterton Community Hall – Provision of a new community hall	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Completed in 2016
Comp	Retained sports hall at Former RAF – Upper Heyford for educational and community use	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Completed
38	Creation of a new community hub at Former RAF Upper Heyford that has the capability to accommodate multiple community related services including access to library, children and adult facilities	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Desirable	Seeking the provision of a community space capable of accommodating community uses including library access rather than a stand-alone library provision. It does not directly affect implementation of local plan policies.
(37c) Comp	Improvements to Ellen Hinde Hall, Bloxham	Ensure social infrastructure grows at the same rate as communities and there are opportunities for culture and leisure	Necessary	Completed

No. Project	Kidlington and Rural Areas Projects	Main aim	Priority Critical Necessary Desirable	Update
(39) Comp	The provision of public art to enhance the quality of the place, legibility and identity. Installation of metal sculpture on the Sainsbury's roundabout in Kidlington	Improve health, social and cultural wellbeing	Desirable	Completed
Open space, recreation and biodiversity				
Comp.	Refurbishment and increase of community use including daytime use and functions at Stratfield Brake	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Completed in September 2017
46	Playing Pitch Strategy 2018 Identifies future needs for sport and recreation up to 2031 taking into account the housing requirements in the adopted Cherwell Local Plan 2011-2031 (Part 1)	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Playing Pitches Strategy completed. Projects addressing need to be identified in 2019.
47	Playing Pitch Strategy 2018 Identifies future needs for sport and recreation up to 2031 taking into account the housing requirements in the adopted Cherwell Local Plan 2011-2031 (Part 1)	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Playing Pitches Strategy completed. Projects addressing need to be identified in 2019.
48	Playing Pitch Strategy 2018 Identifies future needs for sport and recreation up to 2031 taking into account the housing requirements in the adopted Cherwell Local Plan 2011-2031 (Part 1)	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Playing Pitches Strategy completed. Projects addressing need to be identified in 2019.
49	Playing Pitch Strategy 2018 Identifies future needs for sport and recreation up to 2031 taking into account the housing requirements in the adopted Cherwell Local Plan 2011-2031 (Part 1)	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Playing Pitches Strategy completed. Projects addressing need to be identified in 2019.
(48b) Comp.	Expansion of the Windmill Centre's multi use games area (MUGA), Deddington	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Completed, September 2018
(47) Comp	Provision of multi-use games area (MUGA) at Warrinor School, Bloxham for educational and community use	Ensure play and sports infrastructure grows at the same rate as communities and current deficiencies in provision are addressed	Necessary	Completed
54a	Restoration, maintenance and new habitat creation at Upper and Lower Cherwell Conservation Target Areas: RSPB Upper Thames Wader Project Annual project	Enhance natural environment by maximising opportunities for improving biodiversity; including maintenance, restoration and creation of BAP habitats.	Desirable	Working with 7 farms in the two CTAs, totalling 630ha of wet grassland and/or hay meadow in the floodplain since April 2016. CDC funds the RSPB Upper Thames Wader Project on an annual basis. On-going project with yearly completions of work. The project provided support and advice on the creation, restoration and maintenance of wet grassland habitats.
Pipeline	Ecological enhancement and restoration opportunities in the Rivers Cherwell and Ray Catchment Areas (Rivers Cherwell and Ray Catchment Plan)	To identify ecological enhancement and restoration opportunities in the catchments and prioritise them	Desirable	Rivers Cherwell and Ray Catchment Plan due to be agreed by the Cherwell and Ray Catchment Partnership. Funding will be sought by the partnership to carry out the work

Appendix 30

Table showing populations in Cat A Villages

Cat A Village	Population¹	Ranking (1 = highest)
Adderbury	2819	3
Ambrosden	2248	5
Arncott	1738	9
Begbroke	783	16
Bletchington	910	14
Bloxham	3374	2
Bodicote	2126	7
Chesterton	850	15
Cropredy	717	18
Deddington	2146	6
Finmere	466	23
Fringford	602	20
Fritwell	736	17
Hook Norton	2117	8
Kidlington	13723	1
Kirtlington	988	11
Launton	1204	10
Millcombe	613	19
Sibford Ferris/Sibford Gower	984	12
Steeple aston	947	13
Weston on the Green	523	22
Wrexton	546	21
Yarnton	2545	4

¹ These figures do not take account of potential populations arising from approved developments pre and post-31/03/14

Appendix 31

Table showing services in Cat A Villages

Cat A Village	No. of services	Ranking (1 = most)
Adderbury	8 + 1	4
Ambrosden	8 + 0.5	8
Arncott	5	17
Begbroke	6	15
Bletchington	5	17
Bloxham	8 + 3	1
Bodicote	8	9
Chesterton	5	17
Cropredy	8 + 1	4
Deddington	8 + 3	1
Finmere	5	17
Fringford	6	15
Fritwell	7	11
Hook Norton	8 + 3	1
Kidlington	-	-
Kirtlington	7	11
Launton	8 + 1	4
Millcombe	4	21
Sibford Ferris/Sibford Gower	7 + 1	10
Steeple aston	7	11
Weston on the Green	7	11
Wrexton	4	21
Yarnton	8 + 1	4

Appendix 32

Table showing distances to main settlement

Cat A Village	Distance to main settlement (Banbury/Bicester) (km)	Ranking (1 = closest)
Adderbury	6.1	7
Ambrosden	4.7	3
Arccott	6.8	8
Begbroke	19.3	23
Bletchington	13.1	16
Bloxham	5.7	6
Bodicote	4.1	1
Chesterton	4.7	3
Cropredy	6.9	9
Deddington	9.9	13
Finmere	13.1	16
Fringford	7.4	10
Fritwell	10.6	14
Hook Norton	14.1	19
Kidlington	14.2	20
Kirtlington	14.3	21
Launton	4.4	2
Millcombe	8.1	11
Sibford Ferris/Sibford Gower	12.2	15
Steeple aston	13.5	18
Weston on the Green	8.2	12
Wrexton	4.8	5
Yarnton	18.1	22

Distances measured using google maps (driving routes from settlement to settlement)

Appendix 33

Weston-on-the-Green Neighbourhood plan 2018-2031

Weston-on-the-Green Neighbourhood Plan 2018- 2031

Submission Version

A Report to Cherwell District Council on the Partial Examination of the
Weston-on-the-Green Neighbourhood Plan

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8th June 2020

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Executive Summary

My examination has concluded that the Weston-on-the-Green Neighbourhood Plan should proceed to referendum, subject to the Plan being amended in line with my recommended modifications, which are required to ensure the plan meets the basic conditions. The more noteworthy include –

- That the changes proposed by CDC to Policy E1 be accepted.
- That the proposed change to Policy C1 not be accepted and that Policy C1 should be deleted from the plan although reference to the community's aspirations for The Schoolfield site, under the consequential changes can be retained in the document.

Introduction

1. Neighbourhood planning is a process, introduced by the Localism Act 2011, which allows local communities to create the policies which will shape the places where they live and work. The Neighbourhood Plan provides the community with the opportunity to allocate land for particular purposes and to prepare the policies which will be used in the determination of planning applications in their area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the adopted Cherwell Local Plan 2011-2031. Decision makers are required to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
2. The neighbourhood plan making process has been led by Weston-on-the-Green Parish Council. A Steering Group was appointed to undertake the plan preparation made up of both parish councillors and local volunteers. Weston-on-the-Green Parish Council is a “qualifying body” under the Neighbourhood Planning legislation.
3. This report is the outcome of the second examination of the Submission Version of the Weston-on-the-Green Neighbourhood Plan. The plan was originally submitted to Cherwell District Council in 2018 and was the subject of independent examination carried out by Timothy Jones QC, an experienced planning barrister and examiner, who issued his report on 11th September 2019.
4. This examination is what is known as a partial examination which is only looking at the District Council's responses to a specific number of the recommended modifications, namely Modification 15 which relates to Policy E1, Modification 21 which relates to Policy C1 and consequential modifications to the plan set out as Modifications 24, 26 and 27. It is being conducted under the provisions of Paragraph 13(2) of Schedule 4B of the Town and Country Planning Act 1990.
5. The District Council has already agreed in its Decision Statement dated 4th November 2019 to accept all the other modifications recommended by the original examiner. At that time, it resolved not to put the plan to referendum presumably until these remaining matters had been resolved. However, in the light of the COVID 19 crisis, subsequent legislation dictates that a referendum cannot be held until at least May 2021.
6. Following the issuing of Secretary of State amended guidance, upon the issuing of the Decision Statement under Regulation 19 by Cherwell District Council, on how it intends to respond to the first set of modifications, those policies including those modified, will be accorded *significant weight* in development management decisions, until such time as a referendum can be held. The two policies the subject to this partial examination cannot be given such weight as they are dependent on the outcome of this examination and the decisions that Cherwell DC take on my recommendations.

The Examiner's Role

7. I was appointed by Cherwell District Council in March 2020, with the agreement of Weston-on-the-Green Parish Council to conduct this partial examination.
8. In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 41 years' experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant and director of John Slater Planning Ltd. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of both Cherwell District Council and Weston-on-the-Green Parish Council. I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.
9. Under the terms of the neighbourhood planning legislation, I am required to make one of three possible recommendations:
 - That the plan should proceed to referendum on the basis that it meets all the legal requirements.
 - That the plan should proceed to referendum, if modified.
 - That the plan should not proceed to referendum on the basis that it does not meet all the legal requirements
10. In examining the Plan on the limited basis of my remit, I will only be addressing the following legal questions as they relate to the proposed policies.
 - Do the specific policies relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
 - Do the specific policies relate to matters which are referred to as "excluded development"?
11. All the other legal matters, that are set out in the legislation, have already been dealt with by the original examiner, including the plan period and confirmation that there are no other neighbourhood plans affecting this plan area.
12. I am able to confirm that the Plan does relate only to the development and use of land, covering the area designated by Cherwell District Council, for the Weston-on-the-Green Neighbourhood Plan, on 2nd November 2015, *if it is modified in accordance with my recommendations*.
13. I can confirm that the policies do not cover "excluded development".

The Examination Process

14. The presumption is that the neighbourhood plan will proceed by way of an examination of written evidence only. However, the Examiner can ask for a public hearing in order to hear oral evidence on matters which he or she wishes to explore further or if he considers a person has a fair chance to put a case.

15. I am required to give reasons for each of my recommendations and also provide a summary of my main conclusions.
16. I visited the parish of Weston-on-the-Green on Friday 20th March 2020. I initially toured the village and saw the general disposition of development, both inside and outside of the Green Belt. Driving through the village, I saw the housing allocation site at the northern fringes of the village before seeing the airfield to the north of the parish. On returning to the village, I also noted the protected green spaces. However, the next stage of my visit concentrated on The Schoolfield site. I parked in the village hall car park and then using the rights of way, I spent some time crossing and re crossing the site and saw for myself its relationship with the rest of the conservation area. On returning to my car, I saw the site from North Lane, Shepherd Lane and Westlands Avenue. I then visited each of the sites which were identified as HEELA sites in Appendix F of the plan, including Fir Tree Farm.
17. On 23rd March 2020, I issued a preliminary document entitled *Initial Comments* which asked specific questions of the Parish Council, the District Council and Pegasus Group on behalf of Lagan Homes. My initial view was that I would be able to conduct the examination solely on the basis of the written material. I received a response from Pegasus Group on 14th April 2020 and from the two councils on 21st April 2020. The information in these responses introduced new material which prompted me to conclude that I needed to hear oral representations, to explore some of these matters and their implications for the examination, in greater detail.
18. Unfortunately, due to the restrictions imposed, as a result of the COVID 19 outbreak, the submission of these oral representations could only be conducted, “virtually” via “teleconferencing” The Secretary of State had a couple of weeks earlier, issued PPG advice that these would be appropriate for neighbourhood plan examinations, where needed. I therefore issued a further document entitled “Further Comments of the Independent Examiner” on 30th April 2020, which indicated my decision and the topics that would be covered. Prior to the conference call taking place, via a video platform, (facilitated by Cherwell District Council), the District Council circulated a legal note as to the status of a Section 52 agreement, that had been referred to in the Parish Council’s response to my Initial Comments paper, plus an Inspectors decision letter in respect of a dismissed appeal for a site immediately to the north of the Site A allocation site.
19. The video conference took place on 19th May and lasted three hours and a record of that session is available on the following You Tube site via this link <https://www.youtube.com/watch?v=LrUKA2VNtdc&feature=youtu.be>
20. I wish to express my gratitude for the contributions and positive engagement of all contributors, for what was a new experience for all of us.

The Consultation Process

21. On 4th November 2019, the District Council’s Executive considered the Examiners Report and resolved to accept all his recommendations with the exception of Modifications 15,21,24,26 and 27 and agreed the Proposed Changes to the two policies, E1 and C1 and the other consequential changes. It agreed that these

changes should be the subject of a period of further consultation, as allowed by Regulation 19 of the Neighbourhood Planning Regulations. This was the subject of a public consultation period, that ran from 15th November 2019 to 10th January 2020 and as a result 7 responses were received from:

- Scottish and Southern Electricity Network
- Environment Agency
- Natural England
- Oxfordshire County Council
- Weston-on-the-Green Parish Council
- Highways England
- The Pegasus Group on behalf of Lagan Homes

The Basic Conditions

22. The Neighbourhood Planning Examination process is different to a Local Plan Examination, in that the test is not one of “soundness”. The Neighbourhood Plan is tested against what is known as the Basic Conditions which are set down in legislation. It will be against these criteria that my examination must focus.

23. The five questions, which seek to establish that the Neighbourhood Plan meets the basic conditions test, are: -

- Is it appropriate to make the Plan having regard to the national policies and advice contained in the guidance issued by the Secretary of State?
- Will the making of the Plan contribute to the achievement of sustainable development?
- Will the making of the Plan be in general conformity with the strategic policies set out in the Development Plan for the area?
- Will the making of the Plan breach or be otherwise incompatible with EU obligations or human rights legislation?
- Will the making of the Plan breach the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017?

24. The neighbourhood plan was submitted before 24th January 2019, which was the cut-off date set in paragraph 214 of the 2018 version of the NPPF that stated, that under the transitional arrangements, examinations would be conducted having regard to the 2012 version of the NPPF.

Compliance with the Development Plan

25. To meet the basic conditions test, the Neighbourhood Plan is required to be in general conformity with the strategic policies of the Development Plan, which in this case is the Cherwell Local Plan, adopted in July 2015 and the saved policies of the Cherwell Local Plan 1996.

26. In the adopted local plan, Weston-on-the-Green is identified as a Category A village in Policy Villages 1. Policy Villages 2 states that a total of 750 homes will be provided within this category of settlement, in addition to small sites, windfall and planning permissions for 10 or more dwellings. The selection of sites can be through the preparation of neighbourhood plans and the policy sets a range of criteria, for considering the acceptability of sites. Policies for the Green Belt are set out in Policy ESD 14.
27. Other policies relevant to this examination, as they have been quoted by Cherwell District Council in their reasons for not accepting the first Examiner's recommendations, are Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment, Policy ESD 13: Local Landscape Protection and Enhancement and Policy ESD 15 The Character of the Built and Historic Environment.

Compliance with European and Human Rights Legislation

28. The original Examiner, in paragraph 28 of his report, confirmed that he had no issues of compatibility or breaches of European obligations and would be compatible with the requirements of the Conservation of Habitat and Species Regulations. I do not believe that the matters the subject of this examination would change that conclusion, but the District Council as Competent Authority may choose to formally screen the amended plan under the Habitat Regulations.
29. The previous Examiner also considered that there is no conflict with the Human Rights Act and my recommendations will not change that situation.

Policies C1 and E1: An Overview

30. In the context of the two policies at the heart of this examination, Policies C1 and E1, it is clear that the first examiner had concerns that the extent of constraints affecting the village, imposed through the Green Belt, local green spaces, important green spaces, floodplain, conservation area and ecological designations, could potentially prevent the achievement of "sustainable development" and hence would not meet the basic conditions without modification. My partial examination is also bound to have regard to the same legal requirements and the basic conditions.
31. I fully recognise that there can be tensions between the test of contributing to the delivery of sustainable development and the matter of general conformity issues with strategic development plan policy. This can be an issue reflecting the way that the neighbourhood plan legislation was drafted and requires a holistic assessment of all the basic conditions before a recommendation is made as to whether the plan can move forward to referendum.
32. The achievement of sustainable development has three strands, which are set out in paragraph 7 of the NPPF (2012), namely an economic role, a social role and an environmental role. Of particular relevance to my considerations of this examination, is the social dimension, of supporting strong vibrant and healthy

communities, by providing a supply of housing required to meet the needs of present and future generations. The environmental role is of equal importance, which recognises the role of the planning system to protect and enhance the natural, built and historic environment.

33. The examiner's recommendations recognise that development may be required in locations which would ordinarily be constrained, outside of the village confines, alongside the B430 and also possibly on The Schoolfield site, if there is shown to be a need for "sustainable development" which cannot be met in "a more sustainable location".
34. My approach to the limited scope of this examination has been to seek to test whether the neighbourhood plan is likely to be able to deliver its housing requirements, in a way that could be consistent with the existing development plan policy, as proposed by the District Council proposed re wording of Policy E1.
35. The parish's housing needs identified by the neighbourhood plan, are found on page 45 of the plan, which sets out an objective of a 15% growth in new housing over the plan period 2017 - 2031, which equates to 38 new homes. I note that Cherwell District Council accepts the figure and it has not been challenged on the basis of what new housing is required to meet the village's own housing requirements.
36. During the video conference, I heard evidence that may have not been available to the previous examiner, specifically, that in addition to the 20 units allocated on Site A, other planning permissions have been granted in recent years and during the period since this version of the plan had been prepared. The position according to evidence given by the District Council's representative is that, as of 31st March 2020, there were planning permissions in place for 26 units (one at The Dower House, four at Southfield Farm, one rear of Ladygrass, Church Lane as well as the 20 units approved on Site A, plus there had been two additional completions.
37. Therefore, that leaves an outstanding requirement for 10 further houses to be provided within the plan period to meet Weston-on-the-Green's housing needs for the plan period.
38. I then turned to the question of how that these houses could be provided in a manner consistent with strategic policies. I heard evidence that windfalls had delivered a total of 19 units within the parish, over the period 2011 to 2019, which averages at close to 2 dwellings per year. There can be some confidence that windfall development will continue to contribute to housing numbers under schemes allowed under Policy H2 of the neighbourhood plan.
39. However, I recognise that it is not just the total number of units which is important but whether that housing would meet the village's housing requirements going forward. I am confident that the types of housing can be influenced in the future by Policy H3, once the plan becomes part of the development plan and is used in the development management context.
40. I did hear concerns regarding the "affordability" question. Affordable housing will only be required on sites of 10 units or more, under the new Policy H9. However, I learnt that the Parish Council is proposing to deliver affordable housing for local people, on land which it is to be gifted at Fir Tree Farm. The Parish Council had indicated in its response to CDC's Housing and Employment Land Availability

Assessment (HELAA) following a call for sites, that in respect of Site HELAA 229 in Appendix F, it fully supported development on the site, “if planning conditions could be met”. It transpired that the Parish Council had been advised by Cherwell District Council that it could not allocate the site due to its Green Belt status and development could only proceed if the site was to be taken out of the Green Belt, which is not normally within the scope of a neighbourhood plan.

41. I do not agree with that assertion, as paragraph 89 of the NPPF (2012) allows “limited infilling in villages and limited affordable housing for local community needs under policies set out in the local plan”. If development is “appropriate development” in Green Belt terms, I do not consider that there is anything to prevent a community within its neighbourhood plan from allocating a site for such development within the Green Belt. Such an allocation could, in my opinion, meet the basic conditions test and could comply with Policy ESD 14 of the Cherwell Local Plan. I have been sent details of the terms of the proposed gifting of the land to the Parish Council. If the development is appropriate then there is no reason for saying that the site must come out of the Green Belt.
42. The District Council contest that this would be a strategic matter and I would agree that it would be if it was allocating land in the Green Belt that did not fall into the definition of appropriate development or the neighbourhood plan was promoting Green Belt boundary changes, (in the absence of a strategic policy framework that supports such changes). I have been pointed towards the comments of the Examiner of the Chalfont St Giles NP where the Examiner is purported to be stating that neighbourhood plans cannot be allocating sites in the Green Belt, but her comments were made in the context of representations made at Regulation 16 from promoters seeking to allocate Green Belt land for housing development that would not have been appropriate development. I would contend that my interpretation is consistent with CDC Local Plan Policy ESD 14 which refers to the assessment of proposals in accordance with national policy, which allows “limited infilling in villages”.
43. It is not necessary as part of my examination to pursue this matter, in terms of my recommendations, but the Parish Council could choose to include the site as a future allocation, then that could be taken forward in a neighbourhood plan review, which is something I will return to later in this report. Alternatively, it could propose a Community Right to Build Order which would effectively grant planning permission for the development and could provide ongoing protection as social rented accommodation against general “right to buy” provisions.
44. I heard that another site at Gallisbrook Way could be developed for affordable housing as it is owned by Sanctuary Housing, a registered social landlord, but as I had not visited the site, I do not intend to comment or rely upon its suitability.
45. Based on the level of completions and commitments, past rates of windfall development and specific information that more affordable housing could be delivered in the village over the plan period, I am satisfied that the community’s housing needs for the present and future housing needs of the village can be delivered, which is one of the indicators whether the plan will be delivering sustainable development.

46. As a Category A village, it is possible that additional homes could be promoted under the provisions of Local Plan Policies Villages 1 and 2, which could contribute to meeting the wider housing needs of the district.
47. This major conclusion has implications for the proposed wording of both Policy E1 and C1, as modified by the first examiner, in that I can be satisfied that despite the constraints within the village, that the housing needs of the community can be achieved in the way that is consistent with the other policies in the neighbourhood plan and the general local plan. This has implications for my conclusions in respect of the examiner's proposed modifications in respect of Policies E1 and C1 based on this new information.
48. I will be recommending that the District Council's proposed amendments to Policy E1 be retained but I cannot agree with its reasons for not accepting the Examiner's recommendations in its entirety. I do not consider that the implications of his recommendations would necessarily have led to inefficient use of the land. I interpreted his proposed policy wording as seeking to restrict the amount of land required to be developed to the extent required to meet the need, rather than to restrict the amount of development that took place on the site to that required to meet the need, irrespective of the size of the site.
49. Similarly, I believe that the test of whether there is a more sustainable place for development to take place, would have to be restricted to the plan area and effectively the sequential approach would have considered whether other sites are more or less sustainable and that search should be restricted to within Weston-on-the-Green. and hence the development would be focused on one of the designated villages deemed to be acceptable to accept some development in the strategic policies in the local plan. I do not believe that the examiner's intention was that the village's housing needs would need to be tested against the availability of sites in less sustainable locations beyond the plan area.
50. The reference to Policies ESD 10, ESD 13 and ESD 15 in the reasons for not accepting the two modifications, 15 and 21, is not necessarily justified, as these three policies would not necessarily rule out development. Rather they set criteria on how development should take place in terms of protecting and enhancing biodiversity, the character of the built and historic environment of the area and local landscape. As no schemes have been put forward, I do not see how it can be concluded that the modifications would actually be inconsistent with these policies to protect the natural, built and historic environment.
51. My consideration of Policy C1 has not been so straightforward. I am satisfied that the protection of the Schoolfield site has been something of a touchstone for the village. That was recognised by the first Examiner, who acknowledged the importance the community attached to its protection and his recommendation was only countenancing development on that site, if unmet housing need had been established and it was shown that no more sustainable sites were available.
52. I agree with the plan's contention that the Schoolfield is seen by the village as a valuable green space. However, as was discussed during the video conference, the current land-use is agricultural, it is primarily used for grazing. I suspect that the current ecological value of the eastern section of the site is limited, but I can fully appreciate the importance of the western part of the site away from the

- surrounding houses, which extends to the west of the north-south footpath crossing the site. I saw for myself the clear evidence of “ridge and furrow” being present, a feature which I am familiar with from other neighbourhood plans in the Midlands, which have chosen to designate such features as non-designated heritage assets. Authorised public access to the field is currently restricted to users of the public footpaths which runs across the site. The land is in private ownership and any public recreational use beyond the footpaths would be unauthorised.
53. The original policy and Cherwell District Council’s proposed replacement policy refer to the site as “a habitat” and its use as “recreational open space”. In terms of land-use, it would appear that the plan is anticipating a change of use from agricultural to recreational open space, although upon being pressed on the matter, it was confirmed that this was not necessarily the aspiration, if public access could be achieved.
54. Public access can only normally be secured through public ownership or with the consent of the landowner. It cannot be something that can be conferred through a planning policy. The representation submitted on behalf of the landowners, Lagan Homes, indicated that the intention is that the land will remain in private ownership. No parties have suggested the possible use of Compulsory Purchase powers. I am also conscious of the Secretary of State’s advice that neighbourhood plans “should be prepared positively in a way that is aspirational but *deliverable*”.
55. Whilst the District Council’s proposal for this policy is that such usage “will be encouraged”. I consider that the expectations of the policy will never be realised without the agreement of a willing landowner and as such the policy is undeliverable. I do not believe that the Parish Council has recognised that the proposal as submitted would constitute a material change of use of the land which would require the submission of a planning application.
56. The matter has been further complicated by the information, which had not been apparent as part of the first examination, that a Section 52 agreement, covering the entirety of Area B was completed in 1980, which restricts the usage of the land to its “*current use*”, which everyone agreed was agricultural use, both then and remains so to date. Whilst this agreement could, under certain circumstances, be used to frustrate the residential development of the site, equally it could be argued that its terms, would prevent the change of use from agricultural to recreational land.
57. The legal advice which was circulated before the video conference, and was not challenged, was that the Section 52 covenants could only be set aside by the District Council acting as party to the agreement, separate from its role as local planning authority. Without their explicit consent, there is only one way that the covenants could be set aside, and that is by application to the Upper Tribunal (Land Division) under the Law of Property Act 1925.
58. That Section 52 agreement would also have been a material consideration had I been minded to recommend the allocation of the Schoolfield site or part thereof as a residential site. In my view of my conclusions elsewhere, such an allocation is not required or justified, but if I had needed to consider it, the existence of the covenant could have cast doubt on the deliverability of that allocation. It also

- undermines, in my opinion, the first Examiner's proposed modification to Policy C1, although it goes without saying, that he was not aware of its existence.
59. A detailed analysis of the drafting of the Proposed Modification to Policy C1 equally throws up questions on whether the new policy meets basic conditions and the legal tests for a neighbourhood plan policy.
60. The policy wording refers to the "*preservation*", of "*a potential* grassland habitat." The use of "*potential*" implies that it currently does not exist and therefore cannot be something that can be "*preserved*". If it is a potential habitat, then the policy should have referred to the "*creation*" of that habitat. The policy also refers to the "*management*" of that habitat. How land is "*managed*" is not a matter that ordinarily would require planning permission as it is not development and "habitat" is a description of the role of land in terms of its ecological value, it is not a land use. How land is managed and maintained is a matter for the land owner and any obligations he/ she is bound by, such as Stewardship Schemes.
61. I have therefore concluded that Policy C1 is not "a policy for the development and use of land" as it principally refers to the "preservation", "maintenance" and "management" of the land as habitat and as a lowland meadow. Similarly, a planning policy cannot grant access onto private land for passive recreational open space. From the comments made during the video conference call it was not the intention of the Parish Council to seek to change the agricultural use of the land, although that is how the policy actually reads, but merely to enable public access to an area which will be managed in the way that enhances its biodiversity. This, however, is beyond the scope of planning control.
62. I have concluded that even though the policy is now worded as a matter of "encouragement", it is not a policy that meets the statutory definition of being a policy for "the development and use of land". I will therefore be recommending that the policy be deleted although the community's aspirations for this land and its management can be included within the plan document, but not as a development plan policy.
63. If the expectations of the neighbourhood plan had been to seek to prevent development because of the importance attached to the green space by the *whole community*, as opposed to just the properties that back onto the site, then it could have chosen to designate it as a Local Green Space, which effectively would rule out development, except in very special circumstances. It would have to be demonstrated that it met all the requirements set out in paragraph 76 and 77 of the NPPF (2012).
64. I probed this issue in my Initial Comments document and at during the video conference. In hindsight, the Parish Council conceded that it was an opportunity missed. It is not my role to introduce a new local green space designation into the plan at this late stage of an examination. That is not really within an examiner's remit and such a designation would need to be subject to public consultation and direct contact with the landowner about possible designation, as set out in Planning Practice Guidance advice. If the Parish Council were to be minded to pursue this route in the future, then this would either have to be dealt with as a modification to the plan, once a referendum is held, or if a formal review of the neighbourhood plan were conducted.

65. In conclusion, my overall recommendations on this partial examination are:

- to accept Cherwell District Council's proposed modification to Policy E1 on the basis that it meets basic conditions, particularly in terms of being in general conformity with strategic policies in the Cherwell Local Plan, has regard to Secretary of State advice and policy and it will contribute to the delivery of sustainable development and other legal tests are complied with.
- but to recommend not to proceed with the Policy C1 whether as submitted, or as proposed to be changed by the District Council, as it does not meet the legal definition of being a policy for the use and development of land and, in view of my conclusions in respect of Policy E1, to not proceed with the modification proposed by the first Examiner,

66. The impact of my recommendation to delete policy C1 will have consequential implications for the proposed responses to modifications 24,26 and 27. It will require consequential amendments to subsequent policy numbering and the removal of sections of the supporting text.

67. Finally, there is a minor point that may have been missed in the response to the Examiner's report. The first Examiner's Modification 15 included "Replace ", in particular" in Policy E2 with "and where appropriate"

68. I consider that to be a necessary amendment which may have been inadvertently overlooked in the District Council's Decision Statement which stated that Modification 15 be not accepted. I will include it in Recommendation 1.

Recommendations

Recommendation 1

Modification15

That the District Council 's proposed changes to Policy E1 be accepted, but that the last element of the Examiners Modification 15 be accepted, which amends the wording of Policy E2.

Recommendation 2

Modification21

That the District Council's proposed alternative wording of Policy C1 should not be accepted and that Policy C1 should be removed from the plan and all the other policy numbers be amended accordingly.

Recommendation 3

Consequential changes

Amend Executive summary to remove reference to Policy C1

Page 26 – remove from the second sentence: "and the subject to Policy C1((Area B))"

Page 37 – remove from the final paragraph "(see Policy C1 and)

Page 38 –from the final paragraph change "propose for protection" to "wish to see protected"

Remove just the wording “(Area B)” from Figure 15

Recommendation 4

Modification 24

Remove Box C1 on Page 84 in its entirety and renumber policies accordingly

Recommendation 5

Modification 26

Replace the title “The policy proposes Policy C1 of the Plan: Area B” on page 140 with “The Parish Council’s aspirations in terms of The Schoolfield”

Recommendation 6

Modification 27

On page 43 replace in the third paragraph “The intention of Policy C1...” with “The Parish Council desires...”

Remove paragraph on Page 144 beginning “Policy C1 embodies...”

Delete the paragraph immediately above the map on Page 144

Map on Page 146 Remove the wording “(Area B)” and the map to be coloured as per first Examiners Modification 10 (which has already been agreed. In the Decision Statement”

Amend Map on Page 144- Replace “Area B: Community Neighbourhood Green Space (to be managed as lowland meadow” with “The Schoolfield- The Parish Council would wish to see the area managed as a lowland meadow”

Delete the last sentence on Page 152

Summary

69. This examination has been a focussed examination conducted under the provisions of Paragraph 13(2) of Schedule 4B of the Town and Country Planning Act 1990, which has concentrated on two specific policies and consequential modifications that had been proposed by the first examiner, which had not been accepted by the District Council. I have recommended acceptance of one of the proposed changes, the revised wording of Policy E1, as it meets the basic conditions.
70. However, I am not recommending acceptance of the proposed alternative wording to Policy C1 and I go further, by recommending that the original policy as well as the Council’s proposed change, be deleted on the basis that neither are a policy that meets the definition of a policy for the use and development of land.
71. As all the original examiners other recommendations, not considered by this report, have already been accepted by the District Council in its Decision Statement including confirmation that the referendum area does not need to be extended, I am delighted to recommend to Cherwell District Council that the

Weston-on-the-Green Neighbourhood Plan, if my recommendations are accepted, should proceed in due course, to referendum.

JOHN SLATER BA(Hons), DMS, MRTPI

John Slater Planning Ltd

8th June 2020

Appendix 34

SoS Decision



Ministry of Housing,
Communities &
Local Government

Miss S Eastwood
Avison Young
3 Brindleyplace
Birmingham
B1 2JB

Our ref: APP/Q3115/W/19/3230827
Your ref: P17/S4254/O

23 April 2020

Dear Madam,

**TOWN AND COUNTRY PLANNING ACT 1990 – SECTION 78
APPEAL MADE BY OXFORD BROOKES UNIVERSITY
OXFORD BROOKES UNIVERSITY, WHEATLEY CAMPUS, COLLEGE CLOSE,
WHEATLEY, OXFORD OX33 1HX APPLICATION REF: P17/S4254**

1. I am directed by the Secretary of State to say that consideration has been given to the report of D M Young BSc(Hons), Ma MRTPI MIHE, who held a public local inquiry between 22 and 31 October 2019 into your client's appeal against the decision of South Oxfordshire District Council to refuse your client's application for outline planning permission with all matters reserved for subsequent approval except details of vehicular access, for demolition of all existing structures and redevelopment of the site with up to 500 dwellings and associated works including; engineering operations, including site clearance, remediation, remodelling and deposition of inert fill material arising from demolition on site; installation of new and modification of existing services and utilities; construction of foul and surface water drainage systems, including SuDS; creation of noise mitigation bund and fencing; creation of public open space, leisure, sport and recreation facilities including equipped play areas; ecological mitigation works; construction of a building for community/sport use and associated car parking; construction of internal estate roads, private drives and other highways infrastructure and construction of pedestrian footpaths, in accordance with application ref: P17/S4254/O dated 19 January 2018.
2. On 12 July 2019 this appeal was recovered for the Secretary of State's determination, in pursuance of section 79 of, and paragraph 3 of Schedule 6 to, the Town and Country Planning Act 1990.

Inspector's recommendation and summary of the decision

3. The Inspector recommended that the appeal be allowed.
4. For the reasons given below, the Secretary of State agrees with the Inspector's conclusions except where stated, and agrees with his recommendation. He has decided

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Andrew Lynch, Decision Officer
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to allow this appeal. A copy of the Inspector's report (IR) is enclosed. All references to paragraph numbers, unless otherwise stated, are to that report.

Environmental Statement

5. In reaching this position, the Secretary of State has taken into account the Environmental Statement which was submitted under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, the Environmental Statement addendum dated October 2018, and the ES Addendum Review letter dated 6 June 2019. Having taken account of the Inspector's comments at IR1.8, the Secretary of State is satisfied that the Environmental Statement complies with the above Regulations and that sufficient information has been provided for him to assess the environmental impact of the proposal.

Procedural matters

6. The Secretary of State considers that the matters described in IR1.6 have been overtaken by events since the Inquiry, and he deals with these matters in paragraphs 13-16 of this letter below. The Secretary of State agrees with the Inspector for the reasons given in IR1.7 that no injustice would be caused due to consideration of the plans as amended after the Council's decision was issued.

Matters arising since the close of the inquiry

7. The Secretary of State received a representation from John Howell MP dated 10 March 2020, sent on behalf of a number of residents of the village of Wheatley subsequent to the issuing of the Wheatley Neighbourhood Plan Examiner's report dated 27 February 2020. A further representation was received by email dated 6 April from South Oxfordshire District Council confirming their decision to accept the modifications recommended by the Examiner and proceed to referendum.
8. The Secretary of State is satisfied that the issues raised do not affect his decision, and no other new issues were raised in this correspondence to warrant further investigation or necessitate additional referrals back to parties. Copies of these representations may be obtained on written request to the address at the foot of the first page of this letter.

Policy and statutory considerations

9. In reaching his decision, the Secretary of State has had regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that proposals be determined in accordance with the development plan unless material considerations indicate otherwise.
10. In this case the development plan consists of saved policies in the "*South Oxfordshire Local Plan 2011*" (the LP) adopted 2006 and the "*South Oxfordshire Core Strategy 2012*" adopted 2012 (the CS). The Secretary of State considers that relevant development plan policies include those set out at IR3.12-3.15 and in the Planning Statement of Common Ground.
11. Other material considerations which the Secretary of State has taken into account include the National Planning Policy Framework ('the Framework') and associated planning guidance ('the Guidance'), as well as the Oxfordshire Housing and Growth Deal (OHGD) updated 14 September 2018 and the Written Ministerial Statement "Housing Land Supply in Oxfordshire", published on 12 September 2018. The revised National Planning Policy

Framework was published on 24 July 2018 and further revised in February 2019. Unless otherwise specified, any references to the Framework in this letter are to the 2019 Framework.

12. In accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act), the Secretary of State has paid special regard to the desirability of preserving those listed buildings potentially affected by the proposals, or their settings or any features of special architectural or historic interest which they may possess.

Emerging plan

13. The emerging local plan (eLP) comprises "*Local Plan 2034*". On 3 March, the Secretary of State lifted the holding direction he issued on 9 October 2019. This had prevented the Council taking any further action in relation to their submitted Local Plan, including withdrawal of the plan, whilst he considered use of his intervention powers. His letter of 3 March also made legally binding directions that require the Council to progress their plan through examination and adoption by December 2020, pursuant to powers in section 27(2)(b) of the Planning and Compulsory Purchase 2004 Act.
14. The Examiner's report on the emerging "*Wheatley Neighbourhood Plan*" (eWNP) was issued on 27 February 2020, and concluded that, subject to modifications, the Wheatley Neighbourhood Plan meets all necessary legal requirements. South Oxfordshire District Council has made the decision to progress the plan to referendum. Policy SPOBU – WHE25 of the referendum version of the emerging Neighbourhood Plan states that the comprehensive redevelopment for residential purposes of the Wheatley Campus site will be supported where they conform with certain development principles, including:
 - the development of the site is underpinned by a masterplan addressing infrastructure, access, landscaping, and recreation/open space issues;
 - the layout, design and height of the new buildings take account of the openness of the Oxford Green Belt and as identified generally in national planning policy (NPPF145g);
 - the development of the site should incorporate the provision of affordable housing to the most up-to-date standards of South Oxfordshire District Council;
 - the development of the site should incorporate high quality public realm and open space; and
 - the development of the site should address opportunities to incorporate safe, convenient and attractive pedestrian and cycling access to and from Wheatley
15. Paragraph 48 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework.
16. In light of the lifting of the Holding Direction on the eLP, the Secretary of State considers that it carries limited weight, given that it is yet to proceed to Examination. In accordance with the revisions to Planning Practice Guidance of 7 April 2020, the Secretary of State

considers that the emerging Wheatley Neighbourhood Plan is now a material consideration of significant weight.

Main issues

17. The Secretary of State agrees with the Inspector that the main issues with regard to the determination of this case are those set out at IR13.2.

Most important policies

18. For the reasons given in IR13.3-13.17 the Secretary of State agrees with the Inspector at IR13.17 that the majority of the most important policies for determining this appeal are out of date. He therefore concludes that paragraph 11(d) of the Framework is engaged which indicates that planning permission should be granted unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole. The appeal site is located outside the built limits of Wheatley and Holton where large-scale development would not normally be appropriate, and would therefore conflict with policies CSS1 and CSH1. However, the Secretary of State finds these policies to be out of date where they are used to restrict development outside settlement boundaries (IR13.8-13.9). He also finds the following policies to be out of date: Policies relating to Landscape, Protection and Enhancement of the Environment and Green Belt CSEN1 (IR13.10), G2 (IR13.10) and GB4 (IR13.12); Policies relating to heritage and archaeology CSEN3 (IR13.13); CON5 (IR13.14) and CON11 (IR13.14).

Green Belt

19. The Secretary of State agrees with the Inspector at IR13.18 that, although the site is proposed to be removed from the GB and allocated for development in the eLP, given that Plan has yet to proceed to Examination and attracts only limited weight, the site currently remains in the Green Belt. He also agrees with the Inspector at IR13.18, that, in the absence of up to date Green Belt development management policies, the proposal should be considered against advice in the Framework.
20. For the reasons given in IR13.22-13.24 the Secretary of State considers that the central and eastern sections of the proposal site, together with the sports pitches and circulation areas around them can be considered previously developed land (PDL) and can therefore be considered against para 145g and Annex 2 of the Framework.
21. Further he agrees with the Inspector at IR13.25 that, as no development is proposed in the north-west quadrant, the principle Green Belt objection relates to the south-west quadrant only which accounts for approximately 14% of the site. The Secretary of State agrees with the Inspector for the reasons given at IR13.26 that the south-west quadrant is not curtilage and cannot therefore be considered PDL as defined in the Framework.
22. For those parts of the site that are considered to be PDL, the Secretary of State agrees with the Inspector for the reasons given in IR13.27-13.33 that the development would address an affordable housing need, would have a broadly neutral effect on openness as experienced from within the appeal site, and that there would be a significant net-beneficial effect on the openness of the wider Green Belt through the removal of the tower. He concludes that, save for the south-west quadrant, the development would not

be inappropriate development in the Green Belt. Like the Inspector at IR13.110, the Secretary of State finds that the significant visual benefit to openness over a wide area of the South Oxfordshire Green Belt resulting from the removal of the tower and other large, unsightly structures on the site carries very substantial weight in favour of the scheme.

23. The Secretary of State agrees with the Inspector at IR13.34 that the proposed development in the south-west quadrant would be inappropriate development, and that such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The Secretary of State considers that the harm arising from that part of the development which would be inappropriate must be afforded substantial weight, in line with the Framework.

Character and Appearance

24. The Secretary of State has carefully considered the Inspector's assessment at IR13.35-13.48. He notes at IR13.38 that the site is not a designated or a 'valued' landscape in the terms set out in the Framework, and that it was common ground between the parties that the removal of the tower and other dilapidated structures would be beneficial in landscape terms.
25. For the reasons given in IR13.39-13.41, the Secretary of State agrees with the Inspector that the illustrative masterplan does not necessarily conflict with the requirement to "focus" development on the previously developed area. While Policy STRAT14 of the eLP indicates that development on the western part of the site will not be considered appropriate with the exception of an access route and functional green space, given the progress of the eLP, this is a consideration of only limited weight.
26. For the reasons given in IR13.42-IR13.45 the Secretary of State agrees with the Inspector that the scheme is in general accordance with the recommendations of the Kirkham Study, and that the character of the southwest quadrant is not particularly sensitive in landscape or visual terms such that it should be excluded from development. For the reasons given in IR13.46-13.48 he further agrees with the Inspector that there would be an overall net-gain in landscape and visual terms over the wider area, that the development would not therefore harm the character and appearance of the area, and that there would be no conflict with CS Policy CSEN1 or LP Policies G2, C4 and C9 insofar as they seek to protect the district's countryside and settlements from adverse development.

Heritage assets

27. For the reasons given in IR13.50-13.60 the Secretary of State agrees with the Inspector that while there would be some limited harm to the setting of the Scheduled Monument (SM) arising from the encroachment of housing and from the spine road on its southern flank, this would be towards at the lower end of "less than substantial" harm, and would be clearly outweighed by a combination of the proposed landscape improvements in the north-west quadrant, the SM improvement scheme and also the removal of the existing university buildings which form a stark backdrop in eastward views of the SM. Accordingly, the Secretary of State concludes that there would be an overall heritage benefit to the SM.
28. For the reasons given in IR13.61-13.65 the Secretary of State agrees with the Inspector at IR13.66 that as houses would not encroach into the sensitive open area between Holton Park and the SM, and as the appeal scheme would retain and enhance the

openness of the north-west quadrant through a landscaping scheme that would return this part of the site to something more akin to its original parkland setting, the appeal scheme would lead to an enhancement to the setting of Holton Park.

29. For the reasons given in IR13.67-13.69, the Secretary of State agrees with the Inspector that the removal of the tower would improve views southwards from the churchyard of St Bartholomew's Church, and would represent a heritage benefit.
30. The Secretary of State therefore concludes, like the Inspector at IR13.73, that no overall heritage harm has been found. He has not therefore found it necessary to undertake the heritage balancing exercise required by paragraph 196 of the Framework. Like the Inspector at IR13.113, he concludes that the heritage benefits arising from the on-site mitigation, the removal of the existing buildings and the opening up of the site and the SM to public appreciation, carries significant weight in favour of the proposal.

Accessibility

31. For the reasons given in IR13.75-13.84, the Secretary of State agrees with the Inspector that, bearing in mind the rural nature of the area, the site and particularly the south-west quadrant are well located to services and facilities in Wheatley, and that accordingly, there would be no conflict with CS Policies CS1, CSS1, CSM1 and CSM2 of the CS or Policies T1, T2 and T7 of the LP. He further agrees that the extensive nature of the off-site highway works, and the bus service contribution mean that there would be accessibility gains to the local community. He concludes that these benefits should carry significant weight in favour of the scheme.

Housing Land Supply – Housing Need

32. The Secretary of State notes at IR13.86 to 13.90 that there is no dispute over the Council's ability to demonstrate a 5 year housing land supply.

Other considerations

33. In paragraph 23 of this letter, the Secretary of State has concluded that the proposed development in the south-west quadrant would be inappropriate development. The Framework states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Like the Inspector at IR13.93, the Secretary of State has not identified any other harm in addition to the harm by virtue of inappropriateness.
34. The Secretary of State has concluded in paragraph 22 of this letter that the significant visual benefit to openness over a wide area of the South Oxfordshire Green Belt resulting from the removal of the tower and other large, unsightly structures on the site is a consideration that carries very substantial weight.
35. While he has concluded that the council are able to demonstrate a 5 year supply of housing land, the Secretary of State agrees that, for the reasons given in IR13.97 to 13.102, the proposed development would contribute significantly towards the Council's affordable housing shortfall. Given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, he agrees with the Inspector at IR13.111, that the delivery of up to 500 houses, 173 of which would be affordable, are considerations that carry very substantial weight.

36. The Secretary of State also agrees with the Inspector's assessment of the economic benefits of the scheme at IR13.103, except in relation to New Homes Bonus revenues, where, as he has seen no evidence of the proposed usage of the Bonus, he does not give them any weight in relation to his decision. He agrees with the Inspector at IR13.112 that the economic benefits of the scheme should be afforded significant weight.
37. At paragraphs 27 to 31 of this letter, the Secretary of State has considered the development in terms of its impact on heritage assets and on accessibility. For the reasons given in IR13.104 and 13.106-13.107, he has concluded, like the Inspector at IR13.113-114 that both issues are benefits which should be afforded significant weight.
38. For the reasons given in IR13.105, the Secretary of State considers, like the Inspector at IR13.115, that the net benefit to biodiversity that would be delivered by the scheme is a consideration of moderate weight in favour of the scheme. He also finds for the reasons given in IR13.108, that the reinvestment of the proceeds arising from the sale of the land into the education sector is a benefit of the proposal which should be afforded significant weight (IR13.115).
39. The Secretary of State agrees with the Inspector at IR13.116 that the overall benefit to the openness of the Green Belt alone would be enough to outweigh the harm by reason of inappropriateness. Like the Inspector at IR13.117, he considers that the 'other considerations' identified above clearly outweigh the 'definitional harm' to the Green Belt by virtue of inappropriateness identified in this case. He therefore concludes that very special circumstances exist, which would justify development in the Green Belt, and that the proposal would not conflict with CS Policy CSEN2, LP Policy GB4 or Green Belt policy in Section 13 of the Framework.

Planning conditions

40. The Secretary of State has given consideration to the Inspector's analysis at IR11.1-11.8, the recommended conditions set out at the end of the IR and the reasons for them, and to national policy in paragraph 55 of the Framework and the relevant Guidance. He is satisfied that the conditions recommended by the Inspector comply with the policy test set out at paragraph 55 of the Framework and that the conditions set out at Annex B should form part of his decision.

Planning obligations

41. Having had regard to the Inspector's analysis at IR12.1-12.14, the planning obligation dated 15 November 2019, paragraph 56 of the Framework, the Guidance and the Community Infrastructure Levy Regulations 2010, as amended, the Secretary of State agrees with the Inspector's conclusion for the reasons given that, with the exception of:

- the £96,001 active communities contribution in Schedule 2 (IR12.5-12.7);
- the street naming contribution of £134 per 10 dwellings in Schedule 2 (IR12.8); and
- the provision of "expert advice" in relation to the construction of the sports pavilion, bowling green and cricket pitch (IR12.10-12.11);

the obligation complies with Regulation 122 of the CIL Regulations and the tests at paragraph 56 of the Framework.

Planning balance and overall conclusion

42. For the reasons given above, the Secretary of State considers that the appeal scheme is in accordance with the following policies of the development plan: CS Policy CSEN2, LP Policy GB4. He has identified an overall benefit to heritage assets, so has found no conflict with heritage policies CSEN3, CON5 and CON11. He has found no conflict with CS Policy CSEN1 or LP Policies G2, C4 and C9 insofar as they seek to protect the district's countryside and settlements from adverse development. While he has found conflict with policies CSS1 and CSH1 regarding the amount and spatial distribution of housing, he has found these policies to be out of date. He has therefore concluded that the appeal scheme is in accordance with the development plan overall. He has gone on to consider whether there are material considerations which indicate that the proposal should be determined other than in accordance with the development plan.
43. At IR13.118, the Inspector, having concluded that the proposed development would not conflict with the development plan, states that it should be approved without delay in accordance with paragraph 11c) of the Framework. The Secretary of State disagrees. Paragraph 11 c) of the Framework refers to "development proposals that accord with an up-to-date development plan". As the Secretary of State has concluded that the policies which are most important for determining this appeal are out-of-date, he considers that paragraph 11 c) of the Framework does not apply.
44. Paragraph 11(d) of the Framework indicates that planning permission should be granted unless: (i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole.
45. The Secretary of State considers the harm to the Green Belt on that part of the site where development is considered inappropriate carries substantial weight.
46. The Secretary of State considers that the significant visual benefit to openness over a wide area of the South Oxfordshire Green Belt and the delivery of up to 500 houses, 173 of which would be affordable, are both considerations that carry very substantial weight.
47. The Secretary of State considers that the economic benefits of the scheme should be afforded significant weight.
48. The Secretary of State has considered the development in terms of its impact on heritage assets and on accessibility and considers that both offer benefits that should be afforded significant weight.
49. The net benefit to biodiversity that would be delivered by the scheme is a consideration of moderate weight, and the reinvestment of the proceeds arising from the sale of the land into the education sector should be afforded significant weight.
50. Given his findings in this letter, the Secretary of State considers that the proposal meets the emerging Neighbourhood Plan site-specific development principles in respect of Green Belt, affordable housing and accessibility, and public open space.
51. Having concluded at paragraph 39 of this letter that very special circumstances exist the Secretary of State considers that there are no policies in the Framework that protect areas or assets of particular importance that provide a clear reason for refusing the development proposed. He also concludes that any adverse impacts of granting

permission do not significantly and demonstrably outweigh the benefits, when assessed against policies in the Framework taken as a whole.

52. Overall the Secretary of State considers that the material considerations in this case indicate a decision in line with the development plan.

53. The Secretary of State therefore concludes that the appeal should be allowed, and planning permission granted.

Formal decision

54. Accordingly, for the reasons given above, the Secretary of State agrees with the Inspector's recommendation. He hereby allows your client's appeal and grants outline planning permission subject to the conditions set out in Annex B of this decision letter, with all matters reserved for subsequent approval except details of vehicular access, for demolition of all existing structures and redevelopment of the site with up to 500 dwellings and associated works including; engineering operations, including site clearance, remediation, remodelling and deposition of inert fill material arising from demolition on site; installation of new and modification of existing services and utilities; construction of foul and surface water drainage systems, including SuDS; creation of noise mitigation bund and fencing; creation of public open space, leisure, sport and recreation facilities including equipped play areas; ecological mitigation works; construction of a building for community/sport use and associated car parking; construction of internal estate roads, private drives and other highways infrastructure and construction of pedestrian footpaths, in accordance with application ref: P17/S4254 dated 29 January, amended as described in IR1.7.

55. This letter does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than section 57 of the Town and Country Planning Act 1990.

Right to challenge the decision

56. A separate note is attached setting out the circumstances in which the validity of the Secretary of State's decision may be challenged. This must be done by making an application to the High Court within 6 weeks from the day after the date of this letter for leave to bring a statutory review under section 288 of the Town and Country Planning Act 1990.

57. An applicant for any consent, agreement or approval required by a condition of this permission for agreement of reserved matters has a statutory right of appeal to the Secretary of State if consent, agreement or approval is refused or granted conditionally or if the Local Planning Authority fail to give notice of their decision within the prescribed period.

58. A copy of this letter has been sent to South Oxfordshire District Council, and notification has been sent to others who asked to be informed of the decision.

Yours faithfully

Andrew Lynch

Authorised by the Secretary of State to sign in that behalf

Annex A List of representations

General representations

Party	Date
John Howell OBE MP	10 March 2020
South Oxfordshire District Council	6 April 2020

Annex B List of conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4) The development hereby approved shall be carried out in accordance with the following approved plans:

Site Location Plan (Drawing no: 7590-L-17RevA)

Parameters Plan 1: Land Use (Drawing no: 7590-L-18RevG)

Parameters Plan 2: Green Infrastructure (Drawing no: 7590-L19Rev F)

Parameters Plan 3: Building Heights (Drawing no: 7590-L-20RevF)

Reason: For the avoidance of doubt.

- 5) No development shall take place until a Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide the following information for each phase or sub phases:
 - a) The number and mix (bedroom number) of market dwellings;
 - b) The number and mix (bedroom number) and gross internal floor areas of affordable housing to meet the latest evidence of affordable housing need (the total amount of affordable housing to cumulatively be 34.57% of the total amount of housing across the site);
 - c) The tenure of each affordable unit;
 - d) The number of accessible and adaptable homes to be built to Building Regulations Part M4(2) category 2 for both market (which shall be a minimum of 10% overall) and affordable sectors;
 - e) Location and boundaries of public open space, play areas, green infrastructure, leisure and sports pitches/pavilion, associated parking areas to be provided and a scheme for their future management;
 - f) Key infrastructure including means of vehicular and pedestrian and cycle access and links to serve each phase;
 - g) Drainage and landscaping works including future management arrangements;
 - h) Existing and proposed ground and ridge levels;

An updated Phasing Plan shall be provided with each subsequent reserved matter application showing how each of these elements of the development is to be phased. The development shall be implemented in accordance with the approved Phasing Plan/s.

Reason: In order to secure the satisfactory development of the site

- 6) Prior to commencement of the development, details of the works to the site accesses onto Waterperry Road and Holton Park Drive, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details and timescales.

Reason: In the interest of highway safety in accordance with Policy T1 of the Local Plan 2012.

- 7) Prior to the commencement of any development (including demolition works), a Construction Method Statement, incorporating a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Statement will have been prepared in the light of Outline Construction and Demolition Environmental Management Plan dated January 2018 and shall include details of the following:
 - a) Vehicle parking facilities for construction workers, other site operatives and visitors;
 - b) Site offices and other temporary buildings;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used during construction;
 - e) Vehicle wheel washing facilities;
 - f) Measures to control the emission of dust and dirt;
 - g) A scheme for recycling and/or disposing of waste materials arising from the demolition and construction works;
 - h) Installation and maintenance of security hoarding/fencing;
 - i) Hours of construction

The development hereby approved shall be undertaken in accordance with the details approved in accordance with this condition and complied with throughout the construction period

Reason: In the interests of visual and residential amenity and highway safety (Policies D1, and T1 of the Local Plan.

- 8) No development hereby permitted shall begin until surface and foul water drainage schemes for the site have been submitted to and agreed in writing by the Local Planning Authority. The surface water scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The schemes shall subsequently be implemented in accordance with the approved details.

Reason: To ensure the effective drainage of the site and to avoid flooding (Policy DC14 of the adopted Local Plan).

- 9) Prior to the commencement of the development hereby approved an Archaeological Written Scheme of Investigation, relating to the application site area, shall be submitted to and approved in writing by the Local Planning Authority.

Following the approval of the Written Scheme of Investigation and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation.

The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with Policy CSEN3 of the Core Strategy and Policies CON11, CON13 and CON14 of the Local Plan.

- 10) Prior to the commencement of the development a phased risk Assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted to and approved in writing by the Local Planning Authority. Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and if significant contamination is identified to inform the remediation strategy. A remediation strategy shall be submitted to and approved by the LPA to ensure the site will be rendered suitable for its proposed use and the development shall not be occupied until the approved remediation strategy has been carried out in full and a validation report confirming completion of these works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use.

- 11) Either prior to, or concurrent with the submission of each reserved matters application a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include the following:
- a) Risk Assessment of potentially damaging construction activities;
 - b) Identification of biodiversity protection zones;
 - c) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on important habitats and protected species during construction;
 - d) A mitigation strategy for all protected species ensuring that each species long term conservation status is protected and enhanced;
 - e) The location and timing of sensitive works to avoid harm to biodiversity features;
 - f) The times during construction when specialist ecologists need to be present on site to oversee works;
 - g) Responsible persons and lines of communication, and
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure the protection of habitats and species on the site, in accordance with Policy CSB1 of the Core Strategy and Policy C8 of the Local Plan.

- 12) Concurrent with the submission of the first reserved matters application, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority. The plan should demonstrate how the development can achieve a no net loss of biodiversity overall compared to the

biodiversity value of the site prior to development. The plan should include both habitat and species enhancements and should use a suitable form of biodiversity accounting to prove that no net loss can be achieved. The BEP should include:

- a) Details of habitat creation or enhancements (this could cross reference relevant landscape plans) and include suitably detailed drawings and cross sections as required;
- b) Details of species enhancements including relevant scale plans and drawings showing the location, elevation and type of features such as bat and bird boxes etc. as appropriate;
- c) Selection of appropriate strategies for creating/restoring target habitats or introducing target species;
- d) Selection of specific techniques and practices for establishing vegetation;
- e) Sources of habitat materials (e.g. plant stock) or species individuals;
- f) Method statement for site preparation and establishment of target features;
- g) Extent and location of proposed works, and
- h) Details of the biodiversity offsetting metric calculations that clearly demonstrate that the proposals contained in the plan avoid a net loss of biodiversity.

Thereafter, the biodiversity enhancement measures shall be developed on site and retained in accordance with the approved details. All enhancements should be delivered prior to final occupation.

Reason: To avoid a net loss of biodiversity in accordance with Policy CSB1 of the Core Strategy and government guidance as stated in paragraphs 170(d) and 175 of the Framework.

- 13) No development shall take place until the tree protection measures detailed in Appendix B of the Arboricultural Assessment dated January 2018 are erected around any trees affected by construction activity.

Reason: To safeguard trees which are visually important in accordance with Policies CSEN1 and CSQ3 of the Core Strategy 2027 and Policies G2, C9 and D1 of the Local Plan 2011.

- 14) Before any dwelling hereby permitted is first occupied, the proposed vehicular accesses, driveways and turning areas that serve that dwelling shall be constructed, laid out, surfaced and drained in accordance with the specification details that have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works.

Reason: To ensure a satisfactory residential environment in accordance with policy D1 and EP2 of the Local Plan.

- 15) Prior to the occupation of the first dwelling hereby permitted a Travel Plan in general accordance with the Framework Travel Plan dated 5 January 2018 shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Reason: To promote the use of non-car modes of transport in accordance with Policy CSM2 of the Core Strategy.

- 16) Prior to first occupation of any dwelling or building to which they relate electric vehicle charging points shall be installed and be operational in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory standards of air quality for the residents of the development and surrounding residential properties in accordance with Policies G2 and EP1 of the Local Plan, CSQ2 of the Core Strategy and paragraphs 105 and 181 of the Framework.

- 17) Prior to the occupation of the first dwelling hereby approved details of the means by which the dwellings may be connected to the utilities to be provided on site to facilitate super-fast broadband connectivity have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To facilitate homeworking and to reduce the need to travel in accordance with Policies CSM1 and CSM2 of the Core Strategy.

- 18) Prior to first occupation of any dwelling a noise mitigation strategy including full details of the proposed noise bund to be erected along the southern boundary of the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and retained thereafter.

Reason: To minimise the noise levels from the adjacent A40 and to ensure a satisfactory residential environment in accordance with policy D1 and EP2 of the Local Plan.

- 19) Prior to the occupation of the first dwelling, details of a scheme for the enhancement and protection of the on-site Scheduled Ancient Monument on the site shall be submitted to and approved in writing by the Local Planning Authority. The enhancement scheme shall include details of the following;
- a) strimming / mowing and removal of scrub vegetation and self-set trees from the monument;
 - b) a management plan for the preservation / maintenance of the monument in the future, prepared with the objective of removing the need to secure scheduled monument consent to carry out future maintenance of the monument;
 - c) consultation with Historic England and the Local Planning Authority Archaeology Officer in respect of research into the history and the origins of the monument;
 - d) Design and location of an interpretation and information board in respect of the monument. The board shall include information in respect of the monument. It shall also include details of the statutory protection and security measures that the monument benefits from and the repercussions for any individuals who damage the monument through illegal or unauthorised activities, such as metal detecting, and
 - e) Design and location of a seating area, comprising at least one bench and associated hard standing, adjacent to, but outside, the perimeter of the monument. The perimeter of the monument is defined as the extremities of ditch, plus an additional two metre buffer zone.

The interpretation board and seating area shall be installed and the SAM maintained in accordance with the details set out in the SAM enhancement scheme as approved by the Council and shall be maintained thereafter for the lifetime of the development unless otherwise agreed in writing by the LPA.

Reason: To ensure adequate mitigation of a designated heritage asset in accordance with Policy CSEN3 of the Core Strategy.



Report to the Secretary of State for Housing, Communities and Local Government

by D M Young BSc (Hons) MA MRTPI MIHE

An Inspector appointed by the Secretary of State

Date: 27 December 2019

TOWN AND COUNTRY PLANNING ACT 1990

SOUTH OXFORDSHIRE DISTRICT COUNCIL

APPEAL MADE BY

OXFORD BROOKES UNIVERSITY

Inquiry Held on 22-25, 29-31 October 2019

Oxford Brookes University, Wheatley Campus, College Close, Wheatley, Oxford OX33 1HX

File Ref: APP/Q3115/W/19/3230827

<https://www.gov.uk/planning-inspectorate>

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GLOSSARY

5YHLS	5 Year Housing Land Supply
3YHLS	3 Year Housing Land Supply
CD	Core Document
CIL	Community Infrastructure Levy
DAS	Design and Access Statement
DPD	Development Plan Document
dph	dwellings per hectare
eLP	Emerging Local Plan
EIA	Environmental Impact Assessment
eWNP	emerging Wheatley Neighbourhood Plan
ES	Environmental Statement
GI	Green Infrastructure
HE	Historic England
HLSS	Housing Land Supply Statement
HMA	Housing Market Area
ID	Inquiry Document
JSSP	Joint Spatial Structure Plan (Oxfordshire Plan 2050)
LPA	Local Planning Authority
LVIA	Landscape and Visual Impact Assessment
NIC	National Infrastructure Commission
OAN	Objectively Assessed Need
OCC	Oxfordshire County Council
OHGD	Oxfordshire Housing and Growth Deal
PDL	Previously Developed Land
PoE	Proof of Evidence
PPG	Planning Practice Guidance
RfR	Reason for Refusal
S106	Section 106 of the Town and Country Planning Act 1990
SM	Scheduled Monument
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SoCG	Statement of Common Ground
SODC	South Oxfordshire District Council
SoS	Secretary of State
SuDS	Sustainable Drainage System
TA	Transport Assessment
WMS	Written Ministerial Statement

Appeal Ref: APP/Q3115/W/19/3230827
Oxford Brookes University, Wheatley Campus, College Close, Wheatley, Oxford OX33 1HX

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
- The appeal is made by Oxford Brookes University against the decision of South Oxfordshire District Council.
- The application Ref P17/S4254/O dated 19 January 2018 was refused by notice dated 13 December 2018.
- The development proposed is a Outline planning application, with all matters reserved for subsequent approval except details of vehicular access, for demolition of all existing structures and redevelopment of the site with up to 500 dwellings and associated works including; engineering operations, including site clearance, remediation, remodelling and deposition of inert fill material arising from demolition on site; installation of new and modification of existing services and utilities; construction of foul and surface water drainage systems, including SuDS; creation of noise mitigation bund and fencing; creation of public open space, leisure, sport and recreation facilities including equipped play areas; ecological mitigation works; construction of a building for community/sport use and associated car parking; construction of internal estate roads, private drives and other highways infrastructure and construction of pedestrian footpaths.

Summary of recommendation: the appeal be allowed

1. Procedural Matters

- 1.1 The appeal was recovered by the Secretary of State (SoS) for his own determination by means of a Direction dated 12 July 2019¹. The reasons for the Direction are that the appeal involves proposals for residential development over 150 units or on sites over 5 hectares in the Green Belt, which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.
- 1.2 The Inquiry sat for 7 days between 22 and 31 October 2019. The venue was located on the appeal site and therefore I undertook numerous site visits during the course of the Inquiry. In addition, I carried out an unaccompanied visit to the site and surrounding area on 21 October 2019. Having heard all the relevant evidence in relation to landscape, Green Belt and accessibility matters I undertook an accompanied site visit on 28 October.
- 1.3 Although the application was submitted in outline with only access to be determined, it was accompanied by an illustrative masterplan and set of parameter plans as well as a raft of supporting technical documentation contained in an Environmental Impact Assessment (EIA)². This material is broadly accepted by technical consultees and demonstrates that a number of matters are capable of being satisfactorily dealt with either by condition or planning obligation.
- 1.4 The application was refused against officer recommendation for 5 reasons. Reason for Refusal (RfR) 1 alleges the development would be inappropriate

¹ See main file

² See Appendix 2 of Planning SOCG for full list of amended plans and documents (CD16.1)

development in the Green Belt and cause harm to its openness with no very special circumstances identified to outweigh this harm. RfR 2 considers that the development would harm the setting of nearby heritage assets with little public benefit to offset the harm. The Council accept that the wording of RfR2 erroneously refers to Policy CON15 instead of Policy CON11 which relates to nationally important archaeological remains. RfR3 focuses on the location of the development and alleges that it would be poorly related to local settlements and facilities leading to an over reliance on car borne trips. RfRs 4 and 5 relate to the absence of a planning obligation to secure affordable housing and infrastructure.

- 1.5 A signed and dated agreement under s106³ of the Town and Country Planning Act 1990 (S106) was submitted after the close of the Inquiry. Amongst other things, this contains obligations to both South Oxfordshire District Council (the Council) and Oxfordshire County Council (OCC) in respect of affordable housing, off-site sports facilities and highway works. A draft version of the agreement was discussed at the Inquiry⁴. All the proposed obligations need to be assessed against the statutory Community Infrastructure Levy (CIL) tests, a matter I return to later. On the basis of the S106 RfRs 4 and 5 fall away.
- 1.6 On 9 October 2019, the SoS issued a Holding Direction⁵ to prevent the Council taking any further action in relation to the emerging South Oxfordshire Local Plan (the eLP), including its withdrawal, whilst he considers use of his intervention powers, under s21A of the Planning and Compulsory Purchase Act 2004 (as amended) (the 2004 Act). This direction remains in force until the SoS withdraws it or gives a direction under section 21 of the 2004 Act in relation to the Plan. Section 21A (2) of the 2004 Act indicates that; “A document to which a direction under this section relates has no effect while the direction is in force”. The eLP therefore has no effect whilst the Holding Direction remains in place and, consequently, policies within the plan are of no effect also. I return to the matter of the evidence base later in my report.
- 1.7 During the determination period, the scheme was amended to reflect discussions between the Appellant and Council officers. Amongst other things the amendments included the introduction of a retail shop⁶. After the Council issued its decision, the requirement for a retail shop was omitted from the January 2019 version of the eLP. The appeal scheme was hence amended a second time to remove the shop. The Appellant conducted a further round of public consultation between 9 May and 4 June 2019 to give interested persons the opportunity to comment on this amendment. Having regard to the principles set out in the Wheatcroft judgement⁷, and bearing in mind the original scheme did not include a shop, I do not consider the post-decision amendment materially alters the substance of the proposal. In any event, given the Appellant’s consultation exercise, I am satisfied that local residents as well as the Council have had ample opportunity to comment on the change. In these

³ See main file

⁴ ID26

⁵ <https://www.gov.uk/government/publications/south-oxfordshire-local-plan-holding-direction-letter-to-council>

⁶ This was included to reflect the requirements of Policy STRAT10 of the ‘Publication Version’ of the eLP, dated October 2017.

⁷ *Bernard Wheatcroft Ltd v SSE (JPL 1982) (CD9.1)*

circumstances, I am satisfied that no injustice would be caused if I were to consider the revised plans.

- 1.8 As the proposal is EIA development, the various amendments resulted in the submission of an Environmental Statement (ES) Addendum dated October 2018 and an ES Addendum Review letter dated 6 June 2019⁸. The conclusions of both documents were that the findings of the original ES are unchanged by the amendments. The Council do not disagree. I am therefore satisfied that the ES remains robust and does not require amendment.
- 1.9 A pre-Inquiry Case Management Conference was held on 14 August 2019 to discuss the arrangements for the Inquiry and deadlines for the submission of various documents. A summary of the conference was subsequently sent to the main parties⁹.

2. The Site and Surroundings

- 2.1 The appeal site covers a total area of 21.5 hectares located immediately north of the A40 dual-carriageway, approximately 3.5km east of Oxford. To the south of the site, beyond the A40 London Road, lies Wheatley which is a relatively large, rural village with a good range of facilities and amenities. Waterperry Road adjoins the eastern site boundary and serves as the main point of vehicular access to the site. To the north, there are agricultural fields which separate the site from the rural settlement of Holton. To the west lies an education and leisure complex comprising the John Watson/Wheatley Park schools and the Park Sport Centre and gym. Holton Park, sometimes referred to as Old House, is a Grade II Listed Building¹⁰ situated at the eastern end of the complex adjacent to the site's western boundary.
- 2.2 The site itself is currently in use as a university campus although Oxford Brookes University (OBU) intends to vacate the site by 2021/2022. Prior to the current use, the site was used as a military hospital during the Second World War and before that it once formed part of a medieval field system which subsequently became a deer park around the late 18th Century remaining until the early part of the 20th Century.
- 2.3 As it is today, a range of buildings are located within the eastern and central parts of the site, most of which date from the mid/late 20th Century. The heights of the existing buildings range from single storey to a 12-storey tower block approximately 35m tall. There are 2 residential properties located within the eastern part of the site, and a row of houses located within the centre of the site known as College Close. The campus also includes a range of informal recreational green spaces along with various grass and artificial playing pitches which are predominantly located on the western side of the site. In the north-west quadrant lies a Scheduled Monument¹¹ (SM) which comprises a circular, ditched, landscape feature. The south-west quadrant is a visually distinct, undeveloped green space that accounts for approximately 13.75% of the site¹².

⁸ CD3.2

⁹ Summary of Case Conference (CD18.2)

¹⁰ List Entry No. 1369201

¹¹ Ref: SM1018425

¹² Table 2, Bolger PoE

- 2.4 The site is generally well vegetated particularly along its site boundaries with a number of existing mature trees, hedgerows and shrubs which are the subject of a Tree Preservation Order¹³ (reference 35/2005). The landscaping most of which would be retained along with local topography provides for a degree of visual containment such that the majority of existing buildings are not visible outside the site boundaries.

3. Planning Policy and Guidance

- 3.1 Section 38(6) of the 2004 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. One such material consideration is the Framework, which can override development plan policy if it is not consistent with the Framework's provisions. I therefore summarise the national planning policy context first, before turning to look at relevant development plan policies.
- 3.2 The latest version of the Framework was issued in February 2019. Like earlier versions it emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development, through 3 over-arching objectives – economic, social and environmental. It makes it plain that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 3.3 To ensure that sustainable development is pursued in a positive way there is a presumption in favour of sustainable development at the heart of the Framework. Paragraph 11 explains that for decision-taking this means, firstly, approving development proposals that accord with an up-to-date development plan without delay. If there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, then planning permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 3.4 Of particular relevance in this case are those parts of the Framework which deal with Green Belt, heritage assets and housing provision. Section 13 of the Framework is entitled "Protecting the Green Belt", with paragraph 136 making it clear that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Paragraph 143 reaffirms that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved, except in very special circumstances.
- 3.5 Paragraph 144 goes on to explain that when considering any planning application, substantial weight should be given to any harm to the Green Belt, and that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

¹³ Council ref: 35/2005

- 3.6 With regard to housing, paragraph 59 of the Framework confirms that it is the Government's objective to significantly boost the supply of homes and to ensure that a sufficient amount and variety of land can come forward where it is needed and that the needs of groups with specific housing requirements are addressed. In considering ways to boost supply, paragraph 72 advises that the supply of large numbers of new homes can often be best achieved through planning for larger-scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well-located and designed, and supported by the necessary infrastructure and facilities.
- 3.7 Paragraph 73 requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than 5 years old.
- 3.8 Paragraph 190 states that in determining applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets. Paragraph 193 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. In those circumstances where less than substantial harm is identified, this should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 3.9 Other relevant paragraphs in the Framework are referenced, as appropriate, later in this Report. The Planning Practice Guidance (PPG), initially published in 2014, is also a material consideration in the determination of this appeal.

The Development Plan

- 3.10 The Development Plan comprises saved policies in the "*South Oxfordshire Local Plan 2011*"¹⁴ (the LP) and the "*South Oxfordshire Core Strategy 2012*"¹⁵ (the CS).
- 3.11 The LP was adopted in 2006 and covered the relatively short period up to 2011. The housing requirements for the LP were derived from the now defunct Regional Planning Guidance¹⁶ (RPG) for the South East (as amended) which was adopted in 2001 and the Oxfordshire Structure Plan which was adopted in August 1998. Various policies in the LP were saved by the SoS in 2008. Following the adoption of the CS, the LP was reviewed, and those policies found to be superseded by or inconsistent with the CS were 'struck through'.
- 3.12 The Planning SoCG¹⁷ identifies 36 'relevant' LP policies. Of these, only 7 are referred to in the contested RfRs, these are: GB4 (Visual Amenity of the Green

¹⁴ CD5.1

¹⁵ CD5.2

¹⁶ ID14: RPG Revocation Order 2013 No. 427

¹⁷ CD16.1

Belt), CON5 (Setting Of Listed Buildings), CON11 (Archaeological remains), T1 (Safe, Convenient And Adequate Highway Network For All users), T2 (Unloading, Turning and Parking For All Highway Users) and T7 (Improvements And Extensions To Footpaths And Cycle Network).

- 3.13 Whilst the LP is time expired, that does not mean the aforementioned policies and any other relevant policies are necessarily inconsistent with the Framework. I will return to the issue of consistency later in my report.

The Core Strategy

- 3.14 The CS was adopted in 2012 following the publication of the original version of the Framework. It sets out the vision for South Oxfordshire to 2027. Although the Examining Inspector found the CS to be generally consistent with the provisions of the Framework¹⁸, much of the evidence base underpinning the plan and the Examination hearings themselves pre-dated the March 2012 Framework. The housing requirement of the CS was based upon the constrained supply contained in the RPG which remained in force at the time of adoption and therefore the Examining Inspector (and Council) were obliged to rely on it under the transitional arrangements set out in paragraph 218 of Annex 1 of the 2012 Framework.
- 3.15 The Planning SoCG includes a list of 19 relevant CS policies of which the following 6 are cited in the RfRs: CSEN2 (Green Belt), CSEN3 (Historic Environment), Policy CSM2 (Transport Assessments and Travel Plans), Policy CSM1 – Transport, CS1 (Presumption in favour of sustainable development) and CSS1 (The overall strategy). As paragraph 1.10 of the CS makes clear, the aforementioned policies are of a strategic nature and are intended to be supplemented by more detailed policies in a Development Management Policies DPD. That document was abandoned at an early stage in favour of a new local plan.

The eLP

- 3.16 The eLP¹⁹ was submitted for Examination on 29 March 2019. Despite the advanced stage of preparation at the time of the Council's decision, none of the RfRs refer to policies in the eLP. Even before the SoS's Holding Direction, it was common ground that the eLP carries only limited weight in the determination of this appeal.
- 3.17 Notwithstanding the current status of the eLP, it has been submitted for Examination and the SoS has publicly confirmed his support for it²⁰. Although the Cabinet has recommended that the plan is withdrawn²¹, the Council's planning witness confirmed that it is still committed to the eLP for plan-making purposes. In these circumstances, I consider the evidence base which has been thoroughly and diligently compiled over several years is a material consideration in this appeal.

¹⁸ Paragraph 144-146, of the Examining Inspector's Report (CD5.3)

¹⁹ CD6.1

²⁰ CD15.4, CD15.11 & CD15.15

²¹ Council Cabinet's decision 3 October 2019

- 3.18 In relation to housing growth in the district over the plan period, the evidence base supports an annual housing requirement of 775 homes per year or an overall requirement of 17,825 homes between 2011 and 2034. This represents the midpoint in the annualised housing requirement range identified for South Oxfordshire District in the Strategic Housing Market Assessment (SHMA)²².
- 3.19 The evidence base also supports Policy STRAT 14 (formerly STRAT10) which proposes to remove the appeal site from the Green Belt and allocate it for a development to deliver at least 300 new homes within the plan period.

The Wheatley Neighbourhood Plan

- 3.20 Part of the appeal site falls within the emerging Wheatley Neighbourhood Plan²³ (the eWNP) area designated on 31 March 2016. The second draft of the eWNP was published for consultation in May 2019. On 3 September 2019 it was submitted to the Council under Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. This document was then the subject of statutory consultation ending on 18 October 2019.
- 3.21 The eWNP sets out the community's vision for the future of the area during the plan period (2019 - 2033) and provides a land use framework for development in the area. The vision confirms that a main objective of the plan will be to *"provide a range of different types of new houses across all tenures to meet the needs of all income and age ranges, including key workers, within Wheatley and its catchment area using design guidance..."*. It identifies that the main housing needs are for affordable housing, starter homes and supported housing for the elderly²⁴. It aims to promote the provision of 40% affordable homes, in line with the policy of the eLP.
- 3.22 The eWNP acknowledges the importance of bus services to Wheatley²⁵ and seeks to locate new homes within walking distance of the village centre which is described in the following terms:
- "The retail activities in Wheatley centre are mainly food shops (the Co-op, Costcutter, a well-established baker and butcher) and catering (pub, restaurant, chip shop and take away). Among other High Street services there is the post office, hairdressers, pharmacy, dog grooming, estate agent, a laundrette and a tattooist. Above the High Street on Church Road services include another pub, an architect's business, garage, dentist, the library, the parish church and a further estate agent. A car tyre supplier operates on Holloway Road and a veterinary practice can be found on Roman Road. On the village perimeter, there is a motel complex, an ASDA store and petrol station, a car sales outlet, a coach depot and 2 garden centres. The seven pubs of 1975 have now been reduced to two (and one private club). There are four worshipping congregations: Anglican, Catholic, United Reform and Community Church."*²⁶
- 3.23 Policy SPOBU-WHE25 supports the release of the appeal site from the Green Belt and its allocation as a strategic housing site. It goes on to advise that

²² CD10.6 & CD10.7

²³ Chapter 9 (CD6.2)

²⁴ Paragraph 8.8 (CD6.2)

²⁵ Paragraph 4.22 (CD 6.2)

²⁶ Paragraph 4.16 (CD 6.2)

alterations or replacement of existing buildings should be focused on the previously developed part of the site and should avoid an adverse impact on the SM. In general, development on undeveloped parts of the site will not be considered appropriate with the exception of access routes and functional green spaces.

- 3.24 Some of the requirements of SPOBU-WHE25 relate to the area outside of Wheatley parish and the plan is subject to a number of unresolved objections in that regard. Accordingly, it was common ground at the Inquiry that only limited weight can be given to the eWNP at this time.

The Growth Deal

- 3.25 In 2016 the Government instructed the National Infrastructure Commission (NIC) to undertake a review of the potential for growth in the geographic corridor containing Oxford, Milton Keynes and Cambridge. Sitting at the Western end of the arc, Oxfordshire has a major role to play in delivering on the Government's ambitions for this area, and beyond. The NIC's final report²⁷ was published in late 2017. It found that Oxford with other cities in the arc is successful and fast-growing. However, a sustained shortfall in housing supply has led to high house prices and low levels of affordability which is having a constraining effect on future growth.
- 3.26 The Oxfordshire Housing and Growth Deal (OHGD)²⁸ is a response to those problems and seeks to unlock the growth potential of the area. It requires the Council along with, Oxford City Council, Vale of White Horse, Cherwell and West Oxfordshire District Councils to plan and deliver 100,000 homes by 2031 in exchange for £215m of Government investment. The OHGD requires the constituent authorities to submit and adopt a joint statutory spatial plan (JSSP) covering all 5 district councils in Oxfordshire by 2021.
- 3.27 In addition to the investment, the Government has committed to certain time-limited planning flexibilities for the relevant authorities. In a Written Ministerial Statement (the WMS), published on 12 September 2018²⁹, the SoS implemented a temporary change to the Framework's housing land supply policies as they apply in Oxfordshire. It confirmed that:

"For the purposes of decision-taking under paragraph 11(d), footnote 7 of the National Planning Policy Framework will apply where the authorities in Oxfordshire cannot demonstrate a 3-year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73). This policy flexibility does not apply to the Housing Delivery Test limb of footnote 7 of the National Planning Policy Framework nor plan making policy in paragraph 67. If a local authority intends to fix their land supply under paragraph 74 they will still be required to demonstrate a minimum of 5 year supply of deliverable housing sites, with the appropriate buffer."

- 3.28 The WMS is a material consideration in planning decisions and applies to South Oxfordshire provided the timescales agreed in the OHGD are adhered to. It

²⁷ Partnering for Prosperity: A new deal for the Cambridge-Milton Keynes-Oxford Arc (CD20.5)

²⁸ CD10.4

²⁹ CD10.3

confirms that the SoS will monitor progress with plan-making and keep the planning flexibilities under review. The OHGD is not an assessment of housing need and as such does not identify a housing requirement for each district, nor does it attempt to apportion any housing needs from one authority to another. The overall aspirational housing target in the deal is derived from the SHMA.

4. The Application Proposal

- 4.1 The appeal proposal seeks outline planning permission for the development of up to 500 houses. 2 points of vehicular and pedestrian access are proposed from Waterperry Road in the east and Holton Park Drive in the west. In addition to housing, the development includes generous areas of green infrastructure including; a Local Equipped Area of Play (LEAP), bowling green, cricket pitch, sports pavilion, structural landscaping and an ecological area. The green infrastructure would amount to at least 10.69ha, approximately 50% of the site.
- 4.2 An illustrative layout plan³⁰ which is to be read alongside 3 parameter plans³¹ show how the site might be developed. These plans were supplemented at the appeal stage by a suite of photomontages³². The principle components of the layout are a central spine road which links the 2 access points. Areas of housing are interspersed between the areas of landscaping. The majority of existing trees on the site would be retained.
- 4.3 The central and eastern sections of the site would be dominated by 3 and 4-storey housing. This is where the largest buildings are currently located. Low density 2-storey housing would be confined to the south-west and north-central quadrants. The north-west quadrant which is currently occupied by sports pitches would be kept largely free of development with the SM being incorporated within the proposed green infrastructure.

5. Background

- 5.1 Following OBU's decision to vacate the appeal site by 2021, the Appellant pursued a housing allocation in the eLP. At the same time and following discussions with Council officers a planning application was submitted for the redevelopment of the site. Pre-application discussions took place between September 2016 through to early 2018. The full details of these discussions are set out in paragraph 7 of the Appellant's Closing Submissions³³ and I need not repeat all of that information here.
- 5.2 The planning application was submitted on 19 January 2018 and was given the reference number P17/S4254/O. Due to the scale of the development, an EIA was submitted in support of the application. During the determination period, the scheme was amended to reflect discussions that had taken place between the Appellant, the Council and various statutory consultees. These amendments were reflected in amended parameter and layout plans that were subject to re-consultation. Amongst other things, the amendments provided for:

³⁰ Drawing ref: 7590-L-60

³¹ Drawing refs: 7590-L-19 F, 7590-L-20 F & 7590-L-18 G

³² ID1 & Appendix 6 Holiday PoE

³³ ID28

- an expansion of proposed areas of publicly accessible green open space;
- a reduction in the extent of housing in the western portion of the site;
- an expansion of open space around the SM;
- the introduction of a retail shop;
- various landscaping and biodiversity improvements, and
- an increase in the amount of 4-storey development.

5.3 The application was considered by the Council's Planning Committee at their meeting dated 28 November 2018. In recommending approval, the Committee Report³⁴ concluded:

"very special circumstances exist that demonstrate that the principle of residential development in the Green Belt is acceptable. In addition to being a previously developed site, an increase in openness achieved by the flattening and wider dispersal of buildings, demonstrates the proposal would not have any greater impact on the openness of the Green Belt than existing development. Revisions to the layout and parameter plans have resulted in a scheme that responds appropriately to the site constraints and areas of importance within the site. There are public benefits and on-site mitigation delivered through the proposal, which outweigh the identified 'less than substantial harm' to the heritage significance, as well as on and off-site infrastructure secured through the legal agreement. On this basis, the development accords with the revised National Framework and the Development Plan, and officers recommend approval of the outline planning permission."

5.4 According to the Minutes supplied by the Council³⁵ the Committee expressed concerns about encroachment of the proposed built form to the south-west quadrant, a higher number of dwellings than is provided for in the eWNP, the impact on the setting of Holton Park; and the lack of connectivity with Holton. The Decision Notice³⁶ was issued on the 13 December 2018.

6. Agreed Facts

6.1 The following SoCG's have been agreed between the Council and the Appellant:

- 1) Main Planning SoCG dated 16 August 2019³⁷
- 2) Landscape SoCG including 10 appendices dated 27 September 2019³⁸
- 3) Heritage SoCG dated September 2019³⁹
- 4) Accessibility SoCG dated 30 September 2019⁴⁰

³⁴ Core Document CD4.1

³⁵ Page 3, CD4.2

³⁶ See main file

³⁷ CD16.1

³⁸ CD16.2

³⁹ CD16.3

⁴⁰ CD16.4

5) Affordable Housing SoCG October 2019⁴¹

- 6.2 The main planning SoCG sets out the application description, the submitted plans and a brief description of the proposal, the site and its surroundings. It confirms that the application was subject to amendment relating to the convenience store during the determination period and then again after the Council's decision. It confirms the RfRs and the date of the Council's decision. Section 5 covers the Development Plan and lists 35 Local Plan and 19 Core Strategy policies that are relevant to the appeal. It confirms that the Framework, PPG, The Planning (Listed Buildings and Conservation Areas) Act 1990 (the 1990 Act), the OHGD, the eLP and the eWNP are all material considerations.
- 6.3 The Landscape SOCG lists all the relevant landscape and Green Belt studies. It goes on to identify 4 agreed matters which are: 1) the Wheatley Campus Map is helpful when discussing the parts of the site; 2) there would be landscape, visual and Green Belt benefits from the removal of the approximately 35m tall tower; 3) there would be landscape and visual benefits from the removal of buildings and structures within the site that have become dilapidated, and 4) the current visibility of buildings within the site is limited and only the tower is visible from the wider landscape.
- 6.4 The Heritage SoCG confirms the duty under the 1990 Act to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses⁴². The matters agreed are listed as:
- 1) The designated heritage assets which are, to a greater or lesser degree, affected by the appeal proposals are the SM on the appeal site; Holton Park 'Old House' at the adjacent Wheatley Park School site, St. Bartholomew's Church, Holton⁴³, and a Scheduled Monument⁴⁴ and listed buildings and structures on the adjacent Wheatley Park School site comprising stretches of listed wall, a bridge, ice house and stable block.
 - 2) There would be an impact on the setting of Holton Park 'Old House' as a result of the appeal proposals. The setting of Holton Park 'Old House' is currently affected by the present situation on the appeal site.
 - 3) The former deer park, of which the appeal site is a part, is neither a designated nor non-designated heritage asset.
- 6.5 The Accessibility SoCG agrees the distances from the centre of the appeal site to various local destinations⁴⁵. It is also agreed that the Wheatley Park School and sports centre complex, which lies at the far western end of Holton village, is within reasonable walking distance of the site. It is further agreed that distance alone is not the only factor that affects the attractiveness of walking and that the quality of footways and crossings, perceived personal security, quality and the good appearance of routes are also relevant.

⁴¹ CD16.5

⁴² The SM is not a listed building and therefore is not covered by the duty under s66 of the 1990 Act

⁴³ List No. 1047596

⁴⁴ SM1018424

⁴⁵ Table 2, page 5

- 6.6 The Affordable Housing SoCG sets out the party's respective position on the housing need and supply in South Oxfordshire. It confirms that the Council is able to demonstrate a 5YHLS against the figure which arises from the standard method which defines a Local Housing Need of 632 dwellings per annum (dpa).
- 6.7 It is also agreed that the OHGD commits the Oxfordshire authorities to plan for and support the delivery of 100,000 new homes between 2011 and 2031, and to progress their respective local plans to achieve this as well as a JSSP to address longer-term development needs to 2050. The 100,000 homes figure is derived from the 2014 Oxfordshire SHMA which breaks down the need for each of the 5 Oxfordshire authorities. South Oxfordshire's need was assessed at 15,500 homes between 2011-31, equivalent to 775dpa. Oxford's unmet need is 15,000 homes. The Oxfordshire authorities have agreed how this should be distributed through a Memorandum of Understanding, which South Oxfordshire did not sign, and the more recent Statement of Common Ground in support of the Oxford Local Plan 2036 and South Oxfordshire Local Plan 2034, which South Oxfordshire has signed up to. This statement agrees that apportionment of unmet housing need, arising from the Oxfordshire Housing Market Area, must be strategically and cooperatively considered through the Oxfordshire Growth Board, and that the latest agreed apportionment figure is 4,950 for South Oxfordshire.
- 6.8 The Council submitted its Local Plan in March 2019 on the basis of the above. Planning Inspectors at three Oxfordshire local plan Examinations have found the calculations of Oxford's unmet need to be sound, and the SoS himself has drawn the Council's attention to this in a recent letter on 26th August 2019⁴⁶.
- 6.9 It is also agreed that the WMS, which sets out that paragraph 11 d) of the Framework will be engaged where authorities cannot demonstrate a 3-year supply of deliverable land (3YHLS), has been developed within the specific context of the OHGD. It is common ground that the WMS recognises that in the *"short-term this will result in fewer permissions granted under paragraph 11 but that it is important to support ambitious plans that will deliver more housing in the longer term"*.
- 6.10 Other agreed matters include:
- Period of Assessment: housing land supply will be assessed for the period 1st April 2019 to 31st March 2024.
 - The 2019 Housing Land Supply Statement⁴⁷ (HLSS), has a base date of 1st April 2019;
 - Buffer: a 5% buffer is appropriate when calculating the 5YHLS; requirement, and
 - There is also agreement on the relevant parts of the Framework and PPG that deal with housing delivery.

⁴⁶ CD15.11

⁴⁷ CD10.1

7. The Case for South Oxfordshire District Council

The case for the Council is summarised as follows.

Overview

- 7.1 This appeal scheme is speculative development of a very substantial scale in the Green Belt where national policy is firmly against such an approach. There is an emerging allocation, but the scheme proposed is substantially bigger in terms of dwelling numbers than that proposed in the eLP which supports development of "at least 300 new homes", rather than the 500 proposed. Moreover, the overall spread of development across the site is in stark conflict with the eLP's emphasis on accommodating dwellings in the east and not the sensitive western half of the site.
- 7.2 The eLP was submitted for Examination by 1st April 2019 in accordance with the OHGD timetable and has been following a similar timetable to Oxford City's emerging plan. It is only since the Holding Direction that progress on the eLP has faltered. Even before the Holding Direction the eLP attracted only limited weight and with the Direction in place it attracts no weight.
- 7.3 The scheme would result in Green Belt, landscape and heritage harm and is not plan-led, and there is nothing about the benefits that take us into the territory of very special circumstances.

Green Belt – Inappropriate development

- 7.4 Only the area on the brownfield land register plan⁴⁸ is previously developed land (PDL). Consequently, the appeal scheme does not benefit from the exemption in paragraph 145g) of the Framework and is inappropriate development in the Green Belt.
- 7.5 Curtilage is not defined in the Framework or legislation. Case law provides some assistance, although the cases are very fact sensitive. Curtilage is generally viewed as being limited in scope and applicable to an individual building, not a group of buildings⁴⁹. There are open spaces in and around campus buildings which are within curtilage. But no authority has been provided for the proposition that the buildings can be aggregated in a way that leads to them having a very large curtilage, as contended by the Appellant.
- 7.6 It is not correct to suggest that the areas of playing fields, which are quite separate in character and function from the developed area of the campus, should be considered curtilage in ordinary language. Having failed the PDL hurdle, the appeal scheme cannot come within paragraph 145g).
- 7.7 Even if one takes a different view on PDL, the appeal scheme would cause substantial harm to the openness of the Green Belt and therefore fails to satisfy the first indent of paragraph 145g).

⁴⁸ Appendix 6, CD16.1

⁴⁹ See *Dyer v Dorset CC*, 1988 WL 622738 (1989) & *Skerritts of Nottingham Ltd v Secretary of State*, (2000) WL 389505 (CD19.1 & CD19.3)

Openness

- 7.8 The Government's commitment to the protection of the Green Belt is unequivocal. The Government attaches "great importance to Green Belts"⁵⁰ and it is difficult to think of a higher hurdle in policy terms than very special circumstances.
- 7.9 The rigour with which this site's contribution to the Green Belt is assessed must reflect the importance given to Green Belts. It would not be sufficient to focus on the existing concentration of buildings in the centre of the site. Built development quickly thins out and by far the majority of the site does not contain significant built development⁵¹. Openness is defined by the absence of built development. The site is predominantly open and therefore serves the fundamental aim of Green Belt policy of keeping land permanently open.
- 7.10 This contribution to the Green Belt is recognised in the 2015 Kirkham Green Belt Study⁵² which drew an inset boundary around the built form and hardstanding on the site, plus the southern recreational area, and excluded the north-west and south-west quadrants. These inset areas are those which do not display essential Green Belt characteristics; the point being, that the rest of the campus outside the proposed inset boundary does display those essential characteristics.
- 7.11 The Kirkham Study also aligns with the Council's assessment of the contribution of the site to the Green Belt purposes. In respect of purpose 2 (to prevent neighbouring towns merging into one another), the study notes that while the area between Wheatley and Holton does not contribute to the separation of towns, the area does contribute to the separation of Wheatley and Holton and any substantial development would lead to the perception of settlements merging. In respect of purpose 3 (safeguarding the countryside from encroachment), the open areas with a wooded and parkland character in the west plainly safeguard the countryside from encroachment.
- 7.12 The 2018 LUC Green Belt study⁵³ downgrades the site's contribution to the Green Belt but still finds that harm could be caused by its release. The study's overall judgement of 'low moderate' harm needs to be treated with significant caution in light, of conflicts with the earlier Kirkham Study and the evidence of the Council's landscape witness.
- 7.13 The harm to openness is multi-faceted. On a parcel by parcel analysis of the site, the proposal would result in approximately 70% of the site being dominated by built development, rather than 33% now⁵⁴. In respect of the visual element of openness, the site is currently experienced from within as largely open but for the concentration of development in the centre and east. Visually the site would be radically changed, from an open university campus to a dense residential estate, with the exception of the north-western quadrant only.

⁵⁰ Paragraph 133 of the Framework

⁵¹ Bolger PoE paragraph 4.2.1-15

⁵² Kirkham Landscape Planning Local Green Belt Study for South Oxfordshire: Final Report 14 September 2015 (CD16.2, Appendix 6)

⁵³ Green Belt Assessment of Strategic Sites in South Oxfordshire Final Report (Appendix 7 to CD16.2)

⁵⁴ Bolger PoE paragraph 8.2.3

7.14 The 4-storey development on the south of the site would be visible from the A40 and Waterperry Road outside of the site. The removal of the tower would be a clear benefit in openness terms. However, the actual extent of this benefit to openness needs careful assessment. It is a single tall tower, and from many viewpoints there is considerable screening of the bottom half of it by trees. The visual Assessment in the LVIA is that, where the tower can be seen, there are only glimpsed views and that the removal of the tower would only give rise to a “*minor beneficial*” effect.

Volume

7.15 The Appellant’s description of “*flattening and dispersing*” is not accurate. The tower’s demolition is flattening, but elsewhere currently developed areas see a substantial increase in height. As the PPG states⁵⁵, an analysis of existing v proposed volumes are part of the assessment of impact on Green Belt openness even at the outline stage.

7.16 The volume of the existing built form on site is agreed to be around 125,500m³. By overlaying the illustrative layout and the building heights parameters plan, the Council has calculated⁵⁶ a building envelope of around 203,500 m³. That equates to a 62% increase on the existing volume – a substantial increase.

7.17 Although it is not possible to know the exact volume of development that would come forward in the future, the parameter plans do control the limits of development. A planning permission granted in the terms sought would be for up to 500 dwellings, such that no more dwellings could be built, but dwellings filling the 203,500 m³ would be consistent with that permission.

7.18 The alternative approach to volume involves a ‘bottom up’ approach, whereby a SHMA compliant mix of dwellings is used to calculate a volume for 500 dwellings. On this approach, the Council has calculated⁵⁷ a volume of approximately 170,000m³. The Appellant volume figure of 125,563m³ has been calculated using a higher proportion of 1 and 2 bed flats⁵⁸ as requested by the Council during the application stage. However, this is likely to be a significant underestimate for the following reasons:

- a. It makes no allowance for storage, communal storage, lifts, lobbies or pitched roofs to any of the 3 or 4 storey flats, and
- b. Discussions with local affordable housing providers indicate that the dwellings are unrealistically small in terms of floorspace.

7.19 On either of the Council’s approaches to volume, there would be a substantial increase in built volume under the appeal scheme. This further bolsters the conclusions set out above that there would be a significant impact on openness.

⁵⁵ Paragraph ID64-001.

⁵⁶ Kashdan-Brown Rebuttal PoE Appendix JKB1 paragraph 2.

⁵⁷ Kashdan-Brown Rebuttal PoE paragraph 16.

⁵⁸ Gardner PoE paragraph 12.36

7.20 The Appellant cites the Wheatley Campus SPD⁵⁹ (the SPD) which provided for up to 194,995m³ of volume. However, the SPD shows a redevelopment scheme which is essentially confined to the area of existing built form.

Character and appearance

7.21 There is a distinction in character between the western and eastern halves of the site. The eastern and central areas are dominated by large scale development whereas the west, is largely open and significant elements of the former historic parkland are retained: the open and expansive grassland, the specimen parkland trees, the wooded area in the south-west quadrant, and the view to the mansion house of Holton Park just set back from its north-western boundary. Despite the use of the term 'relict parkland' in the application documents, there is more than just fragments: the parkland character is quite evident and links in particular to the parkland setting of the school to the west.

7.22 The parkland character is acknowledged in the Oxfordshire Wildlife and Landscape Study 2004⁶⁰, the western half of the site falls in the Wooded Estatelands landscape type, while the eastern half is in the Rolling Farmland landscape type. These landscape types can cover quite large swathes of land around Oxford, but the drawing of the line down through the middle of the site evidences the different character of the western half. "Large parklands and mansion houses" are characteristic of the Wooded Estatelands landscape type. The appeal site sits in just such a former park with the mansion house overlooking it, and although the whole is not intact, unlike for instance Shotover Park to the east, the character is still evident.

7.23 The Appellant's use of the term "*institutional*" is unhelpful and various landscape studies⁶¹ have referenced the site's parkland character. The scheme would harm this character with built development dominating the currently wooded south-west quadrant, enclose the southern boundary of the north-western quadrant and advance west some way into the north-west quadrant itself at the north of the site. In doing so not only would areas with parkland character be lost to dense residential development, but the remaining north-western quadrant would be significantly more influenced by the built development on its boundaries.

7.24 The scheme would conflict with the aforementioned landscape studies which advise that development should be focussed on the previously developed parts of the site. These studies form the evidence base that fed into the principle in eLP Policy STRAT14 that "*development on the western, undeveloped part of the site will not be considered appropriate*".

7.25 In visual terms, there would be harm to the visual amenity of the users of the campus (which include the public). On the western side the university buildings do not become prominent until pedestrians and cyclists are well into the site, especially in summer. The change to close views of the edge of residential development would be adverse. The proposed 4-storey development in the

⁵⁹ Oxford Brookes University Wheatley Masterplan SPD December 2012 (ID21).

⁶⁰ Appendix 3, CD16.2

⁶¹ SODC Landscape Sensitivity Assessment – Potential Strategic Allocations 2018 by KLP & South Oxfordshire District Council - Landscape Assessment Update 2018 by HDA 2018 (Appendices 9 & 10 CD16.2)

south-east quadrant is likely to be visible from the A40, including at night, and would harm the current impression of a rural landscape to the north. Users of Waterperry Road are also likely to have views of the development, impacting on the existing rural character of the road.

- 7.26 There would be some benefits to users of the Public Rights of Way network and residents in Holton, for whom the proposed development is unlikely to be visible, and who would benefit from the demolition of the tower. Care needs to be taken, however, that the undoubted benefits from the removal of the tower in landscape and visual terms, are not exaggerated.

Heritage

- 7.27 The western half of the site is sensitive in heritage terms with an on-site SM and a strong visual connection to Holton Park beyond which is a further SM and a collection of listed structures. There is no inter-visibility with this off-site SM and listed structures, but setting is not dependent on inter-visibility.
- 7.28 As the Council's witness explained these heritage assets are part of the same story of the Manor House's shifting locations through the centuries across the site and its surroundings. Holton Park has been orientated and positioned to take advantage of views to the south-east, and despite the intervening fence and vegetation there remain long views from Holton Park over its historic parkland.
- 7.29 The current open settings of the on-site SM and off-site Holton Park allow their inter-relationship to be understood. Despite the inability to be certain as to the nature of the monument, Historic England (HE) note that the on-site SM's setting has "*good open views in all directions*" and that "*in all of the possible interpretations of this feature, there is a connection with the earthwork and the relatively open and rural space surrounding it*".⁶²
- 7.30 The John Moore report⁶³ highlights an area (in green) which is "*the area that should be withheld from development to ensure the least impact to these heritage assets*". This "*designed landscape setting implication*" is essentially all of the north and south west quadrants of the site. The figure on page 266 of the same report includes a smaller shaded orange area described as "*Scheduled monument and listed building setting implication*". That shows an area where each heritage asset has a relationship with the other. There are no grounds to suggest that the "*designed landscape setting implication*" in the John Moore report was influenced by the outcome of the decision on the planning application.
- 7.31 The appeal scheme fails to respect the open context which allows the relevant heritage assets to be understood. The scheme mostly fills the south-west quadrant of the appeal site with residential development, and comes within 50m of the SM. Although the majority of the north-west quadrant is left open there is nonetheless encroachment of development into this area. This would leave the assets heavily influenced by suburban residential development.

⁶² CD20.1

⁶³ Paragraph 4.7.3 of the John Moore Heritage Services: Heritage Impact Assessment of South Oxfordshire Local Plan 2034 Potential Strategic Sites, March 2019 (CD13.3)

- 7.32 The existing university buildings occupy only 70 degrees of the field of view from the on-site SM. They leave it predominantly open. The proposed development would see this extend to more than 180 degrees, due to the spreading of development to the north and to the south west of the site. This impact would be exacerbated by the new access road which would comprise a double streetway, with kerbing and streetlighting. The illustrative layouts suggest a corridor could be kept open to the south of the on-site SM, but this would be a channelled view through residential development. By reducing openness in this way, the effect of the proposed development would be to significantly diminish the context of the SM and Holton Park that enables them to be understood and tell the Holton Park manorial story.
- 7.33 In terms of Holton Park, only 40 of the 130-degree view cone from the rear windows of the building comprise built development. This would increase to 93 degrees. Presently, the closest 2 storey buildings on the appeal site are 265m away, but the proposed development would be as close as 180m, with the access road being closer still.⁶⁴
- 7.34 Based on changes to the setting of the SM, the Council considers the proposal would result in less than substantial harm of a moderate extent. There would be noticeable changes to the setting of Holton Park, which supports a conclusion of less than substantial harm of minor extent. The same extent of adverse impact would be seen in respect of the off-site SM and associated listed structures. It is striking that HE, the Council's Conservation Officer and the authors of the John Moore report come to similar conclusions.
- 7.35 The removal of the tower would have a minor positive effect upon the significance of the heritage assets. In respect of the SM and Holton Park, the tower is several hundred metres away and well screened by parkland trees. The view of the tower from the churchyard is a seasonal, filtered, distant and incidental one. Although there may be some limited heritage benefit in redesign and tree planting in the north-west quadrant, it falls well short of counterbalancing the harm that would be caused by the encroachment of built form into the settings of the heritage assets and the reduction of the north-west open area itself by 0.8ha.
- 7.36 Paragraph 196 of the Framework requires harm to be identified. It is only then that benefits can come into play in determining whether any harm is outweighed. This approach is supported by paragraph 193 and the requirement to give "great weight" to an asset's conservation. This must require a separate consideration of harms from benefits.

Accessibility

- 7.37 There is a good range of facilities and services in Wheatley but to comply with the Development Plan and national policy and guidance those facilities and services need to be accessible by sustainable modes of transport.
- 7.38 The distances to the facilities and services in Wheatley are significant. With the exception of the Wheatley Park Secondary School and the Park Sports Centre (both of which are on the Holton side of the A40) and the doctor's surgery at

⁶⁴ ID12

Morland House, all of the facilities are over 1km away, with the primary school 1,407m and the Asda 1,739m⁶⁵.

- 7.39 The IHT's Guidelines for Providing for Journeys on Foot 2000⁶⁶, gives a 'desirable' walking distance of 400m, an 'acceptable' walking distance of 800m, and a 'preferred maximum' distance of 1,200m. All the facilities exceed the acceptable distance, and many exceed the preferred maximum. Paragraph 4.4.1 of Manual for Streets⁶⁷ states:

"Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km. MfS encourages a reduction in the need to travel by car through the creation of mixed-use neighbourhoods with interconnected street patterns, where daily needs are within walking distance of most residents."

- 7.40 Two other factors emphasise the need for sustainability improvements to be very effective if the appeal scheme is to be sustainable. First, the A40 adds to the perception of separation. Walking through an underpass or on an overbridge to get across 4 lanes of trunk road is unattractive and a deterrent. Secondly, the scale of the appeal scheme is strategic. When so many people are affected, it is particularly important that the scheme is a sustainable one.
- 7.41 The eLP recognises this. STRAT14 notes that provision is likely to be needed for "cycling and walking links into the centres of Holton and Wheatley and to the primary school". The cycle and pedestrian provision across the bridge is unsatisfactory. The scope for further cycle lanes to, from and around Wheatley could also be explored; the narrowness of some historic streets may mean there are limits to what can be achieved, but the Council is not satisfied that all avenues have been explored.
- 7.42 The Appellant has proposed accessibility and connectivity improvements from the site to Wheatley, which have been sufficient to satisfy the Highway Authority. The Council have had regard to that view but have reached a different judgement that in light of all the above factors.
- 7.43 In the direction of Holton, the shortcomings of the scheme are particularly stark. There are no existing adequate footpath or safe cycle links with Holton. The scheme does nothing to improve this, providing no connectivity improvements with Holton. Being divorced from Holton in this way despite lying in its parish is unsatisfactory in social and sustainability terms.

Housing requirement

- 7.44 This issue is of importance both to this appeal and more widely. The starting point must be national policy in the Framework. Paragraph 73 and footnote 37 are the principal provisions. In the present case, where strategic policies are more than 5 years old, paragraph 73 and footnote 37 are clear that housing

⁶⁵ Accessibility SOCG table 5.1 (CD16.4)

⁶⁶ CD14.17

⁶⁷ CD14.3

supply is to be calculated against local housing need. For these purposes, local housing need is expressly defined as “*the standard method set out in national planning guidance*”. There is a critical difference with plan-making. In the plan-making context, paragraph 60 entertains the possibility that exceptional circumstances might justify an alternative approach to the standard method. In the decision-making context, paragraph 73 entertains no such possibility. Annex 2 puts the matter beyond doubt: in the “*context of preparing strategic policies only*” can an alternative to the standard method be adopted.

- 7.45 The October 2018 Technical Consultation explains that these amendments to footnote 37 and Annex 2 were introduced to remove any ambiguity on this issue⁶⁸. The PPG is to the same effect: ID68-005 and other paragraphs provide that the standard method is to be used in these circumstances. The Appellant’s reliance on ID21-010 regarding alternative, higher housing requirements than that derived from the standard method fails to have regard to the fact that that paragraph is clearly talking about plan-making.
- 7.46 The Appellant has sought to argue that the Framework permits a different approach, by reference to: (i) the WMS, (ii) the OHGD, and (iii) the Government’s response to the ‘Partnering for Prosperity’ NIC report⁶⁹. For the following reasons, it is considered the Appellant’s approach is wrong in relation to all 3 documents.
- 7.47 Paragraph 6 of the Framework provides that Written Ministerial Statements may, as statements of government policy, be material. The WMS does not however, change the housing requirement for the Oxfordshire authorities. Its actual effect is to implement one specific change to national policy. This is found in the fourth paragraph of the WMS: “*For the purposes of decision taking under paragraph 11(d), footnote 7 of the Framework will apply where authorities in Oxfordshire cannot demonstrate a 3-year supply of deliverable housing sites (with appropriate buffer, as set out in paragraph 73)*”. That amends footnote 7 as it applies in Oxfordshire. Nowhere does the WMS amend paragraph 73 or Annex 2 so as to provide that the Oxfordshire authorities should calculate housing supply by reference to a requirement other than that derived from the standard method.
- 7.48 The actual words of the WMS must be respected. It is not possible to read in to the WMS, as the Appellant would like to do, an obligation on the Oxfordshire authorities to calculate supply for decision-taking purposes by reference to a housing requirement derived from the SHMA, including a sizeable chunk of Oxford City’s unmet need. Nor does the OHGD amend national policy so as to mean that South Oxfordshire is obliged to use a non-standard method housing requirement. The OHGD is all about planned growth⁷⁰. The 100,000 homes should not therefore be delivered through speculative applications and appeals outside the plan-led system, such as the present one.
- 7.49 The Government response to the NIC report became a key plank of the Appellant’s case, despite it only featuring in a single footnote in Mr Ireland’s PoE. Paragraph 6 of the Framework also provides that “*endorsed*

⁶⁸ Appendix 7 paragraphs 30-34 (PoE/NI)

⁶⁹ CD 20.6

⁷⁰ Paragraph 1.2.3 of the OHGD Delivery Agreement (CD15.7)

recommendations of National Infrastructure Commission” are statements of government policy which may be material. However, recommendation 6 which states, that agreements between central and local government must not lead to a drop-in supply⁷¹, is not an endorsed recommendation. Rather the response explains that it has negotiated a bespoke agreement with the Oxfordshire authorities. That obviously implies that one must look at the precise terms of the bespoke agreement itself to understand its implications.

- 7.50 The Appellant also relies on the reference to “*ensuring land supply will increase despite flexibilities agreed to the application of the 5-year land supply requirement*” and the “*authorities planning for significantly greater levels of housing growth than their Local Housing Need assessment*”⁷². However, the Government’s response is plainly referring to the WMS’s expectation that although fewer permissions may be issued in the short term, land supply would increase in the longer term through the significant growth being planned for. Using the standard method together with a 3YHLS is entirely consistent with that. It is also consistent with the purpose for which the WMS 3-year flexibility was negotiated: temporary breathing space to allow resources to be focused on ambitious plan-making, without resources being constantly diverted to dealing with speculative applications and appeals based on an alleged lack of land supply. This is set out in the Growth Board report and consultation documents which preceded the adoption of the flexibility.
- 7.51 The WMS provides that the SoS will monitor progress against the Growth Deal timescales and keep the 3-year flexibility under review. No alterations have been made to the flexibility, no doubt because all the plans were submitted by the 1st April deadline and the JSSP is progressing.

Housing land supply

- 7.52 As set out above, the Council is required to demonstrate a 3YHLS against a housing requirement derived from the Standard Method. This it can do very comfortably with a supply of 9.71 years⁷³. Even on the Appellant’s supply figures, the Council can demonstrate a 3YHLS of 5.4 years.
- 7.53 The figure only drops below 3 years in Table 3⁷⁴ if: (i) the housing requirement is made to match the housing numbers in the OHGD, i.e. 775pa and 495pa from 2021; and (ii) the Appellant’s supply figures are used.
- 7.54 For the reasons set out above, the OHGD housing numbers cannot possibly be the appropriate housing requirement for decision making in advance of plan adoption. Accordingly, whether the Council’s or Appellant’s deliverable supply figures are used, the Council has requisite supply and paragraph 11(d) of the Framework is not engaged. As observed in the Lower Shiplake decision⁷⁵, there is no point in examining the supply figures.
- 7.55 Nevertheless, as the Appellant has advanced its argument based on a higher requirement figure, it is necessary for the Council to address the supply issues.

⁷¹ Final paragraph page 16 (CD20.6)

⁷² Page 17 (CD20.6)

⁷³ Table 2, Housing SOCG (CD16.5) reproduced in Appendix E

⁷⁴ Appendix E to this report

⁷⁵ PINS Ref: APP/Q3115/W/19/3220425 Paragraph 48 (ID4)

The starting point is to have close regard to the definition of deliverable in Annex 2 of the Framework. As the SoS made clear in the recent North Worcestershire Golf Club decision⁷⁶ “*realistic prospect’ remains the central test against which the deliverability of all sites must be measured*”.

- 7.56 On several of the disputed sites specific SoCGs have been signed by the Council and the developer. These are important because they are evidence direct from the developer, i.e. the person who is in the best position to assess deliverability. The Appellant warns against developer’s ‘talking up’ delivery to curry favour with the Council. However, as the Appellant’s witness accepted, there is no real basis to approach the developer’s statements on that disbelieving basis. The information listed in the SoCGs is carefully aligned to the categories of evidence suggested in the PPG⁷⁷.
- 7.57 The Appellant’s approach to supply is essentially to identify where more information particularly around the status of reserved matters applications could be provided. But discussing the progress of every reserved matters application would be disproportionate and excessive. Unless there has been some significant delay in the determination of a reserved matters application, the submission of a reserved matters can of itself contribute to ‘clear evidence’.
- 7.58 The Appellant has raised concerns about the dates of some of the SoCGs. However, there is no requirement for evidence to pre-date the base date. Neither the Framework nor PPG support that and the Inspector in the North Worcestershire Golf Club appeal expressly recognised that evidence could legitimately post-date the base date⁷⁸.
- 7.59 A proper understanding of the nature of the exercise means that evidence is likely to post-date the base date. The base date is a fixed point in time for monitoring and data collection. All completions must be collected up to that date. All outline and detailed permissions issued up to that date, along with all allocations (e.g. in a Neighbourhood Plan) and resolutions to grant need to be taken into account. Given that completions / permissions / allocations / resolutions will still be happening up to the end of 31st March, collection of evidence as to the deliverability of those permissions / allocations / resolutions will necessarily be a retrospective exercise after 31st March. Even if a permission has been issued well before 31st March, deliverability needs to be assessed around the base date. The Appellant suggested the Council should collect all the evidence in January / February. But in addition to missing permissions / allocations / resolutions from after that date, the Council would miss any change of circumstances up to the base date.
- 7.60 The Council’s evidence of lead in times and build out rates, contained in Appendices B and C of the HLSS is also important in contributing to the clear evidence required. Its robustness derives from the fact that it is both recent and derived from the local area. The Appellant was critical that one of the averages was derived from 4 sites, which was asserted not to be sufficient. But there is no reason why an average from 4 recent and local sites should not give a reasonable idea of future rates.

⁷⁶ PINS Ref: APP/P4605/W/18/3192918 (Duffy Rebuttal PoE Appendix N)

⁷⁷ ID68-007

⁷⁸ Paragraph 14.48

- 7.61 On windfalls and non-implementation rate, the Appellant appears to have misunderstood the Council's approach. The Council includes 666 small site permissions for years 1 – 3 because they have got permission, not because they are windfalls. For years 4 – 5, the Council does include a windfall allowance of 100pa, because past windfall rates provide the compelling evidence that paragraph 70 of the Framework requires. The Appellant's attempt to apply a windfall rate across all of years 1 – 5 fails to appreciate that for years 1–3 the existence of actual permissions means that there is no need to apply a windfall rate.
- 7.62 Finally, on supply, the Appellant was critical of the inclusion of allocations and resolutions to grant in the supply. But the Framework expressly lists allocations as a category for which clear evidence may be sufficient to show deliverability. If allocations can be deliverable, it must follow that resolutions to grant can be deliverable, given that a resolution shows a site more advanced than if it only has an allocation. The Councils housing supply figures are set out in Appendix E to this report.

Affordable housing

- 7.63 The affordable housing proposed is a significant benefit of the scheme. Affordability is an issue in the district and there is need for affordable housing.
- 7.64 That said, the extent of the benefit should not be overstated. The Government does not impose any separate policy requirement in respect of affordable housing supply or delivery. The Council is meeting the two key policies in respect of housing supply and delivery, of which affordable housing supply and delivery will form part: 5YHLS and the Housing Delivery Test.
- 7.65 The Appellant criticises the Council for not having met the affordable housing need in full. The SHMA identifies a full need of 331pa and the Council's average over the last 7 years or so is 201pa. But the trend is upwards, and last year the 331pa was exceeded. Further, the difficulties of delivering affordable housing to meet the need in full are well recognised in the SHMA⁷⁹.
- 7.66 The Standard Method is the Government's default methodology for arriving at a housing requirement and while it incorporates an uplift for affordability, it does not attempt to impose a requirement which incorporates full affordable housing need.

Very special circumstances and the planning balance

- 7.67 The scheme is inappropriate development in the Green Belt. Very special circumstances are required for permission to be granted. On the harm side, there is the definitional harm by reason of inappropriateness, along with the other Green Belt harm, i.e. to openness and conflict with Green Belt purposes. Substantial weight must be given to all that harm.
- 7.68 There is also non-Green Belt harm. This includes the overall landscape and visual harm, the harm by reason of poorly connected and inaccessible development, and heritage harm. In accordance with paragraph 193 of the Framework great weight must be given to the heritage harm.

⁷⁹ Paragraph 6.82 (CD10.6)

- 7.69 On the benefits side of the balance, significant weight is to be given to the affordable housing. The market housing does not attract significant weight, given the Council has a comfortable 5YHLS. The removal of the tower is a benefit. This is so in landscape, visual and Green Belt openness terms, but the Council's evidence concludes that it does not outweigh the harm caused in respect of those matters. It is less of a heritage benefit: any heritage harm that is being caused by the tower is minor and any benefit by its removal is correspondingly minor. Other heritage benefits, for example some parkland tree planting in the north-west quadrant, are also minor. There would be some sustainability benefits to residents of Wheatley as a result of the package of accessibility improvements, benefits as a result of reinvestment of funds in other OBU campuses, and some short-term construction benefits, but none of these are in the 'significant' category.
- 7.70 The 2 Green Belt Ministerial Statements⁸⁰ are highly relevant in the very special circumstances balance. The Government has made clear that unmet need is "*unlikely to outweigh harm to the Green Belt and other harm to constitute the very special circumstances justifying inappropriate development in the Green Belt*". The effect of the ministerial statements is that, when an Appellant relies on meeting housing need as the principal benefit of a scheme, as the Appellant is clearly doing in the present case, they are unlikely to be able to establish very special circumstances.
- 7.71 Paragraph 11(d) of the Framework requires it to be asked whether the policies which "*are most important for determining the application are out of date*". The most important policies are those in the RfRs. The Core Strategy policies relied on are clearly not out of date, having been adopted after the Framework and having been tested for consistency with it. The tilted balance is therefore not engaged. Even if it was, the application of Green Belt and / or heritage policies would provide a clear reason for refusing the appeal scheme in the present case.
- 7.72 There is conflict with the adopted development plan as a whole. There is conflict with the eLP, insofar as any weight can be given to it. There is conflict with national policy and therefore the appeal should be dismissed.

8. The Case for Oxford Brookes University

The case for the Appellant is summarised as follows.

Overview

- 8.1 The appeal scheme is a proposal for housing on a site proposed as a major draft housing allocation in the eLP. The site has been identified as suitable for housing, being previously developed land in the Green Belt, visually well contained, located on the edge of a large village with plenty of local services, in close proximity to Oxford, accessible by a dedicated cycle route and with good existing bus services. The proposal would also see the removal of a collection of large and unsightly institutional scale buildings including an incongruous 35m tower block.

⁸⁰ CD11.1 & 11.2

- 8.2 The proposal was recommended for approval by the professional planning officers of the Council. The site is wholly owned and promoted for development by OBU. The receipts from the land sale would be used to improve and expand the University's main Headington campus in Oxford, which would deliver a much better experience for the students who go to study there. The relocation from the appeal site has already commenced and is due to be completed by 2020/2021. After this, the site would become a large vacant and abandoned site, containing a huge mass of vacant and abandoned buildings.
- 8.3 The appeal is to be determined by the SoS who is known to support the eLP, which includes this allocation to progress and be adopted as soon as possible. The actions of the new political administration in South Oxfordshire has led directly to the SoS's intervention in the plan-making process and his expressly stated view that the plan as proposed should progress as soon as possible.
- 8.4 When OBU first notified the Council of its intention to vacate the appeal site, Officers immediately recognised its potential. The Appellant was encouraged to both pursue an allocation in the eLP and to prepare and submit a planning application for its redevelopment. Extensive pre-application discussions took place between 2016 and early 2019, which followed precisely the approach advocated in paragraphs 39-42 of the Framework. After the planning application was submitted, it was subject to detailed discussion with officers and various amendments were made including a reduction of development in the western part of the site and a reduction in volume, which the Appellant achieved not through a reduction in numbers but through a move from houses to apartments as the main form of housing. Apartments which would, of course, be much more affordable than houses. The Appellant has been on a long journey with this proposal. Always seeking to achieve a planning permission without recourse to an appeal. It has fully engaged in public consultation. Indeed, as the Council accepted at the Inquiry, there is not much more the Appellant, nor its consultants could have done in terms of seeking to positively engage and promote the proposal.
- 8.5 The Council's decision to refuse planning permission is based largely on the view that only the central and eastern parts of the site should be developed. However, that is inconsistent with the decision to remove the whole site from the Green Belt in the eLP and policy in the Framework that planning authorities should "*make as much use as possible of suitable brownfield land and underutilised land.*"
- 8.6 Once the development of the site begins, the remaining parts of the campus would self-evidently be underutilised, as indeed is the case at the moment. The north-west quadrant is not proposed for development, save originally on the south western edge of it, because of the proximity of designated heritage assets. These issues do not however apply to the south-western quadrant of the site which is currently unused and contains no heritage assets. Development in this area makes sense in order to ensure the new community is well connected, not isolated from the rest of Wheatley and that pedestrians are well overlooked in that area.
- 8.7 It is critically important to note that the concept plan in eLP Policy STRAT14 which seeks now to limit the allocation to the central and eastern parts of the site, was only issued to the Appellant and wider public on 7 January 2019, well

after the Council had issued its decision. Given its timing, it is difficult to accept that the concept plan was not influenced by the decision of Members to refuse the application citing concerns about development on the western part of the site. With a difficult decision to defend, the Council had an opportunity to put in a defensive plan to suggest the western part of the site should not be allocated. At the very least, it is possible to say that the Members had an opportunity to produce a concept plan after the refusal which would assist in defending their RfRs.

Policy context

- 8.8 The Council has cited conflict with various saved policies with the LP adopted in 2006. This was a complete local plan, as was normal before the 2004 Act. It was adopted 6 years before the Framework was published and only covered the period to 2011, meaning it was adopted in only the last 5 years of the plan period.
- 8.9 The whole planning regime in 2006 was very different to the post Framework era. The housing requirement, the key component of the plan, was based on RPG and structure plan targets from household projections which are now about two decades out of date. There was no requirement to boost significantly the supply of housing, no requirement for identifying an Objectively Assessed Need (OAN) and no presumption in favour of sustainable development. Heritage and Green Belt policy was also different.
- 8.10 When the Council failed to adopt an LDF by 2007, the policies in the LP had to be saved by the SoS. This plan does not meet the requirement for the Council to have an up-to-date local plan. The LP is a plan which is now painfully out of date both in terms of its purpose, its strategy, its content, and its policies and is not a strong foundation upon which to refuse planning permission.
- 8.11 The CS is more recent, having been adopted in 2012. Although the Examining Inspector expressly stated that he had consideration to the Framework, the Examination hearings took place mostly in 2011, with just a few days in May and June 2012⁸¹. The CS is constrained by the need to use the housing requirement in the RPG which remained in place until 25 March 2013. Paragraph 218 of Annex 1 of the 2012 Framework allowed Councils and Inspectors to give full weight to relevant policies adopted since 2004, even if there was a limited degree of conflict with the Framework. Moreover, the Examining Inspector had to rely on RPG housing requirements because he had not been presented with an OAN figure at that stage. The guidance on how to calculate OAN was not published by the Government until March 2014. The consequence of all this, is that the Council do not have an OAN figure and therefore their housing requirement is not, and never has been, compliant with the Framework.
- 8.12 The policies contained in the CS were drafted, evolved and largely examined under the previous national guidance save for some modifications in 2012. Some of the policies relied upon by the Council such as Policies CSEN2 and CSEN3, are worded to be high-level strategic policies rather than development management policies. The Council should not really be relying upon them for development management purposes. This problem with the CS stems from the

⁸¹ CD5.3

fact that it is only half a plan. Core Strategies were intended to be the strategic element of the LDF. The CS was never meant to be the full plan and was supposed to be accompanied by a development management policy document and allocations DPD. Those documents were never produced, the result being a plan which fails in its purpose and content to be up to date and most especially contains policies which offer little guidance for determining applications such as this one.

- 8.13 In a recent s78 appeal decision⁸², the Inspector found that the CS' plan strategy and a series of landscape and countryside protection policies were out of date. The eLP is designed to overcome all of the problems with the existing plans. It is intended to be Framework compliant. A brief review of its proposed policies reveals a suite of policies which seek to address the OAN for housing in South Oxfordshire, meet unmet need from Oxford, allocate the sites needed to meet these housing needs and offer development management policies which are consistent and aligned with the Framework
- 8.14 The problem is the Council is now looking to withdraw the eLP as is made clear from the resolution made by the Council's Cabinet in September. So, having finally prepared a Framework compliant, up-to-date development plan, and having submitted it to the SoS, the Council are now looking to abandon it. The Council's position is untenable. Their claim that their existing plan is not out of date is completely lacking in credibility, as evidenced by their own eLP. The eLP should have been Examined by now. Instead there is no up-to-date plan at all. That is important when considering whether this proposal should be allowed because the appeal site is a key housing allocation in the eLP.
- 8.15 The Council has referred to this as "*speculative development*". It is the antithesis of speculative development. It is a proposal on an allocation in a draft plan.
- 8.16 The Appellant has carefully considered the issue of datedness⁸³ following the Wavendon⁸⁴ approach. The Appellant's conclusions on the matter are closely aligned with those of the professional officers⁸⁵ as expressed through the Committee Report. The recommendation to approve the appeal scheme was not taken on the basis of compliance with the eLP but rather the existing development plan.
- 8.17 This is not a conclusion that was taken lightly by the professional planning officers of the Council. They know how their policies are designed to operate and the significance of compliance with the Framework and its requirements. It is not credible to suggest that Members of the Planning Committee, have the same level of understanding of planning policy as professional officers. The Council's Members who took the decision in this case were not present to give evidence at the Inquiry.

⁸² Lower Shiplake decision Ref: APP/Q3115/W/19/3220425 (ID4)

⁸³ Section 5, Gardner PoE

⁸⁴ Wavendon Properties Ltd and SoS for Housing Communities and Local Government and Milton Keynes Council [2019] EWHC 1534 Admin (CD9.15)

⁸⁵ Paragraph 7.1vii (CD4.1)

The eLP

- 8.18 The eLP proposes that the whole campus should be removed from the Green Belt and allocated for a minimum of 300 houses. The policy wording suggests the development should be focussed on the previously and eastern part of the site and that is what the appeal scheme seeks to do with the overwhelming majority of the development and the units focussed in this way.
- 8.19 The sensitive north-west quadrant would not be developed for houses, whilst the housing proposed in the south west quadrant is very much lower density, with numerous green areas proposed, as is clear from the land use parameters plan. The plan also shows that nearly half the site is proposed for green infrastructure, the overwhelming majority of which would be on the western part of the site.
- 8.20 The SoS, who is known to have reservations about the Council's intention to withdraw the eLP, will make the decision in this case. Withdrawing the plan has profound implications not just for the Council, but also for the Growth Deal which has been signed by all the local authorities in Oxfordshire. It also has profound implications for the future progress of housing in this country, as this is by far the highest profile Growth Deal, forming the first part of the Arc of Growth proposed between Oxford and Cambridge, a matter which the SoS himself has invested a huge amount of his time and effort before he was elevated to the position of SoS in July of this year.
- 8.21 On 29 March 2019, the eLP was submitted to the SoS for Examination. Following local Council elections in May, the new political administration sought to abandon the eLP, in doing so, to turn its back on the pressing need for more housing in the district and the county and significant investment which was to be made in infrastructure.
- 8.22 There was at this inquiry, a rare opportunity to cross-examine both the previous head of the planning committee who promoted the eLP and one of the new Councillors. The contrast in their approach could not be more evident. The former member spoke passionately about the plan and the Growth Deal, the need for the investment in South Oxfordshire and the county as a whole.
- 8.23 The new elected Councillor was, by contrast, concerned primarily with seeking to question the housing growth under the guise of a concern for climate change. The climate change agenda is not a sound basis for refusing to provide people with homes and the homes they can afford. In fact, it does the exact opposite. It causes such people to have to live further and further away from where they work, adding to travel distances, congestion and air pollution.
- 8.24 This is a Council where many of the new local councillors were elected on a NIMBY stop-the-plan ticket, with no sense of any wider responsibility for addressing the housing crisis in South Oxfordshire. During July and August 2019, the Council indicated their intention to review previous commitments to the eLP and OHGD. On 20 September 2019, the Ministry of Housing, Communities and Local Government's Director General for Decentralisation and Growth wrote to the Council making clear that any withdrawal "*would not be without consequences*" including putting at risk further Government investment which was dependent on providing "*certainty that the full number of houses will*

*be delivered*⁸⁶. On 9 October 2019, the Holding Direction was issued by the SoS seeking to prevent the plan from being abandoned by the Council. The Holding Direction advised the Council not to take any steps in connection with the adoption of the Plan, while he considered the matter further.

- 8.25 The Council's proposed withdrawal of the plan is a seriously retrograde step, flatly contrary to Government policy nationally and jeopardizing the position of the other Oxfordshire local planning authorities. In the prevailing development plan-led and OHGD context, the Council cannot avoid the clear national policy imperative of boosting the supply of housing, by abandoning their plan.
- 8.26 Should the SoS conduct his own examination, it is submitted that there is no prospect of the removal of Policy STRAT14. In their correspondence with him, the Council have highlighted the fact that the SoS has made clear he supports the plan. In the unlikely scenario that the plan is permitted to be withdrawn, a development plan vacuum would open in which the presumption must apply with particular force to support the grant of permission on previously allocated sites.
- 8.27 As such, in the short term, at least, those in need of housing in South Oxfordshire must again rely on the development industry and the planning appeal system to deliver new homes because as recent events testify, that is not something which this Council is well equipped to do. The University did not take the decision to appeal this proposal lightly. It spent a long time considering whether to do that in the first half of this year. But now it has, recent events suggest it was absolutely the right decision to make, as the plan may be years away, if indeed it is not abandoned.
- 8.28 Although no weight can be given to the eLP in the current circumstances, the same cannot be said for the evidence base. It is this evidence which lies behind the decision to select this site for large scale housing development and to release the site from the Green Belt. That is contained in the various reports which the Council commissioned into suitable Green Belt sites and which are set out in the SoCG on landscape.
- 8.29 This evidence base supports the development of the site for significant housing. The only real consequence for decision making at this stage is that the appeal must be approached on the basis that the site remains for now in the Green Belt, which means the policies relating to sites in the Green Belt must be addressed. That is how the Council officers approached the matter. In so doing, they reached the conclusion that the proposal met the Framework 11 c) test and therefore it was unnecessary to consider the tilted balance in paragraph 11 d).

Green Belt - Inappropriate development

- 8.30 The whole of the appeal site should be treated as PDL in light of the fact that the definition of PDL includes the land occupied not just by a permanent structure, but also the curtilage. In this way gardens around, big houses were often considered to be PDL for the purpose of what has become known as garden grabbing.

⁸⁶ CD15.15

- 8.31 'Curtilage' is not a term defined in legislation or the Framework. There is case law but it is vague in the extreme. Most of the case law relates to individual houses and the land around it. In that sense it has little currency in respect of this site. There is no case law relating to the definition of curtilage in respect of a university campus.
- 8.32 Where the case law does exist, it makes clear it is a matter of fact⁸⁷ and a matter of fact and degree⁸⁸. That makes a challenge to any decision on what is the curtilage by the decision maker very difficult to challenge.
- 8.33 A university campus is not a single house or building. In this case most of the buildings on the campus are not houses but large buildings located in close proximity together. With little space between the buildings, the open land is as much a part of the campus as the buildings. The open land around the buildings form part of the campus. The two plainly work together to create the campus and the open fields are very obviously necessary to the buildings and used in a reasonably useful way, because the open spaces and playing pitches are part and parcel of the whole composition that is a purpose build 1970s campus.
- 8.34 It is in the nature of a campus, properly understood, that the land and the buildings are intricately and inextricably linked to form the whole. The dictionary definition of campus is "*the buildings of a college or university and the land that surrounds them*"⁸⁹. That sits comfortably with the way in which the word curtilage is approached in the case law cited above.
- 8.35 On the basis that the land within the campus is PDL then its full redevelopment is to be judged not in appropriate development in the Green Belt if either of the two requirements in paragraph 145g) of the Framework are met. The first test requires the decision maker to consider whether the development would have a greater impact on the openness of the Green Belt than the existing development. The Appellant believes this test is met. The new second, and more permissive test, requires the decision maker to consider whether the development would cause substantial harm to the openness of the Green Belt, where the development would re-use PDL and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 8.36 The second test which allows the opening up of more opportunities for development in the Green Belt must be seen as a significant development, especially in the face of such strong political pressure to protect the Green Belt at a national level.
- 8.37 There is no dispute that the appeal proposal contributes to meeting an identified affordable housing need. The Council also accepts⁹⁰, that Framework paragraph 145g) applies to a significant amount of the site. The Appellant is plainly not seeking to develop any of the north-west quadrant, which is given over to sporting and recreational use, with the opportunity to enhance the area close to

⁸⁷ Methuen-Campbell v Walters [29179] QB 525. (CD19.2)

⁸⁸ Skerrits of Nottingham Ltd v SSETR [2000] 2 PLR 102 (CD19.3)

⁸⁹ Gardner PoE, paragraph 12.14

⁹⁰ Landscape SOCG (CD16.2)

the Holton Park with parkland. So the question is whether the proposal would cause substantial harm to openness. The critical issue is the effect of both the demolition of the existing built development and the effect of the new development on openness. That includes both the spatial and visual aspects of openness as set out in the PPG.

Openness

- 8.38 Whether the proposal causes harm to openness is a matter of planning judgement. The courts and now the PPG make clear that it is a matter to be looked out in both spatial and visual terms, and where volume is not the only measure.
- 8.39 The Appellant's approach to openness is two-fold. It relies on a volume analysis to demonstrate that the proposal falls within 145g) and if that fails, it seeks to demonstrate that very special circumstances exist. In *Turner v SSCLG*⁹¹ the Court of Appeal was keen to go out of its way to hold that openness is not solely about a volumetric issue but is more "*open-textured*". The Court was keen to emphasise the implicit nature of the visual amenity aspect of the issue of openness. This case was pre-dated the new second test in paragraph 145g)ii). Yet the importance and consideration of visual aspect surely lends itself more to the new test of considering whether the proposal would cause "*substantial harm to openness*".
- 8.40 The volume of the existing buildings has been calculated as 125,500 sqm and is not disputed. It is accepted by the Council that the tower has an impact on openness which is greater than merely its volume. At 35m in height that is plainly so. It has a significant impact on openness. The removal of the tower, as proposed with this scheme, is a significant benefit to improving the openness of the Green Belt in this area. There is another significant benefit associated with the removal of the other large institutional buildings around the tower, which are appropriately described as an agglomeration of buildings. The removal of all the buildings is plainly beneficial to openness.
- 8.41 It is the net effect of the proposal with this removal and its replacement by the proposed development which is important. The appeal scheme proposes a development of up to 500 homes. As this is an outline scheme the Council's professional officers accepted that "*a precise volume calculation of the proposed buildings is not available*"⁹². The parameters plans do however indicate the maximum height of the development. On the basis of that information, the officers were happy to conclude the proposal could be built so that it had no greater volume. It is of course, entirely in the gift of the Council at the reserved matters stage, to ensure the development does not result in a material increase in volume.
- 8.42 The volume is therefore assumed to be similar. The Council's volume calculation is based on unsubstantiated assumptions that the proposal would have to come forward in accordance with a SHMA compliant mix of house types. In practice the site would come forward with a proposal suitable to this site. If the Council want the volume to match that of the existing development, it would be within

⁹¹ Paragraph 14 (CD9.7)

⁹² Page 19 of Committee Report (CD4.1)

their gift to control the housing mix to that end. It should be noted that the application was amended before determination at the behest of officers to move away from a SHMA-based mix to a largely apartment-based scheme to address the officer's concerns about matching the volume of the existing built development.

- 8.43 The Council's evidence also relies on a volume calculation which assumes the maximum heights used in the parameters plan for the whole site. Similarly, control over building heights would be entirely within the gift of the Council at the reserved matters stage. They control that process and can make such decisions at that stage. The Council's arguments about needing to include lifts and extra storage space are not based on any market evidence. The Appellant has approached a major housebuilder and established that lifts would not be required for apartments which are 3 and 4 storeys in height.
- 8.44 The national space standards are not required here as there is no adopted development plan policy which requires them, and the delay in the progress in the eLP is plainly the reason that now becomes a very bad point for the Council.
- 8.45 Overall, the development would simply lower and flatten built development across the eastern and central parts of the site. The Council officers accepted this approach as is clear from the last paragraph of the conclusion⁹³. The development would cause no harm (let alone any "substantial harm") to the spatial openness of the Green Belt.
- 8.46 The eastern and central part of the site is very institutional in character and has a clear visual bulk. The removal of the 35m tower would amount to a particular positive benefit in terms of openness, which by virtue of its significant height can be observed from outside the appeal site in numerous locations. It is completely incongruous with the local landscape being unashamedly urban and modern in design. It has no place within the rural character of the local landscape, being both discordant and inappropriate. It sits uncomfortably on the edge of the village of Wheatley undermining the role played by the local church. To simply take the volume of this building as the sum total of the harm it causes to openness is to completely miss the point.
- 8.47 As clarified at the Inquiry the Council's only real dispute is in respect of impacts on openness in the south-western quadrant, in the area between the A40 and the central spine road. As the Appellant's Planning and Landscape PoEs have set out, this area does not itself serve any Green Belt purpose. In terms of the visual impact, this corner of the site is very well contained which has a significant impact on the ability to contain the visual impact on openness. Consequently, the visual impact of the low-density housing would be inconspicuous outside the site's boundaries. Overall the proposal would have a neutral effect on the visual openness within the site and a beneficial effect over a wider area. That would satisfy 145g)i) of the Framework.
- 8.48 The Council may disagree, but their evidence is predicated on erroneous assumptions about SHMA mix, the applicability of the national space standards and the need for lifts. Added to which there is an SPD which allows the University to achieve nearly 200,000m² of built development. That is an

⁹³ Paragraph 7.1vi (CD4.1)

adopted SPD and it is something which the Council has judged acceptable in terms of openness, even whilst most of existing buildings (excluding the tower) would remain in situ.

- 8.49 In looking at openness, the impact of developing the site has been the subject of 3 studies which have considered the potential for development on this site and other parts of the Oxford Green Belt area, including 2 commissioned by the Council. Key conclusions from these studies are as follows:
- (a) All consider the campus is suitable for redevelopment, and generally one of the highest scoring sites in the District in terms of landscape capacity for development;
 - (b) The studies draw a clear distinction between the character of the site and the wider landscape character;
 - (c) They note the adverse effects of the existing 12 storey tower on landscape character, and openness of the Green Belt, and the benefits of its removal;
 - (d) They suggest retaining the north western part of the site in green uses and retaining the most important trees.
- 8.50 The proposal would not cause substantial harm to the openness of the Green Belt. The proposal should therefore be judged not inappropriate development. It follows that there would be no conflict with Policies CSEN1 and GB4 and subject to consideration of the other harms (character, heritage and accessibility, other Green Belt harm if relevant), the proposal should be allowed. There is no need to consider very special circumstances.
- 8.51 If the proposal is judged not to meet the requirements of paragraph 145g) of the Framework, then it will be inappropriate development in the Green Belt. The impact of the proposal on the openness of Green Belt will need to be considered in terms of the Green Belt harm as well as the definitional harm of being inappropriate development in the Green Belt. That is why in decisions where very special circumstances has been proved the Inspector will always look specifically at openness. The same evidence and approach in terms of looking at openness, as set out above, applies and the same conclusion from the Appellant can be adopted in that analysis.

Character and appearance

- 8.52 The appeal site is not a sensitive location in landscape character terms, given its history of built development/regrading and its edge of settlement location, adjacent to the A40. It has no landscape designation and the Council accept it is not a valued landscape.
- 8.53 The site is perceived as one site and the whole site is influenced by the existing buildings. For example, the character of the area of sports pitches is plainly influenced by the buildings adjacent to it. The Council's characterisation of the different parcels of land, with and without built development does not match how the site actually reads on the ground, which is read as whole, being, rather obviously, a campus.
- 8.54 The proposed residential land uses would be significantly smaller in scale than the current educational buildings, with far less bulk and mass than the present

agglomeration of buildings at an institutional scale and would present as more appropriate to a countryside edge location. The spacing and grain of the proposal is much more consistent with the local area.

- 8.55 The north-west quadrant, currently in use as pitches, has very clearly been re-profiled for sports use and has an engineered character. The character and appearance of this north western part of the site would be significantly enhanced by smoothing the engineered slopes and converting back to parkland with additional tree planting.
- 8.56 In this context, there would only be limited and localised harmful residual effects on landscape character and identifiable positive effects. There would be no material effect on the character of the wider landscape.
- 8.57 The Council's case is centred on the claim that the site is part of a historic parkland landscape and that to build upon it would degrade it. However, this is not a parkland. What dominates the site is the agglomeration of institutional scale buildings, including the 35-metre tall concrete tower. The site has already been completely compromised as a historic parkland. And that has been a long, on-going and continually evolving process. The parkland to which the Council refers has, as the John Moore report makes clear, been "*largely degraded following development in the Second World War and after*". However, the Appellant's arboricultural assessment⁹⁴ confirms that many of the trees on site are not from the historic parkland. In any event only 2 mature trees are to be lost, as the proposal has sought to design around them.
- 8.58 The distinction between historic parkland and education campus is plain and obvious. It was brought sharply into focus by the Council's landscape character assessments of 2003 and 2017⁹⁵. These documents locate the appeal site within the Semi-enclosed Farmed Hills and Valley's Character Type within the Mid-vale ridge landscapes. That is in direct contrast to the Parkland and Estate Farmlands character area which lies very clearly on the other side of the A40.
- 8.59 There can be no doubt that the Semi-enclosed Farmed Hills and Valley's Character Type is most appropriate to the appeal site: it specifically describes as part of this character type the area around Wheatley. It does so in these terms "*landscape typically fragmented and intruded upon by roads and built development.*" That description could be written for the appeal site and the area to the west. The A40, the new road system and roundabout by the school and the sheer extent of built development in the area are plain to see. What remains undeveloped land is largely in the form of playing pitches on engineered terraces. 'Terracing' being the word used by the Council's heritage consultants to describe the character and nature of the sports pitches.
- 8.60 This is a University campus and there will be no harm to the character and appearance of the area arising from this development, when one looks at the fact it largely replaces the extent of the built development on site, but with far less height than the tower and no institutional scale buildings.

⁹⁴ CD1.9

⁹⁵ South Oxfordshire Landscape Assessment SPG (2003) (Appendix 4 to CD16.2) & Landscape Character Assessment for the Local Plan 2033 (Appendix 5 to CD16.2)

Heritage

- 8.61 There is one listed building, variously known as Holton Hall, Old Hall, Holton Park which is Grade II and faces directly onto the appeal site, and other such buildings located behind. There is also an on-site SM, which is designated under the Scheduled Ancient Monuments and Archaeological Areas Act 1979.
- 8.62 The appeal scheme does not involve any change to the listed buildings themselves nor the SM. There is however no disagreement that the appeal site falls within the setting of both Holton Park and the SM. The setting of heritage asset is defined in the Framework which makes clear it can change over time as has happened here.
- 8.63 The appeal site, in its current state, reflects the development of the campus from the 1960s onwards. The western part of the site retains little evidence today of its former character as historic parkland associated with the early 19th Century Holton Park. This is due to:
- (a) the extensive groundworks carried out to provide the existing sports pitches and tennis courts on the western part of the site; and
 - (b) its relationship with the developed central & eastern parts of the site, including the tower.
- 8.64 The park is not included on the HE Register of Parks & Gardens and does not have any other form of national or local heritage protection. As a result of the extensive alterations made to the landscape of the campus site in the late 20th Century, the contribution that it makes to the designated heritage assets most affected (Holton Park and the SM) is of a minimal nature.
- 8.65 The John Moore report identifies a brown area which is concerned with the setting of the heritage assets. The proposal does not seek to place development in that area and instead would return much of that area and more to a parkland setting as it has previously been. That is relevant to the listed buildings. It has less relevance to the SM because no one really knows what the SM is and therefore judging what its setting is relies largely on guess work. Nonetheless the Appellant acknowledges the designation and has carefully designed the scheme to leave an open area around the SM so that it can be appreciated by the public who will enjoy full access to the site.
- 8.66 The 2017 Heritage Impact Assessment⁹⁶, seeks to ensure no development takes place *"at the north-western boundary of the site, as this would visually separate the earlier moated settlement site from its successor"* right next to where Holton Park was located. It was not a concern about building on any of the western part of the appeal site.
- 8.67 The SM on the appeal site is almost certainly of post-medieval date, rather than being the site of an early medieval manor. Its setting is fairly described as "bleak and forlorn". Nothing has been done to celebrate it or to interpret it to the public. Again, the area to the south makes a minimal contribution to its setting.

⁹⁶ The South Oxfordshire Local Plan 2033 Heritage Impact Assessment (Oxford Archaeology, September 2017) (CD13.2)

8.68 Both the Council's Conservation Officer and HE recognized the considerable improvements made to the scheme during the determination process. The refusal of the appeal scheme was contrary to the recommendation for approval made the professional planning officers of the Council whose job it is to balance the competing interests in this case, and who expressly stated in the Report to Planning Committee that,

"Having had careful regard to the 'less than substantial' harm (alleged by the Council's Conservation Officer & Historic England), there are insufficient grounds to insist on further revisions, a larger retention of open space or a reduction in unit numbers, on heritage grounds. The location of the residential development (particularly on the western edge), by virtue of the revised layout, would not adversely affect the historic significance to a degree that would warrant refusal, and would not conflict with the Framework or Development Plan in terms of heritage and conservation policy."

8.69 The Council's expert heritage witness fails to give proper weight to the heritage benefits of the appeal scheme which include:

- Reinstatement of a more parkland-like landscape in the vicinity of Holton Park and the SM on the appeal site than that which currently exists, and
- removal of the tower block and the benefits that this will bring to the settings of the designated heritage assets affected.

8.70 These should both be seen as significant heritage benefits of the scheme. The Council's heritage witness suggests the harm is the highest below substantial. That is his explanation of moderate in his proof. That is simply not tenable. And as he accepted his whole approach to that level of harm ignores all the positive benefits to heritage. HE has objected but their opinions are only provided in writing. They cannot be challenged including the assertion about what the SM actually is. Their views must be taken into account. The officers were aware of HE's comments but nonetheless found the public benefits outweighed the harm.

8.71 The public benefits of the proposal outweigh any possible heritage harm. The Council's approach to consider heritage benefits as public benefits rather than reduce the heritage harm seems erroneous when one is tasked with assessing the impact of the proposal on the significance of the heritage asset. The correct approach is to look at the impact on the significance of the asset in terms of the effect of the scheme. Even if the Council is right that simply means there are more public benefits even if there is a degree of heritage harm and it makes no real difference either way. The proposal is said to have no harm on the Grade I listed church. But the heritage benefit is surely taken into account anyway even if that is not the case. Failing that the benefit of removing the tower from the view through the lychgate is a real public benefit⁹⁷.

8.72 In summary, the appeal proposals will not cause harm to what is significant about the setting of any of the designated heritage assets affected.

⁹⁷ Plate 20 Doggett PoE

Accessibility

- 8.73 The appeal site's proposed allocation in the eLP is a direct acknowledgment by the Council that the site is sustainably located. The evidence base undertaken as part of the eLP process further acknowledges "*Wheatley provides a number of services and facilities within walking distance from the site*".⁹⁸
- 8.74 LP Policy T7 states that the District Council will seek to encourage walking as the predominant mode of transport for journeys up to 1 mile, as they recognise that walking and cycling has the potential to replace car use for short trips. The former Planning Policy Guidance Note 13 advised that "*walking is the most important mode of transport at the local level and offers the greatest potential to replace short car trips, particularly those under 2km*". Whilst the PPG has been withdrawn, the advice is retained in paragraph 4.41 of the Department for Transport's Manual for Streets. The eLP evidence base concludes that "*over one third of all journeys to work originating in Wheatley are between 0-5km – a distance which could be made on foot or cycle by most residents*", therefore the site is already well placed for travel by sustainable modes.
- 8.75 There is a very good range of day-to-day facilities nearby, including both primary and secondary schools. Almost all lie within 1-mile walking distance of the site, including the primary and secondary schools, local shops (such as the Co-op foodstore, butchers, bakers), doctors, dentist, pharmacy, leisure facilities, library and post office. These walk distances have been agreed by the Council. Therefore, walk distances accord with local and national policy.
- 8.76 The appeal site has comparable or better accessibility when compared against 2 preferred residential sites in the eWNP. The site is also better located in terms of accessibility when compared to other residential developments which have either been granted planning permission or allowed at appeal. Many of these sites are located a considerable distance from secondary schools⁹⁹.
- 8.77 The Appellant has worked with OCC to develop improvements to the key facilities for pedestrians and cyclists and this demonstrates that the Highway Authority consider that walking and cycling is a realistic transport mode for future residents of the development. A package of improvements to the walk and cycle network have subsequently been agreed with the Highway Authority. These measures include provision of new footways, widening existing footways, provision of cycle lanes, provision of dropped kerbs and tactile paving, provision of formal crossing points, signage and resurfacing of 2 cycle crossing points/ cycleways along the A40. These improvements would benefit future residents of the development as well as existing residents in the village.
- 8.78 The development would also fund a new bus service, serving the site and Wheatley. A financial contribution of £720,000 is to be provided which would fund an additional bus in the commercial fleet for eight years, with a frequency of 30 minutes; this is the highway authority's desired position for this scheme. This has a significant potential to reduce car journeys, by providing an alternative and sustainable means of transport for future residents of the appeal site. The service would also be routed so that it would serve Wheatley village to

⁹⁸ Page 9 South Oxfordshire Local Plan 2034: Strategic Site Selection Background Paper Part 2 (CD 6.3)

⁹⁹ Section 6, Ubhi PoE

the benefit of existing residents, also increasing patronage and therefore viability.

- 8.79 A Travel Plan¹⁰⁰ has been prepared as part of the planning application and agreed by the Highway Authority. Travel Plans are strongly encouraged in both national and local transport policies and seek to change people's travel behaviour.
- 8.80 OCC did not ask for access improvements between the site and Holton. There are evidently very few destinations in Holton and therefore that calls in question why improvements are necessary to make the development acceptable. The Council's case is limited to the church and the village hall. It is also said that because this is a strategic-scale development then one needs to put some infrastructure there.
- 8.81 The Council's case rests to some extent on the fact that the site is in Holton parish. However, the site was selected because it is on the edge of Wheatley. The schools might be in Holton parish but they function as schools for Wheatley.
- 8.82 The Council's case on the footbridge remains unclear and unconvincing. It is said that the bridge road serves as a barrier. However, the site and pathway are at grade. Roads are entirely normal features. Schoolchildren regularly use the bridge without any obvious issue. There is no evidence of pedestrian accidents in this area.
- 8.83 The real nub of the issue is the allocation. The Council have agreed that the south-west quadrant is their main cause of objection. The balance of all destinations is close to that end of the site, and those houses would have the shortest walk, save for Asda. The Council's planning witness accepted that the western end of the village is better located.
- 8.84 Context is everything. This is not an urban area, it is a rural area. Therefore, what might be achieved in London is not applicable in rural Oxfordshire. Paragraph 77 of the Framework states that decisions should be responsive to local areas whilst paragraph 78 emphasises that development may support the vitality of rural communities and services. The Council accept that the development would support these services.
- 8.85 Accessibility is a factor which weighs significantly in favour of this scheme, notably at the south-west quadrant. It is not a proper basis for refusal.

Affordable Housing

- 8.86 The SHMA identifies an annual requirement of 331 dwellings pa between 2013-2031. The Sedgefield method seeks to address the backlog of 713 dwellings in the next 5 years. This equates to an annual figure of 474 affordable homes between 2019/20 and 2023/24¹⁰¹. The Sedgefield approach was endorsed by the Inspector in the Davenham appeal¹⁰² in 2016 who concluded:

¹⁰⁰ CD1.14

¹⁰¹ Pages 57-60, Stacey PoE

¹⁰² PINS ref: APP/A0655/W/15/3005148 (Appendix JS30)

“The Strategic Housing Market Assessment 2013 identified a need for an additional 714 net affordable dwellings per annum between 2013 and 2018 if the backlog for such dwellings are included and delivered within 5 years. Whilst I understand this figure would be considerably less if the backlog of affordable housing demand were to be cleared over a longer time period, I do not understand the Council’s justification for adopting such an approach, especially since it has adopted the ‘Sedgefield’ method in relation to dealing with its overall housing shortfall requirement.”

8.87 The development would provide up to 327 market homes and 173 affordable homes (34.57%). Those in most need should be dealt with in quickest possible time. It is agreed that the existence of either a 5YHLS or (if applicable) a 3YHLS cannot amount to any kind of cap on development. The Council consequently accept that the provision of market housing (irrespective of the 5YHLS position) is a benefit to which “significant weight” must be attached. They further accept that “significant weight” should be attached to affordable housing.

Housing requirement

8.88 The Appellant puts forward 4 possible scenarios:

- 1) Scenario A (the Council’s position) the Standard Method (632dpa from 2019)¹⁰³;
- 2) Scenario B based on the Growth Deal (Oxfordshire SHMA OAN plus South Oxfordshire’s contribution to meeting Oxford City’s unmet need (775dpa from 2011 plus 495 homes per year from 2021))¹⁰⁴;
- 3) Scenario C the Oxfordshire SHMA OAN (775dpa from 2011)¹⁰⁵, and
- 4) Scenario D the South Oxfordshire Local Housing Need (1,035dpa from 2019)¹⁰⁶.

8.89 Scenario A is not appropriate and the Council should not be permitted to rely upon the Standard Methodology figure for the following reasons:

- i. Paragraph 73 of the Framework and Footnote 37 have been amended by the Written Ministerial Statement, following agreement of the OHGD;
- ii. The Council’s acceptance of the OHGD expressly entails acceptance of a higher requirement, and
- iii. Application of the standard methodology would cause the Council to fall significantly behind the necessary growth figures.

8.90 The Council’s case is premised on a narrow reading of paragraph 73 and Footnote 37 of the Framework that local housing need must be calculated using the standard method set out in national guidance.

¹⁰³ Table 2, Appendix E

¹⁰⁴ Table 3, Appendix E

¹⁰⁵ Table 4, Appendix E

¹⁰⁶ Table 5, Appendix E

8.91 Both paragraph 73 and Footnote 37 must be read in the context of the Framework as a whole. Paragraph 59 sets out the national policy imperative of “*significantly boosting the supply of homes*”. Paragraph 60 provides that in determining the minimum number of homes required, it is permissible to use an alternative approach to the standard methodology. This is supported by PPG 2a-010 “*When might it be appropriate to plan for a higher housing need figure than the standard method indicates?*” which identifies the following as “*situations where increases in housing need are likely to exceed past trends*”:

- “*growth strategies for the area that are likely to be deliverable, for example where funding is in place to promote and facilitate additional growth;*
- *strategic infrastructure improvements that are likely to drive an increase in the homes needed locally; or*
- *an authority agreeing to take on unmet need from neighbouring authorities, as set out in a statement of common ground;*”

8.92 Each of these apply directly to the position in Oxfordshire generally and in South Oxfordshire specifically as a constituent authority, as set out below under Scenario B. Paragraph 6 of the Framework further makes clear that its text can be supplemented by further statements of government policy (i.e. of equivalent force), in 2 specific forms:

“Other statements of government policy may be material when preparing plans or deciding applications, such as relevant Written Ministerial Statements and endorsed recommendations of the National Infrastructure Commission.”

8.93 The 12 September 2018 WMS altered the wording of paragraph 11d of the Framework, by reference to the then provisions of paragraph 73. It was clearly the intention of both the Oxfordshire authorities and the Government that the 100,000 homes figure would form the basis for all calculations of housing land supply in Oxfordshire. The Technical Consultation on Updates to National Policy and Guidance did not alter the effect of the WMS, as it was intended to relate to the use of the standard methodology in general: i.e. outside the Growth Deal authorities. Furthermore, the Government had expressly endorsed the NIC Recommendation¹⁰⁷.

8.94 Scenario B is the housing requirement figure which is most consistent with national planning policy as expressed in the WMS. As set out in the Appellant’s evidence¹⁰⁸, the OHGD¹⁰⁹ links the time-limited planning flexibilities which support a 3YHLS threshold to the delivery of 100,000 homes across Oxfordshire between 2011-31, stating: “*any potential flexibility would be granted specifically to support delivery of the ambitious Oxfordshire housing deal to plan for and support the delivery of 100,000 new homes by 2031, and to submit and adopt a joint statutory spatial plan.*”

8.95 The Council’s attempts to argue that a) the OHGD commitments are not relevant to decision-making; and b) decouple the planning flexibilities from the OHGD commitment to higher housing numbers are unfounded. The OHGD and

¹⁰⁷ See CD20.5 & CD20.6

¹⁰⁸ Ireland PoE

¹⁰⁹ CD10.4

the flexibilities come as a package. This is clear from the NIC Report and the Government's response. The Government expressly endorsed the NIC recommendation that to maximise the economic potential of the Cambridge-Milton Keynes-Oxford Arc, current rates of housebuilding need to double to build up to one million homes by 2050. South Oxfordshire sits within the Arc.

- 8.96 The Government's mechanism for achieving this was, and remains, through Housing and Growth Deals of which that with Oxfordshire is the first within the Arc. Recommendation 6 in the NIC Report was that the Government should consider the need for extending flexibilities in the application of 5YHLS requirements but *"only in cases where local authorities agree deals to accommodate significantly higher levels of housing growth."* Such agreements, the NIC said, should be kept under review and *"subject to local areas demonstrating progress in the delivery of major housing growth."* It set out that *"in all cases, agreement must preserve the requirement for local authorities to maintain a supply of land sufficient to enable house building at a rate that would have been required in the absence of any deal to support additional housing growth."*
- 8.97 These recommendations were expressly endorsed by the Government in its response, which in respect of flexibilities in the application of 5YHLS requirements which stated that *"Government would work with local areas on a case by case basis to negotiate bespoke arrangements in exchange for commitment to substantial housing growth, which will ensure that overall land supply will increase despite flexibilities applied to the application of the 5YHLS requirement. The government has done this through the Oxfordshire Housing and Growth Deal, where local authorities are planning for significantly greater levels of housing growth than their Local Housing Need Assessment."*¹¹⁰
- 8.98 This therefore constituted a clear endorsement of the NIC recommendations that would thus be material to deciding planning applications. Indeed, the Government were not merely endorsing the recommendation, they were and remain in the process of actually implementing it in Oxfordshire. As examined in evidence, the application of the 3YHLS together with the standard method would result in a threshold deliverable supply of just 1,896 dwellings above which the tilted balance is not engaged. This falls substantially below the position in which a standard method is used with a 5-year threshold¹¹¹ clearly showing that the Council's position is not consistent with the statements above.
- 8.99 The rationale for the OHGD figure is set out across a series of documents. Each point to particular factors which ensure that the actual housing need is far higher in Oxfordshire than could be provided for under the standard method.
- 8.100 The Oxfordshire Baseline Economic Review¹¹² identified that Oxfordshire is one of the strongest economies in the UK. It is in a strategic location, forming an integral part of the Golden Triangle. It has a series of keystone assets in addition to the globally recognised universities, including two high-level research facilities and major funds of this ensures strong growth. Recent economic performance has been very robust: jobs growth has been 1,400 jobs

¹¹⁰ Pages 16-17, CD20.6

¹¹¹ Table 2, CD16.5

¹¹² CD10.12

per annum since 2011 and within Oxfordshire, 8,650 jobs per annum since 2011. Those are very substantial scales of job growth, absolutely and comparatively. There remains substantial future growth potential.

- 8.101 At the same time, there has been a major affordability problem. House prices are well above regional and national averages. South Oxfordshire's house price stand at 63% above national average. The National Housing Federation report¹¹³ finds that the average house prices in South Oxfordshire stand at 14 times average income. Between 2013 and 2018 average house prices increased in South Oxfordshire by 41%. There is a stronger relative supply/demand imbalance in South Oxfordshire which is already leading to a significant long-term strategic imbalance. Households on lower-quartile earnings are spending 44% gross earnings on rent such that affordability issues exist in both rental and sales market. Poor housing affordability acts as a deterrent to young professionals hoping to live in Oxfordshire. Without these workers the area's ability to fill positions in high tech and innovative business sectors would be hampered weakening Oxfordshire's competitiveness: Businesses already say that housing affordability is having a material impact, impacting upon innovation, research and productivity and threatening growth potential¹¹⁴.
- 8.102 The OHGD therefore commits Oxfordshire to planning for and support the delivery of 100,000 homes based upon the SHMA to a figure which was recognised as significantly in excess of the Local Housing Need. It is pertinent to consider the implications of South Oxfordshire's withdrawal from the OHGD.
- 8.103 The SHMA was identified as the only evidenced approach for the 100,000 target and accordingly it has been treated by the Council as a sound justification for an uplift consistent with the PPG¹¹⁵. The Scenario C figure does not make provision for the unmet need, it would fall short of meeting the Growth Deal target. However, it is a useful illustration of the extent of the housing need and the inadequacy of the standard method in this context.
- 8.104 Chapter 6 of Mr Ireland's PoE sets out the wider housing needs evidence in the context of the PPG's recognition that the standard method is merely a baseline and the Oxford authorities have recognised the need to plan for a higher growth figure. It considers more recent evidence than was available to the authors of the SHMA. Having adjusted for migration and household formation rates in younger households, it considers the severe affordability issues. It then considers the economic position and identifies that there is abundant supporting evidence of the need to accommodate employment growth. This identifies an incremental growth rate of 1.1% pa in jobs and transformational growth at 1.3 – 1.4% pa. The Appellant has modelled 1.3% in line with Transformational Growth. On this basis, it identifies the realistic Assessment of Local Housing Need as 1035dpa from 2019 onwards¹¹⁶.
- 8.105 The Appellant's housing supply scenarios are set out in Appendix E to this report.

¹¹³ National Housing Federation Press Release: 'England Short of Four Million Homes' (18 May 2018) – (Appendix 22 PoE/JS)

¹¹⁴ Section 6 (PoE/NI)

¹¹⁵ See paras 4.18-4.26 of the eLP (CD6.1)

¹¹⁶ Ireland PoE page 42

Planning balance and Green Belt balance

8.106 If the proposal is inappropriate development in the Green Belt then the Appellant must prove very special circumstances. The factors which go into making very special circumstances do not have to be rare or uncommon to be special and there is no restriction on what might be considered as "other considerations"¹¹⁷.

8.107 There is clearly a general need for housing given the shortage and affordability problems which is directly impacting on the economy and the social dimension of sustainable development in Oxfordshire and the acute need for affordable housing. The Ministerial statement from Greg Clark¹¹⁸ and Brandon Lewis¹¹⁹ make clear that housing need will not normally or usually be sufficient to demonstrate very special circumstances. These statements are acknowledged, and the Appellant's case is not predicated solely on the basis of just housing need. The Appellant has sought to focus on 6 key factors, which is a list similar in extent to that adopted by the Inspectors in Effingham¹²⁰ and West Malling¹²¹. They are in summary:

- 1) the shortage of housing in the area and serious affordability problems affecting the local economy and the delivery of to 327 market houses;
- 2) the acute need for affordable housing and the delivery of 173 units with this scheme;
- 3) the use of an extensive area of PDL in the Green Belt;
- 4) removal of a huge quantum unsightly buildings which are agreed to measure 125,500m³ which is the same volume as what is proposed. And replace it with a similar volume of built development, with in particular without the tall 35m tower and the agglomeration of institutional scale buildings which are completely alien in the Green Belt;
- 5) OBU is a charity and therefore the revenues from the land sale would fund the improvements to the University which is recognised to be a major contributing or part of the economy of Oxford, and
- 6) the fact the site has been identified in the evidence base to the eLP as a suitable location for at least 300 houses and removal of the site from the Green Belt.

8.108 Based on the above it is clear that the Appellant's case does not rely solely on housing need. However, if there is a shortfall in the 5YHLS or 3YHLS then that would be an additional 'other consideration'.

8.109 The purpose of including land in the Green Belt are concerned with designation of the site. The various Green Belt studies in the Landscape SoCG¹²² show that the degree of harm to the purpose of including land in the Green Belt is limited.

¹¹⁷ Wychavon DC v SSCLG and Butler [2008] EWCA Civ 692 & Brentwood BC v SSE [1996] 72 P&CR 61

¹¹⁸ CD11.01

¹¹⁹ 11.02

¹²⁰ CD8.6

¹²¹ CD7.35

¹²² CD16.2

One needs to be careful with the unit of analysis in these cases as sometimes it is an area larger than the site and sometimes it is not entirely clear where the area extends to. In the 2014 study¹²³ the site scored poorly against the purposes and only gave a high score on the assumption that Wheatley and Holton were settlements, but as they are not towns that is not consistent with paragraph 134b) of the Framework. The purposes were again examined in both the 2015 Kirkham Study in 2015 and the LUC report. With the removal of the tower the site is given a low moderate rating in terms of the harm, which was the lowest category applied to any of the sites in the study. This is entirely supportive of the Appellant's case. It followed on from the Kirkham Study in 2015 and is clear that the LUC report "*builds on the 2015 study and takes it to the next level of detail in terms of assessing the harm to the Green belt from the potential release of sites*".

- 8.110 To show very special circumstances the benefits need to outweigh the harm by reason of inappropriateness and any other harm. The Council say this includes harm to the purpose of including land in the Green Belt and harm to openness.
- 8.111 The Appellant's position is that there is no other harm here. There is no harm to openness, no harm to the purpose of including land in the Green Belt, no harm to heritage assets, the local character of the area or landscape harm and no harm in terms of accessibility. The Appellant says there is no harm but if there is harm then the 'other considerations' are so significant that such harm would be outweighed thus amounting to the very special circumstances.
- 8.112 Inspectors in other Green Belt cases have not felt the need to explore the issue of the tilted balance in their decisions when they have found there are very special circumstances. That is because all the harm will have been considered in the very special circumstances test: And if it passes that high hurdle, then surely planning permission should be granted.
- 8.113 But those were Inspectors' own decisions and this is a SoS case, so there is a basis for needing to explore this in case the SoS wishes to go on to consider the case against the tilted balance. The tilted balance here could be triggered by 2 events. The first is the shortfall in the 5YHLS, which is addressed in the evidence above. The second is if the policies most important for determining the application are out-of-date. The University argues both, but either is sufficient. As noted above the shortfall in the 5YHLS would also amount to an additional part of the University's case on very special circumstances.
- 8.114 On the assumption that the most important policies are out of date, then in this case one must turn to paragraph 11d(i) of the Framework because the site is affected by 2 of the policies identified in Footnote 6. The approach to take to this is set out in Monkhill¹²⁴. Sites in the Green Belt and affecting heritage assets are not automatically excluded from the tilted balance. It is just that such sites must pass the policy tests in those parts of the Framework, such that there is not a clear reason for refusing permission. In this case that requires the proposals to pass the test of being not inappropriate development in the Green Belt or that very special circumstances are proven, and that the test in

¹²³ OCC Investigation into the potential to accommodate urban extensions in Oxford's Green Belt: Informal Assessment 2014 (Appendix 8 CD16.2)

¹²⁴ Monkhill Ltd v SSHCLG [2019] EWHC 1993 (Admin) (CD9.16)

paragraph 196 of the Framework is passed as regards the heritage assets. If that occurs then as per paragraph 45 of the Monkhill case then the tilted balance should be applied.

8.115 Even if the tilted balance does not apply, planning permission should be granted here under the conventional statutory test of Section 38(6) of the 2004 Act because other material considerations plainly outweigh the development plan, which is out-of-date and inconsistent with the Framework such that its policies should be given reduced weight. This was the approach taken by the Inspector at paragraph 81 of the Lower Shiplake decision¹²⁵.

8.116 The basic planning merits of the case are straightforward. When viewed on the basis of "need" vs "harm" there is a clear and demonstrable need for new dwellings in South Oxfordshire. In contrast, there is very little, if anything, in the way of harm to suggest that that need should not be satisfied. Indeed, there are many improvements to the environment and amenities of the village arising as a result of the proposals as set out above.

8.117 The implications of not proceeding with the appeal scheme are that the site would ultimately fall into disuse, once vacated. The site would continue to present as an incongruous element, visible through the vacant tower on the horizon. This is a far cry from the obvious beneficial use of the site through housing development.

9. The Case for Interested Persons

9.1 The following paragraphs summarise the statements made by interested parties and their answers to questions. The full texts used by interested persons are within the Inquiry Documents. Points already covered by another interested party have not been repeated.

Cllr Sarah Gray

9.2 The proposed development is inappropriate due to its impact on the openness of the Green Belt. It spreads significantly beyond the curtilage of the existing buildings and its scale and form would be permanently detrimental in nature.

9.3 The Council is committed to a radical reduction in carbon emissions by 2030. This development would fail to meet the demands of 21st Century living within our ever more crowded district.

9.4 On the 11th April 2019, under its previous administration, the Council declared a climate emergency. In September 2019, the Council formed a Climate Emergency Advisory Committee with the responsibility to identify means of ensuring that SODC is carbon neutral within its own operations by 2030. To understand the environmental impact of this proposal, the following need to be considered:

- Climate change – How will the development improve air quality in the area (under cross examination Cllr Gray conceded that she had not read the relevant chapter of the ES which deals with Air Quality). How will the development reduce the contribution to climate change made by its buildings

¹²⁵ ID4

and other infrastructure? It must also support the resilience of the area to climate change including flooding.

- Transport –Currently the development has no real connectivity to either Holton or Wheatley. Wheatley already experiences traffic congestion and there is no scope to increase parking spaces. Sustainable transport measures are required (under cross examination Cllr Gray welcome the infrastructure improvements being proposed as part of the appeal scheme).
- Biodiversity – This requires that the development enhances the current open space to ensure it meets its full potential to supports flora and fauna. Extending the built-up area into existing open spaces is not an option.
- Landscape and heritage – Those open spaces that are vital to the character of the site and the historic environment must be protected.
- Land and resources – The development needs to ensure the efficient and effective use of land. Sustainable waste management solutions that encourage a reduction in waste and an increase in recycling should be promoted.
- Community and affordable housing – The development should cater for the needs of existing and future residents as well as the needs of different age groups in the community and improve access to local community services and facilities (under cross examination Cllr Gray accepted that there is a real need for housing in the area). Affordable housing of an appropriate mix and tenure needs to be provided (under Cross examination Cllr Gray accepted that the development would provide suitable levels of affordable housing and that the SoS should give weight to that benefit). The Council supports measures to address the shortfall of affordable and social housing in the area. There is no evidence that increasing the supply of houses reduces the cost.

9.5 Cllr Gray advocated a new Local Plan that prioritises the building of more social housing and cited examples from Eastleigh and Hampshire. It was estimated that it would take approximately 3 years to adopt a new plan.

Mr Kevin Heritage

9.6 Mr Heritage is a Wheatley Park School Manager and raised some legal issues relating to the western site access. There was also a request for new fencing along the school's southern boundary to assist with security.

Mr John Fox

9.7 Mr Fox is Chairman of the eWNP Committee and a former district Councillor who lost his seat in the May 2018 local elections.

9.8 The eWNP Committee has consistently supported the Council's allocation of 300 homes on the built form of the appeal site. The site is separated from Wheatley by the A40 and the lack of connectivity has been raised as a concern. Wheatley has been described by OCC as a 'rat-run' and congestion is a problem. The first draft of the eWNP in January 2018 looked at infrastructure challenges in the village. A new bridge over the A40 was ruled out at that stage.

9.9 The eWNP Committee opposes the current proposal for 500 homes. The area map was drawn up in November 2015 by Holton and Wheatley Parish Councils. In seeking to influence development outside the area boundary the eWNP may have strayed beyond its remit at times but that was in good faith.

Mr Roy Gordon

9.10 Mr Gordon is Vice-Chair of the eWNP Committee. Policy STRAT14 of the eLP is reflected in the eWNP. OBU has made representations on the eWNP that Policy SPOBU – WHE25 attempts to deal with matters outside the eWNP designated area. The wording in the latest draft has been amended to reflect this.

9.11 The walk into Wheatley from the appeal site is a lengthy one and takes approximately 25 minutes from the bus terminus. Such a distance will be a barrier to integration. This will lead to car dependency.

9.12 Previous development proposals on the appeal site have only been supported on the basis that they do not exceed 10% of the existing built form. The removal of the tower is welcomed as it is detrimental to many views in the area. However, this should not be used to justify volume dispersal across the site which simply transfers the negative vertical features into horizontal ones. Development should be contained to the existing built-up area.

Mr Robert Barter

9.13 Mr Barter is Chair of Holton Parish Council and states that less than half of the site is PDL. The development is therefore inappropriate development in the Green Belt. There are no very special circumstances.

9.14 The allocation in the eLP offers no help as that plan has caused so much uproar that it will not be allowed to proceed in its current form. An additional 500 dwellings would adversely transform the rural character of the village and the whole area. Because of its location it would be an isolated settlement where almost all journeys would be made by car.

9.15 In the words of the Council "*additional school capacity will be difficult if not impossible in the early years*". An influx of 1500 new patients would overload the doctors' surgery.

9.16 The status of the Appellant is irrelevant and any benefits to the education sector carry no weight.

Mr Smith

9.17 Mr Smith is a resident of Holton. He argues that cycling and walking will not happen and that the decision should be taken by local people. The SoS should not decide the outcome of the appeal.

10. Witten Representations

10.1 The officer report¹²⁶ does not record the number of representations received but does summarise the issues raised:

Objections

- Insufficient justification to build on undeveloped Green Belt land;
- The development will have an unacceptable visual impact on the open nature of the Green Belt;
- The development should be constrained to the eastern section, replacing the existing buildings only;
- 500 houses will significantly change the character;
- Proposal for 4-storey dwellings are completely out of character with the neighbouring villages;
- Scale of development is excessive – the eLP suggests 300, not 500;
- Development at this elevated end of the site will compromise the parkland setting of the listed building;
- Roads are already too congested, resulting in a displacement of traffic through Holton (creation of rat-runs etc). This would result in further congestion and risk to highway safety as there is a lack of pedestrian footpaths/pavements;
- Access roads are unlikely to be able to cope with the increased traffic - the centre of the village of Wheatley is extremely congested already, and parking is already an issue in Wheatley;
- The proposal has made no attempt to integrate Holton and Wheatley, despite the fact that the future residents will be using Wheatley for daily errands;
- Lack of infrastructure to support a development of such a scale;
- Facilities are too far from the site, meaning residents will be dependent on cars to drive into Wheatley and use services;
- There should be a footbridge over the A40;
- GP and other services will struggle to meet needs of more households;
- There are no additional services (shops, pubs etc) being provided and these would need to be created to serve the extra residents;
- Insufficient parking proposed to serve the new sports facilities and pavilion;
- Lack of information on who will provide and maintain the proposed onsite re-provision of sporting facilities;

¹²⁶ CD4.1

- The removal of sports facilities is unacceptable;
- Compatibility of proposed facilities with existing pitches;
- Security of school site, in light of proposed western access;
- Loss of important trees which were planted by the community;
- Risk of harm to protected species;
- This proposal only benefits Brookes and not any of the local residents, and
- Even with amenity space, the wildlife will be diminished and will suffer.

In support

- Building on a previously developed site is supported, over greenfield development, subject to the relevant infrastructure being provided;
- Affordable housing is needed and being provided as part of the proposal; thereby meeting the housing needs of young people and providing local families the opportunity to stay in the village;
- The buildings are in poor repair, and housing is needed in the local area;
- It is closer to city than other proposed sites, as well as facilities such as the hospital, employment and leisure;
- Oxford Brookes are already planning to relocate, so if the site isn't developed it would leave a vacant site as an eyesore;
- The location is close to good services and the site has easy access to the A40/M40 and the Oxford park and ride, and
- The development is located close to Wheatley and will therefore support the local economy, business and trade.

11. Conditions

11.1 A schedule of conditions¹²⁷ to be imposed should planning permission be granted, was discussed at the Inquiry. These are generally agreed between the parties. I raised the possibility of an additional condition relating to the SM and subsequently wrote to the main parties after the close of the Inquiry seeking their views. I have taken the responses into account¹²⁸.

11.2 The list of conditions that I recommend should be attached to the outline permission in the event that the SoS concludes that the appeal should be allowed is set out at Appendix D. In some instances, I have amended or combined the agreed conditions in the interests of brevity and to ensure compliance with the PPG.

11.3 Conditions 1-3 are standard conditions for outline planning permissions. The Council had sought to halve the standard time limits for the permission but in

¹²⁷ ID25

¹²⁸ See ID30

view of the advice in the PPG¹²⁹ and the complexity of the development including the amount of site clearance, I do not consider that would be appropriate in this instance. Condition 4 is imposed for the avoidance of doubt and to ensure that the development is carried out in general accordance with the approved plans and details.

- 11.4 A site-wide phasing plan is necessary to ensure the development comes forward in a coherent and planned manner (Condition 5). I have amended some of the wording around affordable housing to ensure sufficient flexibility to enable the development to respond to changing market conditions and housing needs. I have also incorporated the requirements of other suggested conditions into Condition 5 to avoid the need for multiple phasing plans and other strategies. Condition 6 is necessary in the interests of highway safety. A construction method statement (Condition 7) is necessary to protect the amenity of nearby residents. A drainage condition is necessary to ensure satisfactory drainage of the site in the interests of flood prevention (Condition 8). An archaeology condition is necessary to protect any archaeological assets that may be present (Condition 9). A land contamination condition is necessary to ensure the land is suitable for a residential use (Condition 10).
- 11.5 A significant amount of ecological information was submitted with the EIA¹³⁰. The scope of the various wildlife surveys was agreed with the Council's Countryside Officer beforehand. Those surveys confirm that some parts of the site support protected species including bats, great crested newts, reptiles, badger and nesting birds. These habitats would be retained, recreated and enhanced through management delivered through measures set out in a Construction and Demolition Environmental Management Plan (CEMP) (Condition 11). As the presence of protected species on the site has already been established and given that there is no suggestion from the Council that the surveys are out of date or deficient in any other way, I have omitted the requirement for updated surveys to be submitted. A biodiversity enhancement plan is necessary to avoid a net-loss to biodiversity (Condition 12).
- 11.6 A condition relating to tree protection measures is necessary to ensure trees are not damaged during the construction period (Condition 13). A condition is necessary to ensure the requisite parking and access arrangements for each dwelling are provided prior to occupation (Condition 14). A Travel Plan condition is necessary to promote sustainable travel habits (Condition 15). To assist the move to a low carbon future, conditions regarding electric vehicle charging points and super-fast broadband are necessary (Conditions 16 and 17). A noise mitigation strategy is necessary to protect future occupiers from road noise (Condition 18). Finally, to secure the heritage mitigation, a condition relating to the SM is necessary (Condition 19).
- 11.7 A condition restricting the development to no more than 500 dwellings is unnecessary as this development concerns operational development rather than a change of use and the application description explicitly limits the permission to '*up to 500 dwellings*'. The suggested condition relating to gas boilers is not supported by a development plan policy. Moreover, I am not aware there is a

¹²⁹ Paragraph: 027 Reference ID: 21a-027-20140306

¹³⁰ CD1.15

designated Air Quality Management Area covering the site. I am therefore satisfied that the specification of the boilers is a matter that would be dealt with by other legislation. I have omitted those conditions accordingly. The requirements of several of the suggested conditions are repetitious and/or are covered by Condition 5 or the S106.

11.8 Conditions 5, 6, 7, 8, 9, 10 and 13 are pre-commencement form conditions and require certain actions before the commencement of development. In all cases the conditions were agreed by the Appellant and address matters that are of an importance or effect and need to be resolved before construction begins.

12. Planning Obligations

12.1 I have assessed the S106 in light of the CIL Regulations 2010 and paragraph 56 of the Framework which state that planning obligations must only be sought where they meet the following tests:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

12.2 Although the obligations are not in dispute, the agreement¹³¹ provides that if the decision letter concludes that any provision of the agreement is incompatible with any one of the statutory tests then the relevant obligation shall cease to have effect. The obligations contained in Schedules 1-4 relate to SODC and those in Schedule 5-7 to OCC.

12.3 Schedule 1 is concerned with affordable housing and would bind the site owners to ensure that 34.57% (172 units) of all dwellings constructed comprise affordable homes in accordance with the affordable housing mix of 75% Affordable Rent and 25% Shared Ownership. The Council has sought to secure 40% affordable housing in compliance with CS Policies CSH3 and CSH4. However, due to the existing buildings on site the scheme qualifies for a small reduction through the Vacant Building Credit. I am satisfied the affordable housing obligation meets the relevant tests.

12.4 Schedule 2 sets out the financial contributions to SODC and include the following:

- An off-site artificial football pitch (to be provided in the local area) contribution of £985,000;
- An off-site tennis court (to be provided in the local area) contribution of £365,000;
- An active communities contribution of £96,001 to fund a new member of staff at SODC;
- A public art contribution of £300 per dwelling. How this would be spent would be determined through a public art strategy which would need to be submitted to and approved in writing by the Council;

¹³¹ Paragraph 6.12, Page 9 (ID26)

- A recycling contribution of £170 per dwelling to provide each dwelling with the necessary bins;
- A street naming contribution of £134 per 10 dwellings, and
- A monitoring fee of £5,190

12.5 I am satisfied that the football pitch, tennis court, public art, recycling and monitoring contributions all meet the statutory tests. However, I have concerns in respect of the 'active communities' contribution. According to the Council's Compliance Statement¹³² the contribution would fund a 2-year post at SODC the purpose of which would be to "secure the provision and management of sports facilities both on and off site. The replacement sports facilities are required directly as a result of the loss of sports facilities on this site". However, it is not clear on the evidence before me what actual work would be involved.

12.6 A number of facilities are to be provided on-site as part of the development including a new cricket pitch and pavilion, a bowling green and a running route. These facilities would be designed and delivered by the developer as part of the reserved matters applications. Consequently, their delivery would not require a significant amount of additional work on the Council's part.

12.7 The off-site provision is to be dealt with by way of 2 financial contributions. Whilst there would inevitably be some work to identify suitable sites for these facilities, the evidence suggests that sites have already been identified at Holton Playing Field Association site or Wheatley Park school. Whilst some further feasibility work might be required, it is not reasonable to suggest that this would require a 2-year, full-time post holder. In any event, the build costs provided by Sport England for the football pitch and tennis courts, include an allowance of 6% for project management and other fees. That amounts to a sizeable sum which in my view would be more than sufficient to cover the Council's costs. I therefore conclude that the 'active communities' contribution fails the 3 statutory tests.

12.8 Street naming is an activity which usually falls within the normal, day-to-day functions of the Council. On the information before me it is not clear what additional work or expense would be incurred or exactly how the money would be spent. I am not therefore persuaded that this contribution is necessary to make the development acceptable in planning terms.

12.9 Schedules 3 and 4 secure the on-site LEAP, a marked 'active route' within the development, public open space covering a minimum of 10.69ha, a bowling green, cricket pitch and pavilion as well as maintenance and sinking fund contributions for their future maintenance. I am satisfied that these obligations and contributions meet the statutory tests.

12.10 Schedule 4 includes a £70,000 contribution towards the provision of 'expert advice' in relation to the construction of the sports pavilion, bowling green and cricket pitch. The evidence supporting the contribution is scant. The Council's CIL Compliance Statement states that the costs have been calculated following quotes from relevant experts. However no further information is provided. In my view the construction of a bowling green and cricket pitch are not large and

¹³² Page 10, ID29

complex projects. The latter is to be provided in approximately the same location as the existing pitch. The areas would need to be laid out to certain standard specifications, but such information is relatively easy to obtain and certainly would not require the services of an expert. The pavilion would of course require more assessment but again I do not see the construction of a sports pavilion as an overly complex project that would require specialist advice to be engaged.

12.11 It is also pertinent that these facilities are to be designed and delivered by the developer who would bring their own experience to bear on these matters. Finally, it is also not clear to me why Sport England could not be consulted on the relevant reserved matters applications. Based on the foregoing the 'expert evidence' contribution does not meet the relevant statutory tests.

12.12 The obligations to OCC in Schedule 5 comprise:

- £105,705.73 towards the provision of 3 pairs of bus stops within the site;
- A public transport contribution of £720,000;
- A Travel Plan monitoring fee of £2,040.

12.13 I am satisfied that these contributions are necessary to encourage non-car modes of travel and meet the statutory test. Schedules 6 and 7 deal with the agreed on and off-site highway works which are set out in paragraph 3.1. These would be delivered by the Appellant through the appropriate legal agreements with the Highway Authority. I am again satisfied that these obligations meet the statutory tests.

12.14 A request was made by the NHS Oxfordshire Clinical Commissioning Group for a developer contribution of £432,000 to support the improvement of local health care infrastructure. The Council has confirmed that 'increasing capacity at existing health services/local surgeries' is covered by its CIL Regulation 123 list¹³³.

13. Inspector's Conclusions

13.1 On the evidence before me, the written representations, and my inspection of the appeal site and its surroundings, I have reached the following conclusions. References in square brackets [] are to earlier paragraphs in this report.

Main issues

13.2 The main parties hold differing views regarding the degree of heritage, landscape and Green Belt harm, the weight to be attributed to the various benefits of the scheme, the consistency of the relevant development plan policies with the Framework, whether the Council has a 5YHLS and the resulting planning balance. Against this background, and in view of the evidence submitted in writing and presented orally at the Inquiry, I consider the main issues are:

1. Whether the most important policies are out of date;

¹³³ See Page 10, CD4.1

2. Whether the development is inappropriate development in the Green Belt for the purposes of the Framework;
3. The effect of the development on the character and appearance of the area;
4. The effect of the development on the setting on heritage assets;
5. Whether the location of the development would be sustainable in transport terms;
6. Whether the Council can demonstrate a 5YHLS, and
7. If the development is inappropriate development, whether the harm by reason of inappropriateness, and any other relevant harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify it.

Most Important Policies

- 13.3 Section 38(6) of the 2004 Act requires that this application be determined in accordance with the development plan unless material considerations indicate otherwise. One such material consideration is the Framework, which can override development plan policy if it is not consistent with the Framework's provisions. I therefore summarise the national planning policy context first, before turning to look at relevant development plan policies.
- 13.4 Section 3 of the Framework stresses the desirability of local planning authorities having up to date development plans, paragraph 213 states that the weight to be given to relevant policies will depend on the degree of consistency with the Framework. The closer the policies in the plan to those in the Framework, the greater the weight that may be given.
- 13.5 Paragraph 11 of the Framework explains that there is a presumption in favour of sustainable development which comprises economic, social and environmental objectives. It goes on to indicate that where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole; or unless specific policies in the Framework indicate that development should be restricted. [3.3]
- 13.6 There are differing views on which are the most important policies for determining the application. Whilst I have had regard to the list of relevant policies contained in the SoCG, I have exercised my own judgement following the approach set out in Wavendon which confirms that "*an overall judgment must be formed as to whether or not taken as a whole these policies are to be regarded as out-of-date for the purpose of the decision.*" [3.13,6.2,7.12,8.16,8.115]
- 13.7 The first point to make is that the LP is now of some vintage as the Council accepted at the Inquiry. [3.10-2.13,8.8-8.10] However, as paragraph 213 makes clear, policies should not be considered out of date simply because they were adopted prior to the publication of the Framework. The CS contains policies that are high-level and strategic in nature. Accordingly, they lack the kind of detail one would normally expect to see in development management policies. This is because the CS was always intended to be supplemented by a DPD containing

detailed development management policies. [3.15,8.11-8.13] The consequence of this is that many of the CS policies cited in the RfRs are of little assistance in determining this appeal. [8.12]

- 13.8 The appeal site lies within the parish of Holton and is washed over by the Oxfordshire Green Belt. CS Policies CSS1 and CSH1 set out the overall amount and spatial distribution of housing for the district to deliver the CS housing target. They seek, among other things, to support and enhance the larger villages as local service centres, while focusing major development at Didcot and the market towns. The appeal site is located outside the built limits of Wheatley and Holton where large-scale development would not normally be appropriate.
- 13.9 However, the housing target identified in the CS is manifestly out of date being based on a constrained supply set out in the revoked RPG. [3.11-3.14,8.11] Existing settlement boundaries across the district reflect the need to deliver this constrained supply. The CS does not accord with the objectives of the Framework to meet a full OAN for housing. [8.9-8.11] Therefore, whilst the overall strategy and settlement boundaries may have been appropriate to guide the quantum of development envisaged in the CS back in 2006, they are clearly not appropriate today. I therefore consider that Policies CSH1 and CSS1 are out of date where they are used to restrict development outside settlement boundaries.
- 13.10 Although CS Policy CSEN1 is not referred to in the RfRs it is relevant inasmuch as it refers to the protection of landscapes against inappropriate development. Whilst its broad aims are agreeable with those of Section 15 of the Framework, it runs into the same problem as LP Policy G2 in seeking blanket protection for the natural environment. Apart from 'valued landscapes', paragraph 170 of the Framework entertains no such protection instead referring only to the need to recognise the intrinsic character and beauty of the countryside. In my view 'recognition' and 'protection' are not the same. They are clearly distinguishable terms and accordingly I consider that Policies CSEN1 and G2 are inconsistent with the Framework and cannot be seen as being up to date. I note the Lower Shiplake Inspector came to a similar view in paragraph 77 of his decision in relation to Policy G2. [8.13]
- 13.11 CS Policy CSEN2 is a strategic Green Belt policy that recognises the OBU campus as a key previously developed site but defers to the Framework in terms of decision taking. Whilst the policy is not technically out of date, it offers little assistance to the assessment of the appeal scheme and instead it is the Framework that becomes the determinative document. To that end, I conclude that Policy CSEN2 is not one of the 'most important' policies for determining the application.
- 13.12 LP Policy GB4 is a more detailed Green Belt policy that reflects the wording in Planning Policy Guidance Note 2 revoked in 2012. It refers to "*rural character or visual amenity*" and applies a design test to development all of which are inconsistent with the Framework. Its language is also couched in very different terms to the Framework and does not refer to inappropriate development or very special circumstances. I therefore conclude that Policy GB4 is out of date.
- 13.13 CS Policy CSEN3 is a strategic heritage policy that states that historic heritage assets will be conserved and enhanced for their historic significance. However,

the requirement to maintain and enhance the historic environment goes beyond the statutory duty and paragraph 185 of the Framework, the latter of which requires decision makers to *"take account of the desirability of sustaining and enhancing the significance of heritage assets"*. Blanket protection for the historic environment cannot therefore be seen as being consistent with the Framework. Policy CSEN3 is thus out of date.

13.14 In a similar vein, LP Policy CON5 states that *"proposals for development which would adversely affect the setting of a Listed building will be refused"*. Whilst the general thrust of this policy might well be consistent with the Framework, that is not enough in my view. The policy does not allow for the weighing of public benefits against heritage harm and therefore cannot be seen as being in conformity with the Framework. I therefore consider Policy CON5 is out of date. For similar reasons the approach to archaeological remains advocated by Policy CON11 is also inconsistent with the cost/benefit approach set out in the Framework.

13.15 CS Policy CSM1 is a strategic omnibus transport policy that includes various items most of which have no relevance to the appeal scheme. Insofar as it 'encourages' the use of sustainable modes of transport, it can be seen as being consistent with the Framework. However, there is no recognition in the policy that the opportunities to maximise sustainable transport solutions will vary between urban and rural areas, as advised in paragraph 103 of the Framework. Despite that, I consider the policy is up to date insofar as it relates to the appeal scheme.

13.16 Finally, Policy CSM2 establishes that proposals for major development must be accompanied by a Travel Plan and a Transport Assessment. There is no suggestion that these documents have not been provided in the case. Accordingly, I do not consider Policy CSM2 passes the 'most important' test.

13.17 Based on the above exercise I consider that the majority of those policies which are most important for determining the application are out of date. As a result, the weight that can be attributed to these policies has to be commensurately reduced and irrespective of the Council 5YHLS position, the default position identified in paragraph 11 d) of the Framework is engaged. [6.9] This is a matter I will return to later in my report.

Inappropriate development in the Green Belt

13.18 Although the site is proposed to be removed from the Green Belt and allocated for development, as things currently stand the site remains in the Green Belt. As with the Officer's Committee Report, my assessment is therefore made on the basis of the existing Green Belt status of the site. [7.1,8.16,8.29] I have found that the Development Plan does not contain any up to date Green Belt development management policies, I have therefore defaulted to advice in the Framework, which both parties have referred to extensively in their evidence.

13.19 Paragraph 133 of the Framework states that the Government attaches great importance to Green Belts, with the fundamental aim of Green Belt policy being to prevent urban sprawl by keeping land permanently open. It goes on to confirm that the essential characteristics of Green Belts are their openness and their permanence, with paragraph 134 explaining that Green Belt serves 5 purposes:

- a. to check the unrestricted sprawl of large built-up areas;
- b. to prevent neighbouring towns merging into one another;
- c. to assist in safeguarding the countryside from encroachment;
- d. to preserve the setting and special character of historic towns; and
- e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

13.20 In paragraph 145 of the Framework gives various exceptions of where the construction of new buildings in the Green Belt would not be inappropriate. One such exception is:

“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”

13.21 In order for the appeal scheme to benefit from this exemption, it must first be demonstrated that it is PDL. Annex 2 to the Framework provides the following definition of PDL:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

13.22 The determinative issue in this case is whether the appeal site is PDL in the terms set out in the Framework. As much of the western part of the site is devoid of permanent structures, the PDL question principally turns on whether the whole campus falls within the curtilage of those permanent structures on the site. [8.30]

13.23 The Courts have consistently held that the extent of a curtilage will be a matter of fact and degree and will depend on the particular circumstances of a case. [7.5,8.31,8.32] There is broad agreement that the central and eastern parts of the site, currently occupied by the university buildings and dwellings, are curtilage. [7.5]

13.24 The western half of the site is however appreciably more open and contentious. [7.21]. A significant portion of it along with a strip of land along the southern site

boundary comprises the university's sport pitches. [2.3,4.3,8.33,8.53,8.55,8.59] These pitches and the circulation areas around them clearly perform an important functional purpose related to the campus buildings. [8.34] Cognisant of the Sinclair-Lockhart judgement¹³⁴ and the dictionary definition of a "*campus*", I am satisfied that these areas fall within the curtilage of the university buildings. [8.34] Whilst the Council has drawn my attention to the brownfield register plan, there are very few details before me as to how or when this plan was drawn up. [7.4] On its face, the plan that simply reflects those parts of the site that are occupied by permanent structures. It does not purport to be a detailed examination of the site under the Framework definition of PDL.

- 13.25 There would be no development in the north-west quadrant and therefore, as clarified at the Inquiry, the Council's Green Belt objection principally relates only to the south-west quadrant. [4.3,7.31,8.6,8.19,8.37] This area accounts for approximately 14% of the site. [2.3] The illustrative masterplan indicates this area would be reserved for low-density housing complimented by areas of open space such that not all of the area would be developed. [4.1,4.3,8.19,8.47,8.54]
- 13.26 Whilst historical aerial photographs indicate buildings once stood on this part of the site, there is no meaningful evidence before me as to what these were or looked like. They were evidently removed at some point during the 1950s and any remains have since blended into the landscape. Much the same applies to the golf course that was said to once occupy this part of the site. Today much of the south-west quadrant is covered in a dense scrub and is largely inaccessible save for a mown path which runs parallel to the existing surfaced footpath through the site. The presence of a maintained path is suggestive of some kind of functional link and physical relationship to the wider campus, most probably as part of a circular walk. That could be considered sufficient to bring the south-west quadrant within the definition of curtilage. In my view however the link is a tenuous one. Beyond the mown path, there is little to suggest the area serves a useful purpose to the permanent structures. On balance, I consider that the south-west quadrant is not curtilage and cannot be PDL in the terms set out in the Framework.
- 13.27 Returning to the approach set out in paragraph 145g), it is common ground that the development would address an affordable housing need. [7.63,7.69,8.37,8.87,8.107,9.4,10.1] The next step for those areas that are PDL is to consider whether the development would cause substantial harm (my emphasis) to the openness of the Green Belt. [7.7,8.35-8.38]
- 13.28 To answer that question, much time was spent at the Inquiry discussing the possible implications of the appeal scheme on building volumes. Other than agreeing that the existing buildings total 125,500m³, there is little common ground on the issue. [7.16, 8.40, 8.107] What can be deduced from the competing calculations is that any approach relies on a large amount of guesswork as to what would come forward at the reserved matters stage. This was expressly acknowledged in the Officer's committee report. [8.41] Therefore, trying to determine the exact impact on volume now is a somewhat futile task.
- 13.29 Nonetheless, the Appellant has demonstrated that it would be possible to bring the site forward in a manner that broadly adheres to the existing amount of

¹³⁴ Sinclair- Lockhart Trustees v Central Land Board [1950] 1 P & CR 195, (CD19.4).

volume on the site. [7.18] At the other extreme, the Council argued there could be a significant increase in volume if the site were to be developed in accordance with the maximum limits shown on the parameter plans. [7.16, 7.17, 8.40-8.43]

- 13.30 Even if the maximum permissible volumes were to be pursued and one prefers the Council's 203,500m³ figure, the Appellant rightly points out that the increase in volume would be broadly consistent with the 195,995m³ contained in the Council's SPD. [7.20,8.48]. The Council's 'bottom-up' calculation of 170,000m³ would result in a generous reduction of volume compared to the SPD allowance. [7.18]
- 13.31 The Appellant amended the scheme during the determination period to reduce its potential volume. That indicates to me a willingness to work with the Council on this matter. [1.7,5.2,5.3,7.18,8.4,8.16] It is of course possible that a different developer might pursue a different agenda. If that did happen, I am satisfied that it would be within the Council's gift to control these matters at the reserved matters stage. [8.41-8.43]
- 13.32 Of course, as the PPG acknowledges, openness is multi-faceted and there is clearly a visual aspect also. [7.13,8.38,8.39] There would undoubtedly be significant benefits associated with the removal of the existing agglomeration of large educational buildings including the tower, which is visible over a large swathe of the surrounding Green Belt. [6.3,7.14,7.26,7.35,7.69,8.1,8.40,8.46,8.57,8.69,8.71,8.107,9.13] Although some 4-storey development is proposed in the eastern/central part of the site, I am not persuaded that this would be readily visible from vantage points outside the site. [2.4,7.35] The Council point to the possibility of glimpses from the A40 at night. [7.25] However, I find that unlikely given that the existing boundary landscaping is to be retained and strengthened particularly along the A40 frontage. Even if the occasional glimpse were possible, I do not consider this can reasonably be described as harmful given the current situation where there are floodlit pitches very close to the A40 boundary.
- 13.33 Beyond the 4-storey development in the south-east quadrant, there is no suggestion from the Council that any other parts of the development would be visible outside the site's boundaries. This is because the site undoubtedly has a very high level of visual containment. [2.4,6.3,7.35,8.47] Overall, I consider the development would have a broadly neutral effect on openness as experienced from within the appeal site. However, there would be a significant net-beneficial effect on the openness of the wider Green Belt through the removal of the tower. In conclusion, save for the south-west quadrant, the development would not be inappropriate development in the Green Belt. In view of the wording in paragraph 145g) of the Framework, there is no need to undertake a separate assessment in relation to the 5 Green Belt purposes.
- 13.34 The proposed development in the south-west quadrant would be inappropriate development. The Framework states that such development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. I will return to this matter in due course. Should the SoS take the view that the whole of the site can be considered PDL then it will not be necessary to consider whether very special circumstances exist.

Character and appearance

- 13.35 Most of the appeal site was formerly part of the historic parkland of Holton Park which survived intact until the early part of the 20th Century. The western part of the site was used as a military hospital during the Second World War and the historical maps provided show a proliferation of roads and buildings during that time. In the 1960s the A40 was constructed along the southern edge of the park. At the same time the site began to be developed for educational purposes and has grown and evolved incrementally ever since.
- 13.36 The site is considered in national, regional, county and local landscape character assessments. However, owing to the site's level of containment and its specific landscape characteristics, these broad-brush studies are of little assistance as the site does not readily conform strongly to any of the key characteristics of the various landscape types. [6.3,7.22,8.58,8.59]
- 13.37 The application was accompanied by a detailed Landscape and Visual Impact Assessment which assesses the likely landscape and visual effects of the development. [8.68] This was supplemented at the appeal stage by a suite of photomontages. Whilst I have had regard to these documents, my assessment is primarily informed by my observations on the numerous site visits undertaken before and during the Inquiry, the latter with the benefit of having heard the evidence of the relevant landscape witnesses.
- 13.38 The site is well contained behind modern fencing and substantial belts of landscaping such that its current visibility within the wider landscape is limited. The site is not a designated or a 'valued' landscape in the terms set out in the Framework. It is common ground that the removal of the tower and other dilapidated structures would be beneficial in landscape terms. [6.3,7.14,7.26,7.35,7.69,8.1,8.40,8.46,8.57,8.69,8.71,8.107,9.13]
- 13.39 The appeal site, although in the countryside for planning purposes, does not possess a strong rural character. The existing buildings including parking areas, footpaths, lighting, engineered sports pitches and the A40 dual-carriageway exert an urbanising influence which extends over most of the site including those undeveloped areas. Given the extensive landscape changes that have taken place over the last 80 years, the 'historic/relic parkland' argument has little resonance to what is seen on the ground today. [7.21-7.23,7.35,8.57-8.58,8.63] That is supported by the John Moore report which found that the former parkland is now "*degraded and "truncated"*". Consequently, even from those open, western areas there is an ever-present feeling of being on a university campus. I therefore consider that the Appellant's description of the site as "institutional" is apt. [7.23,8.1,8.40,8.46,8.60]
- 13.40 The main parties concur that the appeal site is of medium landscape value. In addition to the evidence submitted as part of this appeal, the site has also been considered in a range of reports that form the evidence base to the eLP. The Kirkham Study found that the landscape has overall medium/low landscape sensitivity and that the site should be considered further as a Potential Strategic Allocation on landscape and visual grounds, focussing development around the previously developed area. [7.10,7.12,8.109] A number of recommendations were subsequently made:

- north-western part of potential allocation as open parkland to improve the setting of Holton Park, protect the SM and contribute to the separation of Wheatley and Holton.
- the tower block to be removed and building heights kept to a more domestic scale (2-3 storeys high).
- The developable area should include green links, open space and SUDS features.
- Heights of new buildings should be such that they are not visible above tree lines from adjacent countryside, settlement and roads.
- Create substantial new woodland planting to contain housing and create a new countryside edge, and to link existing woodland to the north-east of the potential allocation with enhanced woodland in the south-western part of the potential allocation.
- Retain and protect valuable specimen and avenue trees and native vegetation, within potential allocation and to outer boundaries.
- Protect and frame views towards the north.
- Preferred access point via existing drive off of Waterperry Road, minimising impact on the rural character of the road.

13.41 The illustrative masterplan shows the probable layout. [4.2] It indicates that the majority of the houses would be located on the currently built-up eastern and central parts of the site. Accordingly, and whilst there would be encroachment into the south-west quadrant, I do not consider that the layout necessarily conflicts with the requirement to “focus” development on the previously developed area. [3.19,3.23,7.1,7.24,8.18,8.5] If it was the case that no development outside built up area would be acceptable, then it is reasonable to conclude that alternative, more definitive, wording would have been used. The fact that the eLP evidence base supports the removal of the whole site from the Green Belt is also inconsistent with the Council’s view that no development should take place outside the built-up area. [3.19,8.18] I have noted submissions about the concept plan to Policy STRAT14 of the eLP. [8.7] However, that plan only appeared after the Council’s decision and in any event carries no weight in view of the Holding Direction.

13.42 The appeal scheme keeps the north-west part of the site as sports field/open parkland. [4.3,7.31,8.6,8.19,8.37] Approximately half the site would be given over to green infrastructure. [4.1,12.9] The tower block would be removed. The 4-storey development would be confined to those parts of the site that currently accommodate substantial built development and where the visual and landscape effects would be minimised. [4.3] As the photomontages demonstrate the heights of buildings would not be visible outside the boundaries of the appeal site above existing trees. New woodland and tree planting would take place, and most of the best trees would be retained. [2.4,4.2] Open green space within the north-western part of the site would retain views towards the north. Accordingly, I am satisfied that the scheme before me is in general accordance with the recommendations of the Kirkham Study.

- 13.43 The Kirkham Study was followed by the SODC-Landscape Assessment Update which reviewed the findings of the Kirkham Study. [7.23] It found that the site (with the exception of the existing tower block) is well contained and inward looking and has no discernible connection to the wider landscape. The conclusion was that the site could accommodate development in landscape terms.
- 13.44 It should be borne in mind that the Council's landscape objections, as clarified at the Inquiry, relate only to the south-west quadrant. I therefore turn to look solely at this area, which the Council describes as "*relict parkland containing trees and shrubs*" with an attractive wooded character. [7.21] The area accounts for approximately 14% of the appeal site and abuts the A40 to the south and the Wheatley Park school site to the west. [2.1-2.4] It appears to have little or no current use beyond an informal footpath across its northern portion. Much of the land is inaccessible and covered in a thick scrub interspersed by a range of deciduous and evergreen trees. The site is well screened from within and outside the appeal site. [2.4,7.35,8.47] Unlike other southern areas, the south-west quadrant sits at a higher level than the A40 and therefore has very little visual exposure from it.
- 13.45 The south-west quadrant has a character that is distinct from the rest of the campus. Nonetheless, I would be hard pushed to describe in quite the same terms as the Council's landscape witness. Whilst it undoubtedly has some landscape and visual value as a parcel of undeveloped green land, that is about as far as it goes. Traffic noise and the modern housing development on the south side of the A40 are both readily apparent. Despite it forming the highest part of the site, outward views are restricted by the mature landscaping both within and along the site boundaries. The trees, some of which might loosely be described as "parkland trees", have some amenity value particularly the "*spreading oak tree*". However, most of these specimens would be retained. The majority of the trees in this area are self-seeded and of little amenity value. There is currently no formal public access and therefore it is difficult to argue that the wider public derive any significant value from this part of the site. Overall, I do not consider the south-west quadrant is particularly sensitive in landscape or visual terms such that it should be excluded from development. The Council's own Landscape Architect concluded that the proposed homes in the south-west part of the site would result in a minor impact to the landscape character and visual quality of that area of the site.
- 13.46 I have noted the Council's view that regard should be had to the "*designed landscape setting*" in the John Moore report. [7.30] This encompasses a wide area that includes most of the north and south-west quadrants of the site. However, the report offers no meaningful explanation as to what the term actually means or how the authors arrived at the area drawn in Figure 4.7.4 which is both excessively large and bears no relationship to the distinct parcels of land that make up the campus. [6.3] Moreover, when assessing how much weight should be given to this and other reports forming the evidence base of the eLP, it needs to be remembered that these are high-level assessments forming the evidence base for the eLP. Their purpose is therefore to highlight heritage and landscape issues rather than to determine what response should be made to those issues. I do not believe the John Moore report was ever intended to be treated as a determining factor in development management decisions without a further, detailed landscape/heritage assessment, which the Appellant has

undertaken. For the above reasons I am giving very little weight to the “*designed landscape setting*” designation.

13.47 Overall, the proposed dwellings would be smaller in scale than the current educational buildings and would be more appropriate to a countryside edge location. Notwithstanding the increased footprint and encroachment into areas that are currently open, the Masterplan and photomontages demonstrate that the spacing and scale of the dwellings would be appropriate to the site’s rural setting and clearly preferably to the existing scenario. [4.2,8.117] All the housing especially that in the south-west quadrant would be visually contained with little impact on the wider landscape. [8.47] The development would read as a logical northern extension to Wheatley albeit separated from it by the A40. There would be a significant visual benefit from the removal of the existing buildings. These benefits along with on-site mitigation in the form of additional planting and landscaping and large areas of open space would be in my view be sufficient to secure an overall net-gain in landscape and visual terms over the wider area. [4.3,6.3,7.14,7.26,7.35,7.69,8.1,8.40,8.46,8.57,8.69,8.71,8.107,9.13]

13.48 Based on the above, I do not consider that the development would harm the character and appearance of the area. Accordingly, I conclude that there would be no conflict with CS Policy CSEN1 or LP Policies G2, C4 and C9 insofar as they seek to protect the district’s countryside and settlements from adverse development.

Heritage assets

13.49 The duty under Section 66 of the 1990 Act requires special regard to be paid to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The Heritage SoCG confirms that this section is clearly engaged insofar as the Holton Park (Grade II), and St Bartholomew’s Church in Holton (Grade I) are concerned. [6.4]

The SM

13.50 The records held by HE describe the SM as the site of an early moated manor. However, the Appellant’s own archaeological analysis casts considerable doubt on that interpretation highlighting that its size would be insufficient to support such a building and is more likely to have been a windmill platform or parkland feature. HE themselves acknowledge the inability to be certain as to the nature of the monument but judged that “*in all of the possible interpretations of this feature, there is a connection with the earthwork and the relatively open and rural spaces surrounding it.*” [7.29,8.65] HE was not present at the Inquiry and therefore their evidence could not be tested. [8.70]

13.51 The only thing that is known with any degree of certainty is that the site accommodated a statue which is shown on the 1880 OS map. What is abundantly clear today is that the SM strikes a rather forlorn, neglected and uninspiring feature. [8.67] Nothing has been done in recent years to interpret, celebrate or even maintain it. It has been overrun by brambles, nettles and self-seeded trees. Given its current predicament, it is not unreasonable to suggest that the SM goes largely unnoticed and unappreciated by the public at large.

- 13.52 The setting of a heritage asset is defined in the Framework as *“the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”*. [8.62] There is no dispute that the SM currently has a fairly open setting and as much as possible this should be retained. [7.29,8.65] The appeal scheme was amended at the application stage to provide additional breathing space for the SM with HE recognising the improvements made [5.2,8.68] The Council point out based on the illustrative masterplan, that the nearest houses would come within 50m of the SM resulting in a high degree of *“less than substantial harm of moderate extent”*. [7.31,7.34]
- 13.53 The uncertainty over exactly what the SM is or was, makes the task of assessing its setting all the more difficult. Nonetheless, it is apparent that its setting has changed dramatically over the last 80 years or so. The deer park and *“open parkland setting”* referred to by the Council are all but gone and all that remains are a few parkland trees dotted around the site, nearly all of which would be retained. [2.4,4.2] The immediate context of the SM are the levelled sports pitches and a bank of mature trees to the south beyond which the land falls away to the footpath and tennis courts. [8.55,8.59]
- 13.54 Adding credence to that view is the John Moore report which states: *“Much of the site has been considerably damaged as a result of modern development and the archaeological remains, if any, presumably considerably degraded. There are one or two areas where the ground surface survives in its pre-20th century level, which includes the scheduled monument and the surrounding features”*.
- 13.55 Insofar as it can be said that the SM derives any of its significance from its setting, I consider that the immediate open area to the north, west and north-west has a moderately positive contribution. This area performs the important role of maintaining indivisibility between the SM and Holton Park and also corresponds to the *“SM and listed building setting implication”* area shown in Figure 4.7.4 of the John Moore report. [7.29-7.30] However, no built development is proposed in this area and on the contrary, the area would be subject to a detailed landscaping scheme intended to restore the original parkland character and appearance. [4.3,7.31,8.6,8.19,8.37,8.69]
- 13.56 I have noted the Council’s view that regard should be had to the *‘designed landscape setting’* in the same report. [7.30] This encompasses a much wider area than the *‘SM and listed building setting implication’* that includes most of the north and south-west quadrants of the site. However, the report offers no meaningful explanation as to what the term actually means or how the authors arrived at the area drawn in Figure 4.7.4 which is both excessively large and bears no relationship to the distinct parcels of land that make up the campus. [6.3]
- 13.57 Moreover, when assessing how much weight should be given to this and other reports forming the evidence base of the eLP, it needs to be remembered that these are high-level assessments forming the evidence base for the eLP. Their purpose is therefore to highlight heritage and landscape issues rather than to determine what response should be made to those issues. I do not believe the John Moore report was ever intended to be treated as a determining factor in development management decisions without a further, detailed

landscape/heritage assessment, which the Appellant has undertaken. For the above reasons I am giving very little weight to the “designed landscape setting” designation

- 13.58 Although the Council’s Heritage witness did not retreat from his view that there would be overall harm to the SM, it was accepted that a carefully designed landscaping scheme could be beneficial. [7.35,8.55,8.65] Moreover, and perhaps more significantly, it would also be possible to secure a comprehensive improvement scheme for the SM by condition. The wording of the condition agreed by the parties would include maintenance and the provision of features such as public seating, an information board and research into the SM’s origins. Given the current state of the SM, I consider this to be a significant heritage benefit which would enable the general public to appreciate and understand the asset in a way that is far removed from today’s underwhelming experience.
- 13.59 The area to the south which includes the south-west quadrant has been remodelled over the last 80 years. Beyond the bank of trees, the land drops away to a parking area and a timber building beyond which is a lit footpath and tennis courts. Evidently the setting to the south has changed significantly over the years and now contains those urbanising influences. Although the south-west quadrant is undeveloped, views over the area from the SM are obscured by the bank of trees and the tennis courts. There is hence little visual relationship between the SM and the south-west quadrant. Whilst the houses would be visible from the SM, based on the distance of separation, the potential for additional landscaping and the careful placement of the dwellings, I do not consider they would be unduly prominent.
- 13.60 Nonetheless, there would be some limited harm arising from the encroachment of housing and the spine road to the SM’s southern flank. [7.32] However, for the reasons given above, this would be towards the bottom end of the ‘less than substantial’ range and would be clearly outweighed by a combination of the proposed landscape improvements in the north-west quadrant, the SM improvement scheme and also the removal of the existing university buildings which form a stark backdrop in eastward views of the SM. Accordingly, there would be an overall heritage benefit to the SM.

Holton Park

- 13.61 This is the other heritage asset cited to in the Council’s RfR. The Council’s Heritage witness alleges that there would be noticeable changes to its setting through the introduction of housing on the appeal site. The level of harm is hence judged to be “*less than substantial of minor extent*”. [7.34]
- 13.62 Holton Park is located just beyond the north-western site boundary but nonetheless visible from a variety of vantage points within the appeal site. Holton Park also known as ‘Old House’, was the replacement manor house for Holton Park constructed around 1815. Bearing in mind the history of the appeal site there can be little doubt that Holton Park was located for a direct visual, physical and historical connection with the surrounding deer park setting. [7.28,7.29]
- 13.63 Despite the amount of change that has occurred over the last century including its physical severance from the appeal site, a visual connection is still evident and important to understanding the history and evolution of Holton Park. Whilst

remnants of the deer park remain on the adjacent Wheatley school site, I do not accept that Holton Park can be said to possess an 'open parkland setting'. [7.21,8.65] Instead its setting is currently dominated by 2 large education campuses. I do however agree with the Council that the open nature of the north-western quadrant of the appeal site, albeit dominated by the engineered sports pitches, is an important component to understanding the manorial story of Holton Park and therefore makes a positive contribution to its setting. [7.32]

13.64 Whilst the appeal scheme would undoubtedly bring built development closer to Holton Park, the plan submitted at the Inquiry shows that the nearest houses would be approximately 175 metres away. [7.33] In my view that cannot reasonably be considered as close. Those dwellings in a more direct line of sight from the rear of Holton Park would be over 300m away. In both cases, the houses would not encroach into the sensitive open area between Holton Park and the SM. Instead they would be positioned on the far side of the reinstated parkland area. Once established, it is likely based on the submitted photomontages, that landscaping would provide a high degree of screening, such that the dwellings would only be visible in long distance and heavily filtered, seasonal views from a small number of viewpoints from upper floor windows in the rear elevation of Holton Park. [4.2]

13.65 As discussed above, the appeal scheme would retain and enhance the openness of the north-west quadrant through a landscaping scheme that would return this part of the site to something more akin to its original parkland setting as opposed to the heavily engineered landscape that is seen today. [8.55,8.59] As I saw when I visited the site, the tower features prominently in the background of angled views of the façade. Its removal would also be a benefit in the context of Holton Park.

13.66 Based on the foregoing, I consider the appeal scheme would lead to an enhancement to the setting of Holton Park.

St Bartholomew's Church

13.67 St Bartholomew's Church in Holton is a Grade I Listed building, meaning it is of the highest significance and of exceptional interest. The existing 12 storey tower on the appeal site is seen in the distance in seasonal views through the lych-gate thus harming the church's isolated, rural setting. [7.35,8.71]

13.68 The removal of the tower would improve views southwards from the churchyard when the intervening tree cover is not in leaf. This would represent a heritage benefit which given the building's status in the top 2.5% of all listed buildings nationally attracts weight in its own right.

13.69 I have noted the Council's view that the removal of the tower represents a landscape rather than a heritage benefit. However, that view appears to be underpinned by advice in HE's Good Practice in Planning Advice Note 3. However, that document and advice therein relate to situations where new development might impinge upon designed views of a church tower or spire. The circumstances here are different.

Heritage conclusions

13.70 After carefully considering all the evidence, I have found a small degree of harm in relation to the on-site SM arising from the encroachment of

development on its southern flank. However, I consider this harm would be outweighed by the benefits arising from the proposed mitigation.

13.71 There would be ample separation between Holton Park and the proposed areas of housing such that its setting would be adequately preserved. Factoring in the mitigation specifically the on-site parkland landscaping scheme would lead to an overall enhancement to the setting of Holton Park. There would also be an enhancement to the setting of St Bartholomew's Church through the removal of the tower. Accordingly, I consider the development would result in overall heritage betterment. This is something that weighs in favour of the scheme in the overall planning balance.

13.72 In coming to that view, I am mindful of the comments of HE, the Council's Conservation Officer and heritage witness all of whom found 'less than substantial' harm to the setting of the SM. [7.34] I do not disagree, but where I depart from those assessments is with regard to the heritage benefits, which in my view have been significantly underplayed. [8.69]

13.73 As I have found no overall heritage harm, it is not necessary to undertake the heritage balancing exercise required by paragraph 196 of the Framework. I have considered the Council's submissions that heritage benefits should properly be considered as 'public benefits' and only introduced at the paragraph 196 balancing stage. [7.36,8.71] However, I can find no explicit support for that approach in the Framework and as the Palmer Judgement makes clear¹³⁵, the decision maker may legitimately conclude that although each of the effects has an impact, taken together there is no overall adverse effect on the listed building or its setting. In effect the exercise to be undertaken is to weigh the positive and negative aspects of the scheme and to come to an overall judgement as to whether the development would harm, preserve or enhance the asset.

13.74 Even if I were to concur with the Council's approach, the question of where and when the benefits are considered makes no meaningful difference to the eventual outcome of the balancing exercise to be undertaken.

Accessibility

13.75 The Council's stance in relation to accessibility directly contradicts the eLP evidence base which acknowledges that the site is within walking distance of Wheatley which contains a number of services and facilities further details of which are provided in the eWNP. [2.1,3.20-3.24, 8.73,8.75] Because of that, the Council confirmed at the Inquiry that its objections relate to the south-west quadrant, however as discussed below that area happens to be the best located part of the appeal site. [8.83]

13.76 The Appellant met with Highway Authority Officers on several occasions during the determination period. As a result of these discussions, a package of off-site works was agreed with the aim of improving pedestrian access to key destinations namely Wheatley Primary School, the village centre and the employment areas/supermarket on the eastern fringe of Wheatley. [8.77] In addition, a financial contribution of £720,000 has been agreed to fund an

¹³⁵ Paragraph 29 Palmer v Herefordshire [2016] EWCA Civ 1061 (ID30)

additional bus in the commercial fleet for eight years, with a frequency of 30 minutes. [12.12] Both the bus service contribution and off-site highway works would benefit existing residents of Wheatley. [8.78]

- 13.77 Based on the above measures, the Highway Authority did not object to the planning application and the Officer's Committee Report concluded; "*the development represents sustainable development with bus, walking and cycling routes to key services and facilities*".
- 13.78 Para 8.24 of the LP states that "*the District Council will seek to encourage walking as the predominant mode of transport for journeys up to one mile, and cycling for journeys up to 3 miles, as far as possible within the land use planning framework*". This is reflected in advice retained in Manual for Streets which states: "*walking offers the greatest potential to replace short car trips, particularly those under 2km*". [7.39,8.74] The Appellant has conducted a detailed analysis of distances to local facilities which finds that all 14 key facilities are under 2km. Save for Asda, the facilities are also within a 1600m (or 1 mile) walk distance from the centre of the site. These distances are contained in the Accessibility SoCG. [6.5]
- 13.79 Paradoxically it is the south-west quadrant that is the best located part of the appeal site and benefits from the shortest distances to most local services and facilities. It is closest to the schools and Wheatley village centre. Only those destinations at the eastern end of the village such as the Asda supermarket would be over the recommended walk distance. [7.38] However, as the Asda site is on the eastern extent of Wheatley, a large proportion of the existing village is already over the recommended walk distance. However, in most cases, the supermarket is the one destination that future and existing residents are most likely to drive to regardless of distance. Despite that, the Appellant has agreed to deliver a footway along Old London Road (none currently exists) which would provide a continuous footway between the appeal site and Asda. [8.77]
- 13.80 The Appellant's evidence demonstrates that the appeal site has better overall accessibility than the other preferred housing sites in the eWNP as well as other large housing sites consented by the Council in recent years. [8.76] The weight of this evidence is such that it demonstrates that the Council has not approached the issue of accessibility in a consistent way.
- 13.81 The A40 overbridge has been cited as a deterrent to walking and cycling. [7.40,7.41] However, the bridge benefits from footways and from my observations appeared to be well used by the local community particularly school children. [8.82] The Highway Authority has determined that no improvements are necessary, and I have seen no compelling information that would lead me to a different conclusion.
- 13.82 I accept the Council's point that the distance to some destinations such as the primary school are over the 'acceptable' range specified in the IHT guidance. [7.39] However such distances are guidelines and should not be construed as hard and fast rules. One also has to bear in mind that this is not a large town or city, Wheatley and the appeal site are located in a predominantly rural area. This is relevant because paragraph 103 of the Framework tells us: "*opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making*". Part of the route to the primary school passes

through the historic part of the village which is less than ideal for pedestrians. However, no history of accidents has been adduced and my observations suggest that drivers and pedestrians are aware of its limitations and take the necessary precautions.

13.83 Holton is a small rural settlement to the north of the appeal site. I walked and cycled the route from Holton to the appeal site during the Inquiry. In view of the lightly-trafficked nature of the route, I found both cycling and walking to be an enjoyable experience. To assist pedestrians the Appellant has investigated the possibility of providing a continuous footway between the site and Holton. [7.43,8.80] However with the agreement of the Highway Authority, it was concluded that one cannot be accommodated due to insufficient highway space. The Council have not pointed to any other improvements that could reasonably be undertaken by the Appellant. Even if they had, I am not persuaded that improvements in the direction of Holton would be justified. The appeal site has been identified in the eLP evidence base because of its proximity to Wheatley not Holton which beyond a village hall and church, it contains no services. [8.80,8.81] Consequently, the likelihood of significant numbers of people wanting to travel from the proposed development to Holton is remote.

13.84 As is customary for a development of this size, a Framework Travel Plan was submitted with the planning application. [8.79] This aims to encourage sustainable travel habits among future residents and includes the following measures; 1) appointment of a Travel Plan Co-ordinator 2) Travel Welcome Pack and Website, 3) Promotion of public transport journey planner information, and provision of walking and cycling information. The exact range of measures is a matter that the Council would be able to control through the discharge of the Travel Plan condition.

13.85 Overall and bearing in mind the rural nature of the area, I consider the site and particularly the south-west quadrant to be well located to services and facilities in Wheatley. Accordingly, there would be no conflict with CS Policies CS1, CSS1, CSM1 and CSM2 of the CS or Policies T1, T2 and T7 of the LP. There would also be no conflict with paragraphs 92, 102, 103, 108 and 110 of the Framework. On the contrary given the extensive nature of the off-site highway works and the bus service contribution, there would be accessibility gains to the local community. This is something that weighs in favour of the scheme in the overall planning balance.

Housing land supply – Housing need

13.86 In view of my findings on the first main issue, the question of whether the Council can demonstrate a 5YHLS becomes somewhat academic as the tilted balance in paragraph 11d) of the Framework is already engaged. Nonetheless, for completeness and given the SoS is likely to take an interest in these matters, I address the housing need issue below.

13.87 There is no dispute that the CS housing requirement is out of date, therefore the starting point in determining the housing requirement has to be the Framework. [3.14, 7.44, 8.11] Paragraph 73 advises that in circumstances where strategic policies are more than 5 years old, as is the case here, a 5-years' worth of housing should be measured against local housing need. Footnote 37 to paragraph 73, added to the February 2019 version of the Framework states:

“Where local housing need is used as the basis for assessing whether a 5-year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance.”

13.88 Annex 2 of the Framework provides further clarification that local housing need is *“The number of homes identified as being needed through the application of the standard method set out in national planning guidance”*. Beyond that for plan-making, the Framework simply does not entertain exceptional circumstances for decision-taking. The national policy context is therefore different to the Bamber Bridge appeal decision¹³⁶ which pre-dated the February 2019 changes to the Framework. [7.44,7.45,8.91]

13.89 I acknowledge that the continued use of the standard method could cause the Council to fall significantly behind the level of growth envisioned in the SHMA and OHGD. [8.89] I also consider that the Appellant’s analysis of more recent evidence strongly points to an even higher local housing need than is identified in the SHMA and eLP. [8.104] There are clearly a number of exceptional circumstances in South Oxfordshire at the current time connected to the OHGD. [3.25-3.28, 8.14, 8.21-8.28, 8.93-8.105]. Accordingly, there is considerable merit in the Appellant’s submissions on housing need. Nonetheless, the Framework is unequivocal that the standard method is to be used for the purposes of calculating the housing requirement. [7.44]

13.90 It is agreed, even on the Appellant’s supply figures, that the Council is able to demonstrate a 5YHLS against the figure which arises from the standard method (see Table 2, Annex E). [6.6,7.52,8.88] That being the case and as in the Lower Shiplake decision, there is little value in conducting a thorough examination of the competing supply arguments. [7.54]

13.91 The respective positions of the parties in relation to housing land supply are set out in Appendix E to this report.

Other Considerations

13.92 In this unusual case, the majority of the appeal site is PDL and therefore benefits from the exception in paragraph 145g) of the Framework. In other words, it would not be inappropriate development.

13.93 Only a relatively small, visually contained and underutilised parcel of land in the south-west quadrant would be inappropriate development. In accordance with paragraphs 143 and 144 of the Framework, it is necessary to consider whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the appeal scheme. [7.67,8.51,8.106] I have not identified ‘any other harm’ in this case.

13.94 In support of the scheme, there are various ‘other considerations’. [8.107] I will deal with each of these in turn. Firstly, the majority of the appeal site is located on PDL specifically identified in CS Policy CSEN2. On any level, it must be preferable to develop such sites ahead of greenfield sites whether in the Green Belt or otherwise. [8.107] The Council’s own evidence base for its eLP, having carefully considered the Green Belt purposes, has recommended that the appeal

¹³⁶ Appeal Ref: APP/F2360/W/18/3198822 (Appendix 6. PoE/NI)

site in its entirety should be removed from the Green Belt and allocated for housing. [8.109]

13.95 The most recent report to have considered the site is the 2018 LUC report which built upon the 2015 Kirkham Study. This assessed the Green Belt harm that would arise from the potential release of various sites across the district against the 5 purposes. [7.12,8.109] The LUC report concluded that the appeal site is the only one of 5 sites that would result in "*low-moderate*" Green Belt harm. The conclusion of the LUC report and others clearly informed the Council's decision to remove the site from the Green Belt in the eLP.

13.96 Notwithstanding the findings of the LUC report, I have found that the development would result in an overall benefit to the visual openness of the Green Belt arising principally from the removal of the 12-storey tower, the urban scale and institutional appearance of which is unlike anything else in the locality. It is seen from public viewpoints far and wide, drawing the eye in the most grievous manner. It is difficult to envisage a building that could be more insensitive and incongruous to its surroundings. Accordingly, and even though I accept there would be a 'spreading' of development across the site, the removal of the existing buildings would have a clear and demonstrable Green Belt and landscape benefit. In my view, the openness benefits, are on their own, sufficient to 'clearly outweigh' the 'definitional' harm arising in the south-west quadrant.

13.97 Secondly, the development would make a significant contribution towards the Council's stock of market and affordable housing. [7.63-7.66,8.86,8.87] I heard much at the Inquiry about the eye-watering levels of affordability in South Oxfordshire. [3.24,7.63,8.101,8.104,8.107,9.4] This has put the aspiration of owning a home out of reach for many and is the very embodiment of the national housing crisis. The Council itself accepts the need is "*acute and pressing*". [8.107]

13.98 For South Oxfordshire, the SHMA identifies a need for 331 net affordable homes per annum to deal with the backlog using the Sedgefield approach for the period between 2013 and 2031. [8.87] In the 6-year period since this annual need figure was calculated in the SHMA, a shortfall of -713 affordable homes has accrued as a result of delivery falling substantially short of meeting identified needs. In order to address this backlog, the Council would need to deliver 2,370 net affordable homes over the course of the next 5 years.

13.99 Whilst I accept the Council can demonstrate a 5/3YHLS as required by the Framework and WMS, this is not a ceiling on the number of houses that can be provided. Moreover, there a number of forceful arguments as to why the use of the standard method is not appropriate in a district that has signed up to the OHGD and committed itself, with others, to the delivery of 100,000 homes across Oxfordshire by 2031. [3.24,3.27,6.7,7.48,8.93,8.94,8.102] The Council confirmed at the Inquiry that it is still committed to the eLP, by extension that must mean it accepts that the higher housing requirement therein is still appropriate for plan-making purposes. [3.17]

13.100 Whilst I acknowledge an uplift in the Council's delivery figures over the 2018-19 period, it is too early to say with any confidence whether this is part of a sustained upward trend. [7.65] Even if it is, there is evidently much work still to be done in view of past rates of affordable housing delivery in South Oxfordshire. It seems to me that there is little prospect of the backlog being

cleared without a substantial and sustained boost to housing delivery in the district. [7.65,8.104] In terms of Wheatley and Holton Parishes, the Appellant's figures suggest there has also been a persistent shortfall in delivery against identified needs and targets. The eWNP itself identifies that "*the main housing needs are for affordable housing, starter homes and supported housing for the elderly*". [3.21]

- 13.101 There are some 2,421 households on the Housing Register in South Oxfordshire at the present time. Of that total, 126 have an identified need for affordable housing in Wheatley Parish. It is sometimes easy to reduce arguments of housing need to a mathematical exercise, but each one of those households represents a real person or family in urgent need who have been let down by a persistent failure to deliver enough affordable houses in South Oxfordshire. It is also evident that the seriousness of the affordable housing shortage in South Oxfordshire is having wider consequences for economic growth in the area. [3.27,8.100,8101]
- 13.102 Although affordable housing need is not unique to this district, that argument is of little comfort to those on the waiting list. The proposed development would provide 173 affordable homes. [8.87,8.107] This would contribute significantly towards the Council's affordable housing shortfall. Given the importance attached to housing delivery that meets the needs of groups with specific housing requirements and economic growth in paragraphs 59 and 80 of the Framework, these benefits are considerations of substantial weight.
- 13.103 Third, there would be a range of economic benefits from the purchase of materials and services in connection with the construction of the dwellings, local employment during the construction period, an increase in local household expenditure and revenues to the Council from the New Homes Bonus. [7.69]
- 13.104 Fourth, as the eLP evidence base confirms, the appeal site is located in an accessible and sustainable location on the edge of a larger village which CS Policy CSS1 states will be supported and enhanced as a local service centre. Future residents, particularly those in the south-west quadrant would have good access to local services and facilities in Wheatley, and with sustainable transport choices that would provide access to higher order services in Oxford. There would be material benefits to the local community from the off-site highway works, increased bus frequencies and new routes across the site. The eWNP acknowledges the importance of bus services to Wheatley. [3.22]
- 13.105 Fifth, there would be an overall net-benefit to biodiversity, which would be consistent with the Framework and the requirements of the Development Plan.
- 13.106 Sixth, there is currently no formal public access to the appeal site and therefore the opportunity for the local community to use and enjoy the extensive areas of open space, heritage assets and enhanced sports facilities created by the development on and off-site would be a benefit of the scheme.
- 13.107 Seventh, I have identified benefits to all 3 heritage assets on or close to the appeal site arising from on-site mitigation and the removal of the existing buildings.
- 13.108 Finally, the Appellant (OBU) is not a housebuilder but rather a charity. Accordingly, the proceeds arising from the sale of the land would be reinvested

into the education sector in the local area. The Council accepts this would be a benefit of the development. [7.69,8.107]

Planning balance

13.109 I have found that a small proportion of the development would be inappropriate development in the Green Belt. This is the area in the south-west quadrant which equates to approximately 14% of the site. Within this area, the illustrative masterplan indicates that there would be generous areas of open space such that not all the area would be developed. Nonetheless, the harm by way of inappropriateness must be afforded **substantial weight**, and planning permission should only be granted if very special circumstances have been demonstrated. Very special circumstances can only exist if the harm I have identified is clearly outweighed by other considerations. I have not identified any other matters weighing against the proposal which could not satisfactorily be addressed by conditions or at reserved matters stage.

13.110 In favour of the scheme, I have identified 8 '*other considerations*'. A balancing exercise therefore needs to be undertaken where these are weighed against the harm. Firstly, the release of the site from the Green Belt and its allocation for a development of 'at least 300 dwellings' is supported by a significant amount of work which forms the evidence base for the eLP. The redevelopment of the site is also supported by the eWNP. Although the development would have a roughly neutral effect on spatial openness within the site itself, I have found there would be a significant visual benefit to openness over a wide area of the South Oxfordshire Green Belt resulting from the removal of the tower and other large, unsightly structures on the site. Given the importance attached to the Green Belt in the Framework I give this matter **very substantial weight**.

13.111 The Framework attaches great importance to housing delivery that meets the needs of groups with specific housing requirements. In that context and given the seriousness of the affordable housing shortage in South Oxfordshire, described as "acute" by the Council, the delivery of up to 500 houses, 173 of which would be affordable, has to be afforded **very substantial weight** irrespective of the fact that the Council can demonstrate a 3/5YHLS.

13.112 Given the scale of the development, the economic benefits collectively carry **significant weight**.

13.113 The heritage benefits arising from the on-site mitigation, the removal of the existing buildings and the opening up of the site and the SM to public appreciation, carries **significant weight**.

13.114 The enhanced sporting facilities, public access to the appeal site, off-site highway works, and the additional bus services are social benefits arising attracting **significant weight**.

13.115 The bio-diversity benefits attract **moderate weight**. Finally, the Appellant's status as a charity and major education provider in the local area is a consideration of **significant weight**.

13.116 There would be an overall benefit to the openness of the Green Belt, and this alone would, in my view, be enough to outweigh the harm by reason of inappropriateness.

13.117 Even if one takes a contrary view on that matter, collectively the 'other considerations' are of such number and force, that they clearly outweigh the 'definitional harm' identified in this case. As such, I conclude that very special circumstances exist, which would justify development in the Green Belt. Accordingly, the proposal would not conflict with CS Policy CSEN2, LP Policy GB4 or Green Belt policy in Section 13 of the Framework.

13.118 As the proposed development would not conflict with the development plan it passes the section 38(6) test and should be approved without delay in accordance with paragraph 11c) of the Framework. Consequently, and notwithstanding that I have found that the 'tilted balance' in paragraph 11d) does apply, it is not necessary for me to consider the proposal against that lower test.

13.119 Should the SoS take a contrary view on the matter of very special circumstances, then the tilted balance would be disapplied by virtue of footnote 6 to paragraph 11d)i) with protective policies providing a "*clear reason for refusing the development proposed*". The consequence of that would be that the appeal should be dismissed.

14. Recommendation

14.1 In light of all the above points, my assessment of the planning balance leads to the overall conclusion that the proposal should be allowed, subject to the imposition of a number of conditions, set out in Annex D below.

D. M. Young

Inspector

Appendix A

APPERANCES

FOR THE APPELLANT

Christopher Young QC instructed by the Appellant

He called:

Mr Gary Holliday BA (Hons) MPhil CMLI	FPCR – Landscape
Dr Nicholas Doggett FSA MCIFA IHBC	Asset Heritage Consulting – Heritage
Mr Richard Barton BSc (Hons) MATP MRTPI	Avison Young– Housing Supply
Mr Nick Ireland MRTPI	Iceni Projects Ltd – Housing Need
Mr James Stacey BA (Hons) DipTP MRTPI	Tetlow King Planning – Affordable Housing
Mr Robert Gardner BSc (Hons) DipTP MRTPI	Avison Young – Planning
Ms Upinder Ubhi Meng (Hons)	SWECO – Accessibility

FOR THE LOCAL PLANNING AUTHORITY

Mr Hugh Flanagan Barrister Instructed by the Council

He called:

Ms Michelle Bolger CMLI Dip.LA BA PGCE	Michelle Bolger Expert Landscape Consultancy
Mr Julian Kashdan-Brown MSc MA RIBA	Kashdan Brown Architects Ltd - Heritage
Mr Ben Duffy BA MA	SODC – Housing Supply
Ms Tracy Smith BA (Hons) MRTPI	SODC Principal Appeals Officer – Housing Need
Ms Philippa Jarvis BSc (Hons) DipTP MRTPI	Principal of PJPC Ltd – Planning

INTERESTED PERSONS

Cllr Sarah Gray	Ward Councillor
Mr Kevin Heritage	Wheatley Park School
Mr John Fox	Wheatley Neighbourhood Plan Chairman
Mr Roy Gordon	Wheatley Neighbourhood Plan Vice-Chairman
Mr Smith	Resident of Holton
Mr Robert Barter	Holton Parish Council

Appendix B

DOCUMENTS SUBMITTED AT THE INQUIRY

ID1	Additional Photomontages (18 October 2019)
ID2	Visual Appraisal – Figure 11.2 – No. UK18-24423 Issue 2
ID3	Photomontage Locations – Figure 1B – 7590-L-51 – 30 September 2019
ID4	Appeal Decision APP/Q3115/W/19/3220425 dated 14 October 2019
ID5	Opening Statement on behalf of the Appellant
ID6	Opening Submissions on behalf of South Oxfordshire District Council
ID7	Statement of Councillor Sarah Gray, Ward Councillor
ID8	Kevin Heritage, Wheatley Park School
ID9	Statement of John Fox, Wheatley Neighbourhood Plan Chairman
ID10	Statement of Roy Gordon, Wheatley Neighbourhood Plan Vice-Chairman
ID11	SODC Landscape Architect's Comments (20 February 2018)
ID12	Illustrative Masterplan showing distances from Holton Park to development
ID13	Richard Barton Errata Sheet (25 October 2019)
ID14	The Regional Strategy for the South East (Partial Revocation) Order 2013
ID15	Ben Duffy – Proof of Evidence – Appendix J
ID16	Luton Borough Council, R (on the application of) v Central Bedfordshire Council & Ors [2015] EWCA Civ 537, [2015] WLR(D) 226
ID17	APP/Q3115/W/15/3228431 - The Elms, Thame (21 October 2019)
ID18	Letter from Mark Stone Chief Executive of SODC to SSHCLG (16.10.19)
ID19	Timeline for Oxfordshire Plan 2050
ID20	Mr Robert Gardner - Addendum Sheet to Proof of Evidence
ID21	Wheatley Masterplan SPD Note on Increased Volumes
ID22	Appeal Decision APP/C2741/W/19/3227359 dated 23 October 2019
ID23	National Planning Policy Framework (2012) Chapter 9 – Green Belt
ID24	Signed Statement of Common Ground Between Oxford Brookes University and Oxfordshire County Council Re: The Western Access (28 October 2019)
ID25	List of Draft Planning Conditions (30 October 2019)
ID26	Draft Section 106 Agreement (31 October 2019) superseded by the Signed agreement dated 15 November 2019
ID27	Council's Closing Submissions
ID28	Appellant's Closing Submissions
ID29	Council's CIL Compliance Statement
ID30	Correspondence relating to Condition 19

Appendix C

CORE DOCUMENTS**CD1 Application Documents and Plans**

1.1	Covering letter, dated 19 January 2018 (including schedule of submission documents) (GVA)
1.2	Application forms and ownership certificates (GVA)
1.3	Planning Statement (GVA)
1.4	Design and Access Statement (FPCR)
1.5	Site Location Plan (Drawing No. 7590-L-17 Rev A) (FPCR)
1.6	Topographical Survey (Drawing No. 24183_T) (Amethyst Surveys Limited)
1.7	Illustrative Masterplan (Drawing No. 7590-L-10 Rev F) (FPCR)
1.8	Parameter Plans (Land Use; Green Infrastructure; Heights Drawing Nos. 7590-L-18 Rev C; 7590-L-19 Rev C; 7590-L-20 Rev C) (FPCR)
1.9	Arboricultural Plans (Tree Survey & Tree Retention Plans) (provided Arboricultural Assessment) (FPCR)
1.10	Phasing Plan (provided in ES Figures) (Drawing No. 7590-L-21) (FPCR)
1.11	Flood Risk Assessment & Drainage Strategy (provided in Technical Appendices in ES) (Avison Young)
1.12	Environmental Impact Assessment (Non-Technical Summary (NTS), Environmental Statement (ES) Main Report, Figures & Appendices) (Ramboll Environ)
1.13	Transport Assessment (provided in Technical Appendices) (SWECO)
1.14	Travel Plan (provided in Technical Appendices) (SWECO)
1.15	Ecological Assessment (provided in Technical Appendices) (EcoConsult)
1.16	Heritage Assessment (provided in Technical Appendices) (Asset Heritage Consulting)
1.17	Archaeological Desk Based Assessment (provided in Technical Appendices) (Icknield Archaeology)
1.18	Air Quality Assessment (provided in Technical Appendices) (Ramboll Environ)
1.19	Noise Assessment (provided in Technical Appendices) (MLM)
1.20	Arboricultural Impact Assessment (provided in Technical Appendices) (FPCR)
1.21	Construction & Demolition Environmental Management Plan (provided in ES Technical Appendices) (Ramboll Environ)
1.22	Landscape & Visual Impact Assessment (provided in ES Technical Appendices) (FPCR)
1.23	Phase 1 Ground Investigations Report (provided in ES Technical Appendices)

CD2 Additional/Amended Reports and/or Plans submitted after validation

2.1	Covering letter, dated 10 October 2018 (including schedule of submission documents) (GVA)
2.2	Design and Access Statement Addendum (FPCR)
2.3	Illustrative Layout (Drawing No. 7590-L-10 rev M) (FPCR)
2.4	Revised Parameter Plans (Land Use, Green Infrastructure, Heights – Rev F) (FPCR)
2.5	Revised Phasing Plan (Rev A) (FPCR)
2.6	Arboriculture Assessment Addendum (FPCR) (Including historical arboricultural analysis)
2.7	Biodiversity Impact Assessment Calculator and Note – October 2018 (EcoConsult)
2.8	EIA Addendum (Non-Technical Summary, Environmental Statement Main Report, Figures & Technical Appendices) (Ramboll Environ)

CD3 Appeal Documents

3.1	Revised Parameter Plan 1 – Land Use (Drawing No. 7590-L-18 Rev G)
3.2	ES Addendum Review Letter – Ramboll – June 2019
3.3	Counsel’s Advice – Inquiry Procedure – No5 Chambers – June 2019
3.4	Public Consultation Feedback Report – Avison Young – June 2019
3.5	Building Volume Plan and Spreadsheet (submitted to SODC with Local Plan Representations but not as part of planning application) – Sky Revolutions – May 2017
3.6	Covering Letter – Avison Young – 12 June 2019
3.7	Revised Illustrative Masterplan (Drawing No. 7590-L-60 Rev -)

CD4 Committee Report and Decision Notice

4.1	Officer’s Report to Committee 28 November 2018
4.2	Minutes of Committee Meeting 28 November 2018
4.3	Decision Notice – 13 December 2019

CD5 The Development Plan and Inspector’s Reports

5.1	The adopted Local Plan 2011 (2006)
5.2	The Core Strategy 2027 (2012)
5.3	The Core Strategy Inspector’s Report 2012
5.4	The Local Plan 2011 Inspector’s Report

CD6 Emerging Development Plan and Evidence Base

6.1	Final Publication Version 2ND South Oxfordshire Local Plan 2011-2034 (Jan 2019)
6.2	Draft Wheatley Neighbourhood Plan (Sept 2019)
6.3	SODC Strategic Site Selection Background Paper 2019 (Part 1 and 2)
6.4	Draft Minutes Full Council Meeting 18 July 2019 re. emerging Local Plan
6.5	Settlement Assessment Background Paper 2018

CD7 OBU Relevant Appeal Decisions*Affordable Housing*

7.1	APP/A0665/W/15/3005148 - Land adjacent to 28 Church Street, Davenham (January 2016)
7.2	APP/L3815/W/16/3165228 - Land at the corner of Oving Road and A27, Chichester (August 2017)
7.3	APP/G1630/W/14/3001706 - Land adjacent to Cornerways, High Street, Twyning (July 2015)
7.4	APP/P0119/W/17/3191477 - Land east of Park Lane, Coalpit Heath (September 2018)
7.5	APP/D0840/A/13/2209757 - Land north of Upper Chapel, Launceston (April 2014)
7.6	APP/L3245/W/15/3137161 - Land at Foldgate Lane, Ludlow, Shropshire (November 2016)
7.7	APP/A0665/A/14/2226994 - Land at Fountain Lane, Davenham (September 2015)
7.8	APP/X2410/W/15/3007980 - Land rear of 62 Iveshead Road, Shepshed (February 2016)
7.9	APP/P3040/W/17/3185493 - Land north of Asher Lane, Ruddington, Nottinghamshire (May 2018)
7.10	APP/C3105/A/14/2226552 - Land at Sibford Road, Hook Norton, Banbury, Oxfordshire (December 2015)

Housing Need & Housing Land Supply

7.11	APP/W3520/W/18/3194926 - Land on East Side of Green Road, Woolpit (September 2018)
7.12	APP/Y3940/A/14/2222641 - Land North of Bath Road, Corsham (May 2015)
7.13	APP/L3245/W/15/3011886 - Longden Road, Shrewsbury (January 2016)
7.14	APP/G5180/W/18/3206569 - Former Dylon International Premises, Station Road (June 2019)
7.15	APP/U1105/A/12/2180060 Land East of Butts Road, Higher Ridgeway, Ottery St, Mary (December 2012)

7.16	APP/P0119/A/12/2186546 Land Between Iron Acton Way and North Road, Engine Common, Yate (April 2013)
7.17	APP/Z2830/W/18/3206346 - Land south of Kislingbury Road, Rothersthorpe (May 2019)
7.18	APP/U2805/W/18/3218880 - Southfield Road, Gretton (August 2019)

Heritage

7.19	APP/P1615/W/16/3152190 - Land off Chartist Way, Staunton, Gloucestershire (July 2017)
7.20	APP/G5180/W/18/3206947 - Hayes Street Farm, Hayes Lane, Bromley (June 2019)
7.21	APP/Z1585/A/11/2165340 - Greenacres', Old Packards Lane, Wormingford, Colchester, Essex (July 2012)

Accessibility

7.22	APP/Q3115/W/17/3177448 - Land east of Chalgrove, Chalgrove, Oxfordshire (October 2017)
7.23	APP/Q3115/W/14/3001839 - Land east of Crowell Road, Chinnor (October 2015)
7.24	APP/Q3115/W/15/3097666 - Land North of Lower Icknield Way, Chinnor, Oxfordshire (March 2016)
7.25	APP/Q3115/A/14/2229389 - Land adjoining Greenwood Avenue, Chinnor (October 2015)
7.26	APP/Q3115/W/17/3179191 - East End Farm, South East of Wallingford Road (March 2018)
7.27	APP/Q3115/W/15/3136390 - Land north of 12 Celsea Place, Cholsey (June 2016)
7.28	APP/Q3115/W/16/3161733 - Thames Farm, Reading Road, Shiplake, Henley-on-Thames (August 2017)
7.29	APP/Q3115/W/17/3169755 - Land off Fieldside Track, Long Wittenham (January 2018)
7.30	APP/Q3115/W/15/3035899 - Land to the east of Newington Road, Stadhampton (May 2016)
7.31	APP/Q3115/W/15/3136319 - Mount Hill Farm, High Street, Tetsworth (June 2016)
7.32	APP/Q3115/W/16/3165351 CABI International, Nosworthy Way, Mongewell, Wallingford, Oxfordshire (August 2017)
7.33	APP/Q3115/W/17/3186858 - Land to the East of Benson Lane, Crowmarsh Gifford, Wallingford (May 2018)
7.34	APP/Q3115/W/17/317766 - Newington Nurseries, Newington Road, Stadhampton, Oxfordshire (December 2017)

Planning and Green Belt

7.35	APP/H2265/W/18/3202040 - Land to the rear of 237-259 London Road, West Malling, Kent ME195AD (December 2018)
7.36	APP/P3040/W/17/3185493 - Land north of Asher Lane, Ruddington, Nottinghamshire (May 2018)

CD8 OBU Relevant Secretary of State Decisions

8.1	APP/Q3630/A/05/1198326 - Franklands Drive, Addlestone (July 2006)
8.2	APP/P3040/A/07/2050213 - Gotham Road, East Leake, Nottinghamshire (March 2008)
8.3	APP/H1840/A/13/2199426 - Pulley Lane, Droitwich Spa (July 2014)
8.4	APP/K2420/A/13/2208318 Land surrounding Sketchley House, Watling Street, Burbage (November 2014)
8.5	APP/K3415/A/14/2224354 - Land and Buildings off Watery Lane, Curborough (February 2017)
8.6	APP/Y3615/W/16/3151098 - Land at Howard of Effingham School and Lodge Farm and Brown's Lane, Effingham (March 2018)
8.7	APP/Z1510/W/16/3162004 - Land off Stone Path Drive, Hatfield Peverel (July 2019)
8.8	APP/M3455/W/18/3204828 - Land off Meadow Lane/ Chessington Crescent, Trentham, Stoke-on-Trent (June, 2019)
8.9	APP/W0340/A/14/2226342 - Agricultural land to both the north and south of Mans Hill, Burghfield Common, Reading (March 2015)
8.10	APP/W0340/A/14/2228089 - Land at Firlands Farm, Hollybush Lane, Burghfield Common, Reading, Berkshire (July 2015)

CD9 OBU Relevant Judgements

9.1	Bernard Wheatcroft Ltd v SSE [JPL, 1982, P37]
9.2	Wessex Regional Health Authority v SSE [1984]
9.3	Wadehurst Properties v SSE & Wychavon DC [1990]
9.4	Breckland DC v SSE and T. Hill [1992]
9.5	Tesco v Dundee [2012] UKSC 13
9.6	Bloor Homes [2014] EWHC 754 (Admin)
9.7	Turner v Secretary of State for Communities and Local Government [2016] EWCA Civ 466
9.8	Cheshire East [2017] UKSC 37
9.9	Suffolk Coastal District Council (Appellant) v Hopkins Homes Ltd and another (Respondents) Richborough Estates Partnership LLP and another (Respondents) v Cheshire East Borough Council (Appellant) [2017] UKSC 37
9.10	Catesby Estates Ltd v. Steer [2018] EWCA Civ 1697

9.11	CEG Land Promotions It Limited v SSCLG and Aylesbury Vale District Council [2018] EWHC 1799 (Admin)
9.12	Euro Garages Limited v SSCLG [2018] EWHC 1753
9.13	SMuel Smith Old Brewery (Tadcaster) Limited v North Yorkshire CC [2018] EWCA Civ 489
9.14	Peel Investments (North) Limited v SSHCLG [2019] EWHC 2143 (Admin)
9.15	Wavendon Properties v SSHCLG v MKC 2019 EWHC 1524 (Admin)
9.16	Monkhill Ltd v SSHCLG [2019] EWHC 1993 (Admin)
9.17	Paul Newman v SSHCLG [2019] EWHC 2367 (Admin)

CD10 Housing Need, Land Supply & Affordable Housing

10.1	Housing Land Supply Statement for South Oxfordshire District Council June 2019 (Revised August 2019)
10.2	Housing Land Supply Statement for South Oxfordshire District Council April 2018
10.3	Housing Land Supply in Oxfordshire: Written statement - HCWS955
10.4	Oxfordshire Housing and Growth Deal Outline Agreement
10.5	South Oxfordshire Housing and Economic Land Availability Assessment (SHELAA) (January 2019)
10.6	Oxfordshire Strategic Housing Market Assessment (2014)
10.7	Oxfordshire SHMA – Summary of Key Findings
10.8	Joint Housing Delivery Strategy (2018-2028)
10.9	Joint Homelessness Strategy (2015-2020)
10.10	Oxfordshire 2030 Partnership Plan
10.11	Oxfordshire Local Industrial Strategy
10.12	Oxfordshire LIS Baseline Economic Review
10.13	Oxford City Council SHMA Update
10.14	Cambridge, Milton Keynes, Oxford, Northampton Growth Corridor Report for NIC
10.15	Oxfordshire Economic Forecasting Final Report 2014
10.16	Economic Vision – the Oxford and Cambridge Arc
10.17	Office for Budget Responsibility Fiscal Sustainability Report 2018
10.18	SODC Housing Topic Paper January 2019
10.19	Wheatley Neighbourhood Plan Housing Needs Assessment prepared by AECOM
10.20	PPG – Housing and economic needs Assessment (Updated July 2019)
10.21	PPG - Housing Supply and Delivery (July 2019)
10.22	PPG - Housing and economic land availability Assessment (July 2019)

10.23	PPG Housing and economic land availability Assessment (March 2014)
10.24	Archived PPG Housing need Assessment (March 2015)

CD 11 Green Belt Documents

11.01	Green Belt protection and intentional unauthorised development: Written statement - HCWS423
11.02	Written Ministerial Statement by Local Government Minister Brandon Lewis 17 January 2014
11.03	PPG – Green Belt (July 2019)

CD 12 Landscape Documents

12.1	Guidelines for Landscape and Visual Impact Assessment, Third Edition 2013 (GLVIA3) Landscape Institute/Institute of Environmental Management and Assessment
12.2	PPG Landscape (July 2019)

Extracts of all the following documents are provided in the Landscape SoCG:

National Character Area 109 Midvale Ridge

National Character Area 108 Upper Thames Clay Vales

Oxfordshire Wildlife and Landscape Study

South Oxfordshire Landscape Assessment (2003)

SODC Landscape Character Assessment for the Local Plan 2033 (2017)

Landscape Sensitivity Assessment Potential Strategic allocations Jan 2018 (KLP)

South Oxfordshire District Council - Landscape Assessment Update HAD October 2018

CD 13 Heritage Documents

13.1	The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (2nd edition) Historic England (Dec 17)
13.2	The South Oxfordshire Local Plan 2033 Heritage Impact Assessment (Oxford Archaeology, September 2017)
13.3	John Moore Heritage Services Heritage Impact Assessment for Strategic Land Allocations in Local Plan (March 2019)
13.4	Kevin Heritage, Holton Park- A Short History (2018)
13.5	Seeing the History in View: A Method for Assessing Heritage Significance Within Views, English Heritage, June 2012.
13.6	Guidance on Heritage Impact Assessments for Cultural World Heritage Properties, ICOMOS, January 2011.
13.7	PPG – Historic Environment (July 2019)
13.8	Historic Mapping, prepared by FPCR (Drawing No. 7590-L-63)
13.9	Illustrative Cross Sections: Proposed Parkland, prepared by FPCR (Drawing No. 7590-L-61)

CD14 Accessibility

14.1	Oxfordshire Walking Design Standards (2017)
14.2	Planning Policy Guidance Note 13 (PPG13): Transport (2011)
14.3	Manual for Streets (2007)
14.4	Chartered Institute of Highways and Transportation (CIHT) Planning for Walking (2015)
14.5	Planning Permission Ref. P11/W1227
14.6	Department for Transport – Accessibility Planning Guidance Note (2007)
14.7	National Travel Survey (2017)
14.8	Connecting Oxfordshire: Local Transport Plan 4 2015-2032
14.9	'Our Place, our future' Sustainable Community Strategy for South Oxfordshire (2009-2026)
14.10	South Oxfordshire Sustainable Transport Study for New Developments, Evidence Base Report July 2017
14.11	PPG Travel Plans, Transport Assessments and Statements (March 2014)
14.12	Planning Permission P16/S1468/O - Land north of Mill Lane, CHINNOR, OX39 4RF
14.13	Planning Permission P15/S0779/FUL - Land on corner of Mill Lane & Thame Lane, Chinnor
14.14	Planning Permission P11/W2357 - Former Carmel College, Mongewell Park, Mongewell, Oxon, OX10 8BU
14.15	Planning Permission P17/S2469/O - Land Adjacent to the Village Hall, Main Road, East Hagbourne
14.16	Planning Permission P16/S0077/O - JHHNDP Site M & M1: Highlands Farm, Highlands Lane, Rotherfield Greys, RG9 4PR
14.17	IHT Guidelines for Providing for Journeys on Foot (dated 2000)

CD15 Supplementary Planning Documents and Other Documents

15.1	South Oxfordshire Design Guide 2016
15.2	Oxford Brookes University Wheatley Masterplan SPD
15.3	SODC letter to Growth Deal members and local authority partners on 24th July
15.4	Letter from former Minister of State for Housing on 22nd July 2019
15.5	Fixing our Broken Housing Market (February 2017)
15.6	Section 106 Planning Obligations Supplementary Planning Document (2016)
15.7	Oxfordshire Housing and Growth Deal – Delivery Plan (2018)
15.8	Corporate Plan 2016 – 2020 (2016)
15.9	Joint Housing Delivery Strategy 2018-2028 (January 2018)

15.10	Housing Study (May 2017)
15.11	Letter to SODC from Rt Hon Robert Jenrick MP (26 August 2019)
15.12	SODC Infrastructure Delivery Plan Update January 2019
15.13	SODC Settlement Assessment Background Paper 2018
15.14	SODC Topic Paper – Local Plan Spatial Strategy
15.15	Letter to SODC from Tom Walker, Director General, MHCLG (20 September 2019)

CD16: Statements of Common Ground

16.1	Main Statement of Common Ground (August 2019)
16.2	Landscape SoCG
16.3	Heritage SoCG
16.4	Accessibility SoCG
16.5	Affordable Housing SoCG

CD18: Case Management documents (PINS)

18.1	Case Management Conference Agenda received 8 August 2019
18.2	Case Management Conference Notes received 21 August 2019
18.3	Email Leanne Palmer at PINS dated 20 September 2019 in relation to extension to deadline for PoE

CD19: SODC Relevant Judgements

19.1	Dyer v Dorset CC (1989) 1 QB 346)
19.2	Methuen-Campbell v Walters (1979) QB 525
19.3	Skerritts of Nottingham v SSETR (2000) 2 PLR 102)
19.4	Sinclair-Lockhart Trustees v Central Land Board (1950) 1 P&CR 19

CD20: New Inquiry Documents

20.1	Historic England Letter re. P17/S4254/O - 19 March 2018
20.2	Historic England Letter re. P17/S4254/O - 31 October 2018
20.3	SODC Conservation Officer re. P17/S4254/O - 15 March 2018
20.4	SODC Conservation Officer re. P17/S4254/O - 12 November 2018
20.5	The National Infrastructure Commission Report, Partnering for Prosperity – A new deal for the Cambridge-Milton Keynes-Oxford Arc, published on 17th November 2017
20.6	The Government's response to this report, published by HM Treasury on 29th October 2018.

Proofs of Evidence

Appellant	
PoE/GH	Gary Holliday Proof of Evidence 30 September 2019
PoE/ND	Dr Nicholas Doggett Proof of Evidence September 2019
PoE/JS	James Stacey Proof of Evidence September 2019
PoE/NI	Nick Ireland Proof of Evidence September 2019
PoE/RB	Richard Barton Proof of Evidence
PoE/UU	Upinder Ubhi Proof of Evidence October 2019
PoE/RG	Robert Gardner Proof of Evidence October 2019
Council	
PoE/MB/1	Michelle Bolger Proof of Evidence
PoE/MB/2	Michelle Bolger Rebuttal Proof of Evidence October 2019
PoE/JKD/1	Julian Kashdan-Brown Proof of Evidence
PoE/JKD/2	Julian Kashdan-Brown Rebuttal Proof of Evidence October 2019
PoE/TS/1	Tracey Smith Proof of Evidence
PoE/TS/2	Tracey Smith Rebuttal Proof of Evidence October 2019
PoE/PJ/1	Philippa Jarvis Proof of Evidence
PoE/PJ/2	Philippa Jarvis Rebuttal Proof of Evidence 15 October 2019
PoE/BD	Ben Duffy Rebuttal Proof of Evidence October 2019
PoE/KH	Katherine Hamer (Oxfordshire County Council) Proof of Evidence

Appendix D

CONDITIONS TO BE IMPOSED IF PLANNING PERMISSION IS GRANTED

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
- 3) The development hereby permitted shall begin not later than 2 years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

- 4) The development hereby approved shall be carried out in accordance with the following approved plans:

Site Location Plan (Drawing no: 7590-L-17RevA)

Parameters Plan 1: Land Use (Drawing no: 7590-L-18RevG)

Parameters Plan 2: Green Infrastructure (Drawing no: 7590-L19Rev F)

Parameters Plan 3: Building Heights (Drawing no: 7590-L-20RevF)

Reason: For the avoidance of doubt.

- 5) No development shall take place until a Phasing Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide the following information for each phase or sub phases:
 - a) The number and mix (bedroom number) of market dwellings;
 - b) The number and mix (bedroom number) and gross internal floor areas of affordable housing to meet the latest evidence of affordable housing need (the total amount of affordable housing to cumulatively be 34.57% of the total amount of housing across the site);
 - c) The tenure of each affordable unit;
 - d) The number of accessible and adaptable homes to be built to Building Regulations Part M4(2) category 2 for both market (which shall be a minimum of 10% overall) and affordable sectors;
 - e) Location and boundaries of public open space, play areas, green infrastructure, leisure and sports pitches/pavilion, associated parking areas to be provided and a scheme for their future management;
 - f) Key infrastructure including means of vehicular and pedestrian and cycle access and links to serve each phase;
 - g) Drainage and landscaping works including future management arrangements;
 - h) Existing and proposed ground and ridge levels;

An updated Phasing Plan shall be provided with each subsequent reserved matter application showing how each of these elements of the development is to be phased. The development shall be implemented in accordance with the approved Phasing Plan/s.

Reason: In order to secure the satisfactory development of the site

- 6) Prior to commencement of the development, details of the works to the site accesses onto Waterperry Road and Holton Park Drive, shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be completed in accordance with the approved details and timescales.

Reason: In the interest of highway safety in accordance with Policy T1 of the Local Plan 2012.

- 7) Prior to the commencement of any development (including demolition works), a Construction Method Statement, incorporating a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Statement will have been prepared in the light of Outline Construction and Demolition Environmental Management Plan dated January 2018 and shall include details of the following:
 - a) Vehicle parking facilities for construction workers, other site operatives and visitors;
 - b) Site offices and other temporary buildings;
 - c) Loading and unloading of plant and materials;
 - d) Storage of plant and materials used during construction;
 - e) Vehicle wheel washing facilities;
 - f) Measures to control the emission of dust and dirt;
 - g) A scheme for recycling and/or disposing of waste materials arising from the demolition and construction works;
 - h) Installation and maintenance of security hoarding/fencing;
 - i) Hours of construction

The development hereby approved shall be undertaken in accordance with the details approved in accordance with this condition and complied with throughout the construction period

Reason: In the interests of visual and residential amenity and highway safety (Policies D1, and T1 of the Local Plan.

- 8) No development hereby permitted shall begin until surface and foul water drainage schemes for the site have been submitted to and agreed in writing by the Local Planning Authority. The surface water scheme shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development. The schemes shall subsequently be implemented in accordance with the approved details.

Reason: To ensure the effective drainage of the site and to avoid flooding (Policy DC14 of the adopted Local Plan).

- 9) Prior to the commencement of the development hereby approved an Archaeological Written Scheme of Investigation, relating to the application site area, shall be submitted to and approved in writing by the Local Planning Authority.

Following the approval of the Written Scheme of Investigation and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of

archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation.

The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason: To secure the protection of and proper provision for any archaeological remains in accordance with Policy CSEN3 of the Core Strategy and Policies CON11, CON13 and CON14 of the Local Plan.

- 10) Prior to the commencement of the development a phased risk Assessment shall be carried out by a competent person in accordance with current government and Environment Agency Guidance and Approved Codes of Practice. Each phase shall be submitted to and approved in writing by the Local Planning Authority. Phase 2 shall include a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and if significant contamination is identified to inform the remediation strategy. A remediation strategy shall be submitted to and approved by the LPA to ensure the site will be rendered suitable for its proposed use and the development shall not be occupied until the approved remediation strategy has been carried out in full and a validation report confirming completion of these works has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground, water and associated gas contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use.

- 11) Either prior to, or concurrent with the submission of each reserved matters application a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the local planning authority. The CEMP shall include the following:
- a) Risk Assessment of potentially damaging construction activities;
 - b) Identification of biodiversity protection zones;
 - c) Practical measures (both physical measures and sensitive working practices) to avoid, reduce or mitigate the impacts on important habitats and protected species during construction;
 - d) A mitigation strategy for all protected species ensuring that each species long term conservation status is protected and enhanced;
 - e) The location and timing of sensitive works to avoid harm to biodiversity features;
 - g) The times during construction when specialist ecologists need to be present on site to oversee works;
 - g) Responsible persons and lines of communication, and
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To ensure the protection of habitats and species on the site, in accordance with Policy CSB1 of the Core Strategy and Policy C8 of the Local Plan.

- 12) Concurrent with the submission of the first reserved matters application, a Biodiversity Enhancement Plan (BEP) shall be submitted to and approved in writing by the Local Planning Authority. The plan should demonstrate how the development can achieve a no net loss of biodiversity overall compared to the biodiversity value of the site prior to development. The plan should include both habitat and species enhancements and should use a suitable form of biodiversity accounting to prove that no net loss can be achieved. The BEP should include:
- a) Details of habitat creation or enhancements (this could cross reference relevant landscape plans) and include suitably detailed drawings and cross sections as required;
 - b) Details of species enhancements including relevant scale plans and drawings showing the location, elevation and type of features such as bat and bird boxes etc. as appropriate;
 - c) Selection of appropriate strategies for creating/restoring target habitats or introducing target species;
 - d) Selection of specific techniques and practices for establishing vegetation;
 - e) Sources of habitat materials (e.g. plant stock) or species individuals;
 - f) Method statement for site preparation and establishment of target features;
 - g) Extent and location of proposed works, and
 - h) Details of the biodiversity offsetting metric calculations that clearly demonstrate that the proposals contained in the plan avoid a net loss of biodiversity.

Thereafter, the biodiversity enhancement measures shall be developed on site and retained in accordance with the approved details. All enhancements should be delivered prior to final occupation.

Reason: To avoid a net loss of biodiversity in accordance with Policy CSB1 of the Core Strategy and government guidance as stated in paragraphs 170(d) and 175 of the Framework.

- 13) No development shall take place until the tree protection measures detailed in Appendix B of the Arboricultural Assessment dated January 2018 are erected around any trees affected by construction activity.

Reason: To safeguard trees which are visually important in accordance with Policies CSEN1 and CSQ3 of the Core Strategy 2027 and Policies G2, C9 and D1 of the Local Plan 2011.

- 14) Before any dwelling hereby permitted is first occupied, the proposed vehicular accesses, driveways and turning areas that serve that dwelling shall be constructed, laid out, surfaced and drained in accordance with the specification details that have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of those works.

Reason: To ensure a satisfactory residential environment in accordance with policy D1 and EP2 of the Local Plan.

- 15) Prior to the occupation of the first dwelling hereby permitted a Travel Plan in general accordance with the Framework Travel Plan dated 5 January 2018 shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented in accordance with the approved details.

Reason: To promote the use of non-car modes of transport in accordance with Policy CSM2 of the Core Strategy.

- 16) Prior to first occupation of any dwelling or building to which they relate electric vehicle charging points shall be installed and be operational in accordance with details that shall previously have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory standards of air quality for the residents of the development and surrounding residential properties in accordance with Policies G2 and EP1 of the Local Plan, CSQ2 of the Core Strategy and paragraphs 105 and 181 of the Framework.

- 17) Prior to the occupation of the first dwelling hereby approved details of the means by which the dwellings may be connected to the utilities to be provided on site to facilitate super-fast broadband connectivity have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To facilitate homeworking and to reduce the need to travel in accordance with Policies CSM1 and CSM2 of the Core Strategy.

- 18) Prior to first occupation of any dwelling a noise mitigation strategy including full details of the proposed noise bund to be erected along the southern boundary of the site, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented and retained thereafter.

Reason: To minimise the noise levels from the adjacent A40 and to ensure a satisfactory residential environment in accordance with policy D1 and EP2 of the Local Plan.

- 19) Prior to the occupation of the first dwelling, details of a scheme for the enhancement and protection of the on-site Scheduled Ancient Monument on the site shall be submitted to and approved in writing by the Local Planning Authority. The enhancement scheme shall include details of the following;
 - a) strimming / mowing and removal of scrub vegetation and self-set trees from the monument;
 - b) a management plan for the preservation / maintenance of the monument in the future, prepared with the objective of removing the need to secure scheduled monument consent to carry out future maintenance of the monument;
 - c) consultation with Historic England and the Local Planning Authority Archaeology Officer in respect of research into the history and the origins of the monument;
 - d) Design and location of an interpretation and information board in respect of the monument. The board shall include information in respect of the monument. It shall also include details of the statutory

- protection and security measures that the monument benefits from and the repercussions for any individuals who damage the monument through illegal or unauthorised activities, such as metal detecting, and
- e) Design and location of a seating area, comprising at least one bench and associated hard standing, adjacent to, but outside, the perimeter of the monument. The perimeter of the monument is defined as the extremities of ditch, plus an additional two metre buffer zone.

The interpretation board and seating area shall be installed and the SAM maintained in accordance with the details set out in the SAM enhancement scheme as approved by the Council and shall be maintained thereafter for the lifetime of the development unless otherwise agreed in writing by the LPA.

Reason: To ensure adequate mitigation of a designated heritage asset in accordance with Policy CSEN3 of the Core Strategy.

Appendix E

THE RESPECTIVE POSITIONS OF THE PARTIES ON HOUSING LAND SUPPLY

Table 1: The deliverable supply of each party

	Councils Original Position	Appellants Original Position	Councils updated position	Appellants updated position
Large Sites with planning permission	2632	2409	2632	2409
1673 Former Carmel College, Mongewell Park, Mongewell Oxon, OX10 8BU	166	100	166	100
830 Thame NDP Site 2: Land at The Elms, Upper High Street, Thame, OX9 2DX	37	0	37	0
1442 Woodcote NDP Site 16: Former Reservoir site, Greenmore	20	0	20	0
Small sites with planning permission	522	522 (not discounting from total to avoid double counting for windfall reduction)	522	522
Large sites with outline planning permission	1697	0	1697	0
1639 Land West of Marley Lane	200	0	200	0
2031 Land South of Greenwood Avenue, Chinnor	140	0	140	0
1560 Land to the East of Benson Lane, Crowmarsh Gifford	150	0	150	0
1009 Land to the north east of Didcot	838	0	838	0
1762 Land adjacent to the village hall, Main Road, East Hagbourne	74	0	74	0
1737 Thames Farm, Reading Road, Shiplake	95	0	95	0

1015 Land to the west of Wallingford (Site B), Wallingford	200	0	200	0
Small Sites with outline planning permission	61	61	61	61
Large sites without consent subject to resolution to grant	487	0	487	0
1561 Land to the south of Newnham Manor	100	0	100	0
1814 Land at Six Acres Tame Road, Warborough	29	0	29	0
1676 Wallingford Site E, Land north of A4130 Wallingford Bypass (emerging NDP site)	258	0	258	0
1930 Benson NDP: Site BEN 3 /4	100	0	100	0
Allocations	471	0	442	0
1929 Benson NDP: Site BEN 2	52	0	52	0
1937 Watlington NDP: Site A	183	0	183	0
1938 Watlington NDP: Site B	28	0	28	0
1939 Watlington NDP: Site C	28	0	28	0
1011 Ladygrove East, Land off A4130, Hadden Hill, Didcot – site has no permission- Allocated site in South Oxfordshire Core Strategy	129	0	129	0
977 Woodcote NDP Site 01: Chiltern Rise Cottage – site has no permission	22	0	22	0
Prior Approvals Large Sites	126	81	126	81
Site 1753 DAF building, Thame	45	0	45	0
Prior Approvals Small Sites	53	53	53	53
C2 Permissions	194	194	194	194
Windfall Allowance	200	105	200	105

TOTAL	6472	3583	6,443	3583
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Table 2: The five-year land supply position of each party against the standard method

	The Councils supply	The Appellant's Supply
Annual Requirement	632	632
Five-year requirement excluding buffer	3,160	3,160
Five-year requirement including 5% buffer	3,318	3,318
Deliverable Supply	6,443	3,583
Five-year land supply	9.71	5.40

Table 3: The five-year land supply position of each party against the figures identified in the Growth Deal from 2011

	The Councils supply	The Appellant's Supply
Annual Requirement	775	775
Unmet Need (495 per annum added to the 5YHLS from 2021 to assist Oxford in meeting its housing need)	1,485	1,485
Net Shortfall (2011-19)	506	506
Five-year requirement including shortfall	5,866	5,866
Five-year requirement including 5% buffer	6,159	6,159
Deliverable supply	6,443	3,583
Five-year land supply	5.23	2.91

Table 4: The five-year land supply position of each party against the 2014 Oxfordshire SHMA 1

	The Council's supply	The Appellant's supply
Annual Requirement	775	775
Shortfall 2011-2019	506	506
Five-year requirement including shortfall	4,381	4,381
Five-year requirement including 5% buffer	4,600	4,600
Deliverable supply	6,443	3,583
Five-year land supply	7.00	3.89

Table 5: The five-year land supply position of each party against the figures identified in the Appellant's OAN calculation for South Oxfordshire

	The Council's supply	The Appellant's supply
Annual Requirement	1,035	1,035
Five-year requirement excluding buffer	5,175	5,175
Five-year requirement including 5% buffer	5,434	5,434
Deliverable supply	6,443	3,583
Five-year land supply	5.93	3.30



Ministry of Housing, Communities & Local Government

www.gov.uk/mhclg

RIGHT TO CHALLENGE THE DECISION IN THE HIGH COURT

These notes are provided for guidance only and apply only to challenges under the legislation specified. If you require further advice on making any High Court challenge, or making an application for Judicial Review, you should consult a solicitor or other advisor or contact the Crown Office at the Royal Courts of Justice, Queens Bench Division, Strand, London, WC2 2LL (0207 947 6000).

The attached decision is final unless it is successfully challenged in the Courts. The Secretary of State cannot amend or interpret the decision. It may be redetermined by the Secretary of State only if the decision is quashed by the Courts. However, if it is redetermined, it does not necessarily follow that the original decision will be reversed.

SECTION 1: PLANNING APPEALS AND CALLED-IN PLANNING APPLICATIONS

The decision may be challenged by making an application for permission to the High Court under section 288 of the Town and Country Planning Act 1990 (the TCP Act).

Challenges under Section 288 of the TCP Act

With the permission of the High Court under section 288 of the TCP Act, decisions on called-in applications under section 77 of the TCP Act (planning), appeals under section 78 (planning) may be challenged. Any person aggrieved by the decision may question the validity of the decision on the grounds that it is not within the powers of the Act or that any of the relevant requirements have not been complied with in relation to the decision. An application for leave under this section must be made within six weeks from the day after the date of the decision.

SECTION 2: ENFORCEMENT APPEALS

Challenges under Section 289 of the TCP Act

Decisions on recovered enforcement appeals under all grounds can be challenged under section 289 of the TCP Act. To challenge the enforcement decision, permission must first be obtained from the Court. If the Court does not consider that there is an arguable case, it may refuse permission. Application for leave to make a challenge must be received by the Administrative Court within 28 days of the decision, unless the Court extends this period.

SECTION 3: AWARDS OF COSTS

A challenge to the decision on an application for an award of costs which is connected with a decision under section 77 or 78 of the TCP Act can be made under section 288 of the TCP Act if permission of the High Court is granted.

SECTION 4: INSPECTION OF DOCUMENTS

Where an inquiry or hearing has been held any person who is entitled to be notified of the decision has a statutory right to view the documents, photographs and plans listed in the appendix to the Inspector's report of the inquiry or hearing within 6 weeks of the day after the date of the decision. If you are such a person and you wish to view the documents you should get in touch with the office at the address from which the decision was issued, as shown on the letterhead on the decision letter, quoting the reference number and stating the day and time you wish to visit. At least 3 days notice should be given, if possible.

Appendix 35

Adderbury Neighbourhood Development Plan

Adderbury Parish Council

Adderbury Neighbourhood Development Plan

A report to Cherwell District Council of the Independent
Examination of the Adderbury Neighbourhood Development
Plan

Independent Examiner Christopher Edward Collison

Christopher Edward Collison

BA (Hons) MBA MRTPI MIED MCMi IHBC

Planning and Management Ltd



26 March 2018

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Overall Finding

This is the report of the Independent Examination of the Adderbury Neighbourhood Development Plan. The plan area comprises the entire civil parish of Adderbury within the Cherwell District Council area. The plan period is 2014-2031. The Neighbourhood Plan includes policies relating to the development and use of land. The Neighbourhood Plan does not allocate land for residential development.

This report finds that subject to specified modifications the Neighbourhood Plan meets the basic conditions and other requirements. It is recommended the Plan should proceed to a local referendum based on the plan area.

Neighbourhood Planning

1. The Localism Act 2011 empowers local communities to take responsibility for the preparation of elements of planning policy for their area through a neighbourhood development plan. The National Planning Policy Framework (the Framework) states that “*neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need.*”¹
2. Following satisfactory completion of the necessary preparation process neighbourhood development plans have statutory weight. Decision-makers are obliged to make decisions on planning applications for the area that are in line with the neighbourhood development plan, unless material considerations indicate otherwise.
3. The Adderbury Neighbourhood Development Plan (the Neighbourhood Plan) has been prepared by Adderbury Parish Council (the Parish Council). The draft Plan has been submitted by the Parish Council, a qualifying body able to prepare a neighbourhood plan, in respect of the Adderbury Neighbourhood Area which was formally designated by Cherwell District Council (the District Council) on 7 June 2013. Since January 2016 the Neighbourhood Plan has, building on the work of a previous group, been produced by a Neighbourhood Plan Steering Group (the Steering Group), made up of members of the Parish Council supported by neighbourhood representatives, with input from the District Council and supporting consultants.
4. The submission draft of the Neighbourhood Plan, along with the Consultation Statement and the Basic Conditions Statement, has been approved by the Parish Council for submission of the plan and accompanying documents to the District Council. The District Council arranged a period of publication between Thursday 12 October and Friday 24 November 2017. The District Council has submitted the Neighbourhood Plan to me for independent examination, which commenced on 1 March 2018.

¹ Paragraph 183 National Planning Policy Framework (2012)

Independent Examination

5. This report sets out the findings of the independent examination into the Neighbourhood Plan.² The report makes recommendations to the District Council including a recommendation as to whether or not the Neighbourhood Plan should proceed to a local referendum. The District Council will decide what action to take in response to the recommendations in this report.
6. The District Council will decide whether the Neighbourhood Plan should proceed to referendum, and if so whether the referendum area should be extended, and what modifications, if any, should be made to the submission version plan. Once a neighbourhood plan has been independently examined, and the decision taken to put the plan to a referendum, it must be taken into account when determining a planning application, in so far as the policies in the plan are material to the application.
7. Should the Neighbourhood Plan proceed to local referendum and achieve more than half of votes cast in favour, then the Neighbourhood Plan will be 'made' by the District Council. If 'made' the Neighbourhood Plan will come into force as part of the Development Plan for the neighbourhood area, and subsequently be used in the determination of planning applications and decisions on planning appeals in the plan area. The Housing and Planning Act requires any conflict with a neighbourhood plan to be set out in the committee report, that will inform any planning committee decision, where that report recommends granting planning permission for development that conflicts with a made neighbourhood plan. The Framework is very clear that where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted³.
8. I have been appointed by the District Council with the consent of the Parish Council, to undertake the examination of the Neighbourhood Plan and prepare this report of the independent examination. I am independent of the Parish Council and the District Council. I do not have any interest in any land that may be affected by the Neighbourhood Plan and I hold appropriate qualifications and have appropriate experience. I am an experienced Independent Examiner of

² Paragraph 10 Schedule 4B Town and Country Planning Act 1990

³ Paragraph 198 National Planning Policy Framework 2012

Neighbourhood Plans. I am a Member of the Royal Town Planning Institute; a Member of the Institute of Economic Development; a Member of the Chartered Management Institute; and a Member of the Institute of Historic Building Conservation. I have forty years professional planning experience and have held national positions and local authority Chief Planning Officer posts.

9. As independent examiner, I am required to produce this report and must recommend either:

- that the Neighbourhood Plan is submitted to a referendum, or
- that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum, or
- that the Neighbourhood Plan does not proceed to a referendum on the basis it does not meet the necessary legal requirements.

10. I make my recommendation in this respect and in respect to any extension to the referendum area,⁴ in the concluding section of this report. It is a requirement that my report must give reasons for each of its recommendations and contain a summary of its main findings.⁵

11. The general rule is that examination of the issues is undertaken by the examiner through consideration of written representations.⁶ The Planning Practice Guidance (the Guidance) states *“it is expected that the examination of a draft Neighbourhood Plan will not include a public hearing.”*

12. The examiner has the ability to call a hearing for the purposes of receiving oral representations about a particular issue in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of the issue, or a person has a fair chance to put a case. All parties have had opportunity to state their case. As I did not consider a hearing necessary I proceeded on the basis of written representations.

⁴ Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

⁵ Paragraph 10(6) Schedule 4B Town and Country Planning Act 1990

⁶ Paragraph 9(1) Schedule 4B Town and Country Planning Act 1990

Basic Conditions and other statutory requirements

13. An independent examiner must consider whether a neighbourhood plan meets the “Basic Conditions”.⁷ A neighbourhood plan meets the Basic Conditions if:

- having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
- the making of the neighbourhood plan contributes to the achievement of sustainable development;
- the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
- the making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations; and
- the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.⁸

14. An independent examiner must also consider whether a neighbourhood plan is compatible with the Convention rights.⁹ All of these matters are considered in the later sections of this report titled ‘The Neighbourhood Plan taken as a whole’ and ‘The Neighbourhood Plan policies’.

15. In addition to the Basic Conditions and Convention rights, I am also required to consider whether the Neighbourhood Plan complies with the provisions made by or under sections 38A and 38B of the Planning and Compulsory Purchase Act 2004.¹⁰ I am satisfied the Neighbourhood Plan has been prepared in accordance with the requirements of those sections, in particular in respect to the Neighbourhood Planning (General) Regulations 2012 (the Regulations) which are made pursuant to the powers given in those sections.

⁷ Paragraph 8(2) Schedule 4B Town and Country Planning Act 1990

⁸ Prescribed for the purposes of paragraph 8(2) (g) of Schedule 4B to the 1990 Act by Regulation 32 The Neighbourhood Planning (General) Regulations 2012 and defined in the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

⁹ The Convention rights has the same meaning as in the Human Rights Act 1998

¹⁰ In sections 38A and 38B themselves; in Schedule 4B to the 1990 Act (introduced by section 38A (3)); and in the 2012 Regulations (made under sections 38A (7) and 38B (4)).

16. The Neighbourhood Plan relates to the area that was designated by the District Council as a neighbourhood area on 7 June 2013. A map of the Neighbourhood Plan boundary is included as Plan A of the Submission Version Plan. The Neighbourhood Plan designated area is coterminous with the Adderbury parish boundary. The Neighbourhood Plan does not relate to more than one neighbourhood area,¹¹ and no other neighbourhood development plan has been made for the neighbourhood area.¹² All requirements relating to the plan area have been met.
17. I am also required to check whether the Neighbourhood Plan sets out policies for the development and use of land in the whole or part of a designated neighbourhood area;¹³ and the Neighbourhood Plan does not include provision about excluded development.¹⁴ I am able to confirm that I am satisfied that each of these requirements has been met.
18. A neighbourhood plan must also meet the requirement to specify the period to which it has effect.¹⁵ The front cover of the Submission Version Plan clearly states the plan period to be 2014-2031. I have noted supporting documents have different start dates on their front covers (the Consultation Statement 2015, the Basic Conditions Statement 2016). These should be adjusted to be in conformity with the Submission Plan.

Recommended Modification 1

The Plan period should be consistently stated as 2014-2031 in all Plan documents.

19. The role of an independent examiner of a neighbourhood plan is defined. I am not examining the test of soundness provided for in respect of examination of Local Plans.¹⁶ It is not within my role to examine or produce an alternative plan, or a potentially more sustainable plan, except where this arises as a result of my recommended modifications so that the Neighbourhood Plan meets the Basic Conditions and other requirements that I have identified. I

¹¹ Section 38B (1)(c) Planning and Compulsory Purchase Act 2004

¹² Section 38B (2) Planning and Compulsory Purchase Act 2004

¹³ Section 38A (2) Planning and Compulsory Purchase Act 2004

¹⁴ Principally minerals, waste disposal, and nationally significant infrastructure projects - Section 38B(1)(b) Planning and Compulsory Purchase Act 2004

¹⁵ Section 38B (1)(a) Planning and Compulsory Purchase Act 2004

¹⁶ Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 182 of the Framework

have been appointed to examine whether the submitted Neighbourhood Plan meets the Basic Conditions and Convention rights, and the other statutory requirements.

20. A neighbourhood plan can be narrow or broad in scope. There is no requirement for a neighbourhood plan to be holistic, or to include policies dealing with particular land uses or development types, and there is no requirement for a neighbourhood plan to be formulated as, or perform the role of, a comprehensive local plan. The nature of neighbourhood plans varies according to local requirements.
21. Neighbourhood plans are developed by local people in the localities they understand and as a result each plan will have its own character. It is not within my role to re-interpret, restructure, or re-write a plan to conform to a standard approach or terminology. Indeed, it is important that neighbourhood plans are a reflection of thinking and aspiration within the local community. They should be a local product and have particular meaning and significance to people living and working in the area.
22. Apart from minor corrections and consequential adjustment of text (referred to in the Annex to this report) I have only recommended modifications to the Neighbourhood Plan (presented in bold type) where I consider they need to be made so that the plan meets the Basic Conditions and the other requirements I have identified.¹⁷

Documents

23. I have given consideration to each of the following documents in so far as they have assisted me in determining whether the Neighbourhood Plan meets the Basic Conditions and other requirements:
 - Adderbury Neighbourhood Plan 2014-2031 Submission Plan March 2017 including explanation of abbreviations, and Submission Policies Map and insets A, B, C, and D
 - Adderbury Neighbourhood Plan Basic Conditions Statement September 2017 [*In this report referred to as the Basic Conditions Statement*]

¹⁷ See 10(1) and 10(3) of Schedule 4B to the Town and Country Planning Act 1990

- Adderbury Neighbourhood Plan Consultation Statement March 2017 including Appendices A to F inclusive [*In this report referred to as the Consultation Statement*]
- Adderbury Neighbourhood Plan – Submission Plan – (updated) September 2017. Screening Statement by Cherwell District Council on the need for a Strategic Environmental Assessment (SEA) [*In this report referred to as the SEA report*]
- Adderbury Neighbourhood Plan – Pre- Submission Plan – November 2016. Screening Statement by Cherwell District Council on the need for a Strategic Environmental Assessment (SEA)
- Evidence Base documents listed in Appendix A of the Submission Neighbourhood Plan; and those available on the Neighbourhood Plan part of the Adderbury Parish Council website at www.adderburypc.co.uk/adderbury-neighbourhood-plan/ including the Green Space and Local Gaps Report, and the Local Heritage Assets Report
- Representations received during the Regulation 16 publicity period and Cherwell District Council listing and summary
- Submission of Adderbury Parish Council dated 26 January 2018 setting out a schedule of minor amendments and associated illustrative maps and numbered list of community assets and local services
- Adopted Cherwell Local Plan 2011- 2031 (Part 1)
- Cherwell Local Plan 1996 (saved policies) (Appendix 7 of the Part 1 Local Plan above includes a list of replaced and retained saved policies)
- Interactive Local Plan – policies map available at: <https://www.cherwell.gov.uk/info/83/local-plans/216/interactive-adopted-policies->
- National Planning Policy Framework (27 March 2012) [*In this report referred to as the Framework*]
- Permitted development rights for householders' technical guidance DCLG (April 2017) [*In this report referred to as the Permitted Development Guidance*]
- Planning Practice Guidance web-based resource MHCLG (first fully launched 6 March 2014) [*In this report referred to as the Guidance*]
- The Town and Country Planning (Use Classes) Order 1987 (as amended)
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2014
- The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order 2015
- The Town and Country Planning Act 1990 (as amended)
- The Planning and Compulsory Purchase Act 2004 (as amended)
- The Localism Act 2011
- The Housing and Planning Act 2016
- The Neighbourhood Planning Act 2017

- The Neighbourhood Planning (General) Regulations 2012 (as amended) [*In this report referred to as the Regulations*].
- The Neighbourhood Planning (General) (Amendment) Regulations 2015
- The Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016.

Consultation

24. The submitted Neighbourhood Plan is accompanied by a Consultation Statement which outlines the process undertaken in the preparation of the plan. In addition to detailing who was consulted and by what methods, it also provides a summary of comments received from local community members, and other consultees, and how these have been addressed in the Submission Plan. I highlight here a number of key stages of consultation undertaken in order to illustrate the approach adopted.
25. The plan preparation process began with public meetings held in November 2012 and February 2013 to inform villagers of the intention to prepare a neighbourhood plan and to establish a vision of what the community wanted for Adderbury over the next 20 years. During this period a steering committee was formed to manage the plan preparation process. Approximately 40 people contributed to the development of a Residents Survey which was delivered to every home in June 2013 resulting in 661 responses. Analysis of the responses are presented in appendix A of the Consultation Statement. A Business Survey in May 2013 resulted in 70 responses. The Draft Neighbourhood Plan subsequently prepared was the subject of community consultation in August and September 2013. This was followed by considerable work to produce a Pre-Submission Plan that was published for a six-week period of consultation commencing March 2015.
26. Concerns of the District Council regarding the policy content and robustness of the Plan were confirmed by an independent health check. The Steering Group was reconfigured in January 2016 which, with the support of consultants and with input from reinstated task groups, prepared revised policies in June 2016. A consultation focussed on future leisure facilities resulted in 183 responses to a

questionnaire the analysis of which is presented as Appendix C of the Consultation Statement.

27. Pre-submission consultation in accordance with Regulation 14 was undertaken in the period between 1 November 2016 and 17 December 2016, and subsequently extended to February 2017. The consultation included a four-page article as part of the Adderbury Contact magazine delivered to all households; articles in the 'Around the Villages' section of the Banbury Guardian; hard copies of the Plan deposited at Adderbury Library; and postings on the village website and on the Parish Council website. The representations arising from the consultation are comprehensively presented within the Consultation Statement where responses, and amendments to the Neighbourhood Plan, are set out. The suggestions have, where considered appropriate, been reflected in a number of changes to the Plan that was approved by the Parish Council, for submission to the District Council.
28. The Submission Version of the Neighbourhood Plan has been the subject of a Regulation 16 period of publication between 12 October and 5.00pm on 24 November 2017. Representations from 26 different parties were submitted during the period of publication. I have been provided with copies of each these representations.
29. A representation states the text of paragraph 4.7 should repeat the approach stated in paragraph 3.8. I do not consider modification is necessary in this respect as the Neighbourhood Plan should be read as a whole. Representations submitted jointly by a group of six people include comment on the text of the Neighbourhood Plan up to paragraph 5.5. This group representation, and the representations of Natural England, do not necessitate any modifications of the Neighbourhood Plan in order to meet the Basic Conditions. Where representations include comment on the policies of the Neighbourhood Plan I have taken these into consideration when considering each of the plan policies later in my report.
30. Historic England compliment many aspects of the Neighbourhood Plan and the approach adopted and state the Plan is an exemplar in the use of policies relating to character. Milton Parish Meeting acknowledge the Neighbourhood Plan is well advanced and Highways England, Scottish and Southern Electric, and National Grid confirm they have no comments on the Plan. Sport England have referred to a

number of national policies and where they can be accessed but do not make any specific recommendations in relation to the Neighbourhood Plan. The representations of Oxfordshire County Council, Network Rail, Oxfordshire Clinical Commissioning Group, and Thames Water, and a number of other representations identify matters that should be the subject of additional text or policies in the Neighbourhood Plan. There is no requirement that a neighbourhood plan should refer to particular matters or include any particular policies. My role is limited to consideration whether the Submission Plan meets the Basic Conditions and other requirements. In preparing this report I have taken into consideration all of the representations submitted during the Regulation 16 period even though they may not be referred to in whole, or in part.

31. The Regulations state that where a qualifying body submits a plan proposal to the local planning authority it must include amongst other items a consultation statement. The Regulations state a consultation statement means a document which:
- a) contains details of the persons and bodies who were consulted about the proposed neighbourhood development plan;
 - b) explains how they were consulted;
 - c) summarises the main issues and concerns raised by the persons consulted; and
 - d) describes how these issues and concerns have been considered and, where relevant, addressed in the proposed neighbourhood development plan.¹⁸
32. The Consultation Statement includes information in respect of each of the requirements set out in the Regulations. I am satisfied the requirements have been met. It is evident the Neighbourhood Plan Steering Group has taken great care to ensure stakeholders have had full opportunity to influence the general nature, and specific policies, of the Neighbourhood Plan.
33. In a letter dated 26 January 2018 Adderbury Parish Council has, following discussions with the District Council, submitted to the District Council a schedule of 'suggested Minor Amendments' in table form and supported by maps for further clarity. The Parish Council letter requests it should be passed to the Examiner. The District Council has included the letter in the bundle of documents sent to me. As the letter

¹⁸ Regulation 15 The Neighbourhood Planning (General) Regulations 2012 SI 2012 No.637

in question has been submitted after the period for representations has closed this raises a procedural matter.

34. The requirement for a local planning authority to publicise a plan proposal in Regulation 16 (a) relates to the documents referred to in Regulation 15 (1), namely the submitted Neighbourhood Plan and map or statement identifying the area to which it relates; a consultation statement; and a document commonly referred to as a basic conditions statement. Regulation 17 requires the local planning authority to send to the person appointed to carry out an examination, *“any other document submitted to the local planning authority by the qualifying body in relation to the plan proposal”*, in addition to the plan proposal; any necessary information relating to Habitats Regulations; Regulation 16 representations; and the documents referred to in Regulation 15(1). I am proceeding on the basis that *“any other document submitted to the local planning authority by the qualifying body in relation to the plan proposal”* is not limited to those submitted in respect of Regulation 15 (1).
35. In my initial letter sent to the Parish Council and the District Council on 1 March 2018 at the commencement of my examination, which I requested should be published on the Parish Council and District Council websites, I stated *“It is essential that the examination process is open and transparent to all interested parties”* and *“I request that Cherwell District Council ensure that all documents sent to me are made available on the Council’s website.”* In this Independent Examination I have taken into consideration the letter of Adderbury Parish Council dated 26 January 2018 (including the schedule of ‘suggested Minor Amendments’ in table form and supporting maps).

The Neighbourhood Plan taken as a whole

36. This section of my report considers whether the Neighbourhood Plan taken as a whole meets EU obligations, habitats and human rights requirements; has regard to national policies and advice contained in guidance issued by the Secretary of State; whether the plan contributes to the achievement of sustainable development; and whether the plan is in general conformity with the strategic policies contained in the development plan for the area. Each of the plan policies is considered in turn in the section of my report that follows

this. In considering all of these matters I have referred to the background and supporting documents and copies of the representations provided to me.

Consideration of Convention rights; and whether the making of the Neighbourhood Plan does not breach, and is otherwise compatible with, EU obligations; and the making of the Neighbourhood Plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects

37. The Basic Conditions Statement states “The Neighbourhood Plan has also had regard to the fundamental rights and freedoms guaranteed under the European Convention on Human Rights and complies with the Human Rights Act.” I have given consideration to the European Convention on Human Rights and in particular to Article 8 (privacy); Article 14 (discrimination); and Article 1 of the first Protocol (property).¹⁹ I have seen nothing in the submission version of the Neighbourhood Plan that indicates any breach of the Convention.
38. Whilst no analysis has been undertaken to establish the impact the objectives and policies of the Neighbourhood Plan will have on persons with protected characteristics (as identified in the Equality Act 2010). From my own examination, the Neighbourhood Plan would appear to have neutral or positive impacts on groups with protected characteristics.
39. The objective of EU Directive 2001/42²⁰ is “*to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.*” The Neighbourhood Plan falls within the definition of ‘plans and programmes’²¹ as the Local Planning Authority is obliged to ‘make’ the plan following a positive referendum result.²²

¹⁹ The Human Rights Act 1998 which came into force in the UK in 2000 had the effect of codifying the protections in the European Convention on Human Rights into UK law.

²⁰ Transposed into UK law through the Environmental Assessment of Plans and Programmes Regulations 2004

²¹ Defined in Article 2(a) of Directive 2001/42

²² Judgement of the Court of Justice of the European Union (Fourth Chamber) 22 March 2012

40. The Neighbourhood Planning (General) (Amendment) Regulations 2015 require the Parish Council, as the Qualifying Body, to submit to the District Council either an environmental report prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, or a statement of reasons why an environmental report is not required.
41. The submission documents include a Screening Statement prepared by Cherwell District Council. This statement includes 'Appendix A Screening Assessment' that concludes *"As a result of the screening assessment it is considered unlikely there will be any significant environmental effects arising from Adderbury Neighbourhood Plan that were not covered/addressed in the Sustainability Appraisal of the Cherwell Local Plan. As such, it is considered that the Adderbury Neighbourhood Plan does not require a full SEA to be undertaken."* The conclusion to the Screening Statement states *"Having regard to the screening at Appendix 1, it is considered that the Pre-submission ANP is unlikely to result in any significant environmental effects. On this basis, an SEA would not be required. The draft neighbourhood plan does not allocate land for development other than proposing to allocate one site for community facilities and associated buildings. The ANP also relies upon developments with planning permission and which are under construction. Some additional development at Adderbury was provided for by adopted Cherwell Local Plan 2011-2031 Policies Villages 1 and Villages 2 which was the subject of SEA/SA"*. The District Council has confirmed the three statutory bodies: Historic England, Natural England, and the Environment Agency, were consulted on both an earlier draft and the current Screening Statement. I am satisfied that the requirements in respect of Strategic Environmental Assessment have been met.
42. The SEA Screening Statement states *"Adderbury is located more than 20 km away from European designations for the purpose of the EC Habitats Directive 1992 and the Conservation of Habitats & Species Regulations 2010. It is concluded that an HRA is not required"*. I conclude the Neighbourhood Plan meets the requirements of the EU Habitats Regulations.
43. There are a number of other EU obligations that can be relevant to land use planning including the Water Framework Directive, the Waste Framework Directive, and the Air Quality Directive but none appear to be relevant in respect of this independent examination.

44. I conclude that the Neighbourhood Plan:

- is compatible with the Convention rights
- does not breach, and is otherwise compatible with, EU obligations
- is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.

45. The Guidance states it is the responsibility of the local planning authority to ensure that all the regulations appropriate to the nature and scope of a draft neighbourhood plan submitted to it have been met in order for the draft neighbourhood plan to progress. Cherwell District Council as local planning authority must decide whether the draft neighbourhood plan is compatible with EU obligations

- when it takes the decision on whether the neighbourhood plan should proceed to referendum; and
- when it takes the decision on whether or not to make the neighbourhood plan (which brings it into legal force).²³

Consideration whether having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the Neighbourhood Plan; and whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development

46. I refer initially to the basic condition “*having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan*”. The requirement to determine whether it is appropriate that the plan is made includes the words “*having regard to*”. This is not the same as compliance, nor is it the same as part of the test of soundness provided for in respect of examinations of Local Plans²⁴ which requires plans to be “*consistent with national policy*”.

47. Lord Goldsmith has provided guidance²⁵ that ‘*have regard to*’ means “*such matters should be considered.*” The Guidance assists in

²³ Planning Practice Guidance paragraph 080 Reference ID: 41-080-20150209

²⁴ Under section 20 of the Planning and Compulsory Purchase Act 2004 and in respect of which guidance is given in paragraph 182 of the Framework

²⁵ The Attorney General, (Her Majesty’s Principal Secretary of State for Justice) Lord Goldsmith, at a meeting of the Lord’s Grand Committee on 6 February 2006 to consider the Company Law Reform Bill (Column GC272 of Lords Hansard, 6 February 2006) and included in guidance in England’s Statutory Landscape Designations: a practical guide to your duty of regard, Natural England 2010 (an Agency of another Secretary of State)

understanding “*appropriate*”. In answer to the question “*What does having regard to national policy mean?*” the Guidance states a neighbourhood plan “*must not constrain the delivery of important national policy objectives.*”

48. The Basic Conditions Statement includes at Section 3 a statement that assesses how the Neighbourhood Plan has regard to Paragraphs 16, 183, 184, and 185 of the Framework, and includes a Table that sets out a commentary how each of the Neighbourhood Plan policies have regard to identified paragraphs of the Framework. I am satisfied this assessment and the Table that follows it demonstrates how the Neighbourhood Plan has regard to relevant identified components of the Framework.
49. The Neighbourhood Plan includes a positive vision for Adderbury Parish in 2031. The vision includes economic components with reference to “thriving”, “viable”, “grown” and “investment” as well as social components concerned with “community”, “meet local housing need”, and “community facilities and services”. The vision also refers to environmental matters including “well-designed”, “rural character”, “special landscape setting” and “conservation area” These statements are consistent with the underlying principles of the Framework, specifically, the need to jointly and simultaneously seek economic, social and environmental gains through the planning system.
50. The vision is supported by four objectives of the Neighbourhood Plan, which provide a link between the vision and the policies of the plan. These objectives relate to: growth of the village in its landscape setting; sense of place; the positive transformation of community facilities; conservation of heritage character and landscape setting; and protection of the ecological value and connectivity of green infrastructure. These objectives are consistent with the Framework. Four representations suggest the first objective should exclude backland and tandem development. One of these representations, and another representation, also suggests additional wording in the introductory paragraphs to the policies of the Plan. Modification in these respects is not necessary to meet the Basic Conditions.
51. The Neighbourhood Plan includes in Section 6 a list of infrastructure projects some or all of which could benefit from future community infrastructure levy funding allocated by the local planning authority to the Parish. The Neighbourhood Plan preparation process is a

convenient mechanism to surface and test local opinion on matters considered important in the local community. It is important that those non-development and land use matters, raised as important by the local community or other stakeholders, should not be lost sight of. The Guidance states, *“Neighbourhood planning can inspire local people and businesses to consider other ways to improve their neighbourhood than through the development and use of land. They may identify specific action or policies to deliver these improvements.”* The acknowledgement in the Neighbourhood Plan of issues raised in consultation processes that do not have a direct relevance to land use planning is consistent with this guidance and represents good practice. The Guidance states, *“Wider community aspirations than those relating to development and use of land can be included in a neighbourhood plan, but actions dealing with non-land use matters should be clearly identifiable. For example, set out in a companion document or annex.”* I am satisfied that the presentation of the community actions in a separate section of the Neighbourhood Plan adequately differentiates the infrastructure projects from the policies of the Plan and has sufficient regard for national policy.

52. Apart from those elements of policy of the Neighbourhood Plan in respect of which I have recommended a modification to the plan I am satisfied that the need to *‘have regard to’* national policies and advice contained in guidance issued by the Secretary of State has, in plan preparation, been exercised in substance in such a way that it has influenced the final decision on the form and nature of the plan. This consideration supports the conclusion that with the exception of those matters in respect of which I have recommended a modification of the plan, the Neighbourhood Plan meets the basic condition *“having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan.”*

53. At the heart of the Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan making and decision-taking.²⁶ The Guidance states, *“This basic condition is consistent with the planning principle that all plan-making and decision-taking should help to achieve sustainable development. A qualifying body must demonstrate how its plan or order will contribute to improvements in environmental, economic and social conditions or that consideration has been given to*

²⁶ Paragraph 14 National Planning Policy Framework 2012

how any potential adverse effects arising from the proposals may be prevented, reduced or offset (referred to as mitigation measures). In order to demonstrate that a draft neighbourhood plan or order contributes to sustainable development, sufficient and proportionate evidence should be presented on how the draft neighbourhood plan or order guides development to sustainable solutions”²⁷.

54. The Basic Conditions require my consideration whether the making of the Neighbourhood Plan contributes to the achievement of sustainable development. There is no requirement as to the nature or extent of that contribution, nor a need to assess whether or not the plan makes a particular contribution. The requirement is that there should be a contribution. There is also no requirement to consider whether some alternative plan would make a greater contribution to sustainable development.

55. The Framework states there are three dimensions to sustainable development: economic, social and environmental. The Table presented in section 4 of the Basic Conditions Statement confirms the approach adopted in plan preparation to align the Neighbourhood Plan policies with the aims of the Framework for each dimension of sustainability not least through the presentation of scoring of plan policies. Every Policy is found to have a positive effect in at least one of the environmental, social and economic dimensions and none of the policies is found to have a negative impact.

56. I conclude that the Neighbourhood Plan, by guiding development to sustainable solutions, contributes to the achievement of sustainable development. Broadly, the Neighbourhood Plan seeks to contribute to sustainable development by ensuring schemes are of an appropriate quality; will enhance social and economic facilities; and will protect important environmental features. In particular, I consider the Neighbourhood Plan seeks to:

- Support infill development within a defined settlement boundary;
- Protect and enhance the landscape in open countryside;
- Maintain or enhance value of defined green infrastructure;
- Designate seven Local Green Spaces;

²⁷ Planning Practice Guidance (Ref ID:41-072-20140306)

- Conditionally resist development of eighteen identified areas to be designated as Local Open Spaces;
- Define two Local Gaps where development will only be supported if it does not harm open character;
- Establish design principles for development in defined areas of the Parish;
- Resist loss or harm to the significance of ten buildings and structures identified as Locally Listed Buildings;
- Allocate identified land off Milton Road for sports and community uses;
- Conditionally support proposals to improve or extend community facilities at Lucy Plackett Fields;
- Conditionally support proposals to improve the viability of identified community assets and local services and guard against their unnecessary loss;
- Support proposals for new or expanded shops or commercial units and guard against their unnecessary loss;
- Conditionally support proposals for new employment and tourism uses, including tourism and leisure uses along the Oxford Canal, and proposals for intensification of uses on defined established business parks; and
- Resist unnecessary loss of land or buildings from business use.

57. Subject to my recommended modifications of the Submission Plan including those relating to specific policies, as set out later in this report, I find it is appropriate that the Neighbourhood Plan should be made having regard to national policies and advice contained in guidance issued by the Secretary of State. I have also found the Neighbourhood Plan contributes to the achievement of sustainable development.

Consideration whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)

58. The Framework states that the ambition of a neighbourhood plan should “support the strategic development needs set out in Local Plans”.²⁸ “Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans should not promote less development than set out in the Local Plan or undermine its strategic policies”.²⁹

59. The Guidance states, “A local planning authority should set out clearly its strategic policies in accordance with paragraph 184 of the National Planning Policy Framework and provide details of these to a qualifying body and to the independent examiner.”³⁰

60. In this independent examination, I am required to consider whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area). The District Council has informed me that the Development Plan applying in the Adderbury neighbourhood area and relevant to the Neighbourhood Plan comprises:

- a) the Adopted Cherwell Local Plan 2011-2031 Part 1 Adopted July 2015 (and incorporating Policy Bicester 13 re-adopted December 2016)
- b) Cherwell Local Plan 1996 (saved policies) (Appendix 7 of (a) above includes a list of replaced and retained saved policies)

61. The allocations from the above plans (a and b) are shown on the Interactive Local Plan – policies map available at: <https://www.cherwell.gov.uk/info/83/local-plans/216/interactive-adopted-policies-> . The District Council has confirmed to me that all the policies of the Adopted Cherwell Local Plan 2011-2031 Part 1 are considered to be strategic policies of the Development Plan, and that the Cherwell Local Plan 1996 (saved policies) are not strategic. As the Local Plan Saved Policies predate the Framework, the Framework takes precedence where there is a conflict. Cherwell District Council

²⁸ Paragraph 16 National Planning Policy Framework 2012

²⁹ Paragraph 184 National Planning Policy Framework 2012

³⁰ Planning Practice Guidance Paragraph 077 Reference ID: 41-077-20140306

submitted the Local Plan Partial Review (Oxford's Unmet Housing Need) to the Secretary of State for Housing, Communities and Local Government for formal examination on 5 March 2018, and is also currently preparing the Cherwell Local Plan 2011-2031 Part 2 which will contain non-strategic site allocations and development management policies, but neither of these Plans is not yet part of the Development Plan.

62. The Neighbourhood Plan can proceed ahead of preparation of the new Local Plan Part 2. The Guidance states: *“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood area. They can be developed before or at the same time as the local planning authority is producing its Local Plan. A draft neighbourhood plan or Order must be in general conformity with the strategic policies of the development plan in force if it is to meet the basic condition. Although a draft Neighbourhood Plan or Order is not tested against the policies in an emerging Local Plan the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested. For example, up-to-date housing needs evidence is relevant to the question of whether a housing supply policy in a neighbourhood plan or Order contributes to the achievement of sustainable development. Where a neighbourhood plan is brought forward before an up-to-date Local Plan is in place the qualifying body and the local planning authority should discuss and aim to agree the relationship between policies in:*

- *the emerging neighbourhood plan*
- *the emerging Local Plan*
- *the adopted development plan*

with appropriate regard to national policy and guidance. The local planning authority should take a proactive and positive approach, working collaboratively with a qualifying body particularly sharing evidence and seeking to resolve any issues to ensure the draft neighbourhood plan has the greatest chance of success at independent examination. The local planning authority should work with the qualifying body to produce complementary neighbourhood and Local Plans. It is important to minimise any conflicts between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies. This is because section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved by the decision maker favouring the policy which is contained in the last document to become part of the

*development plan. Neighbourhood plans should consider providing indicative delivery timetables and allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan.*³¹

63. I am mindful of the fact that should there ultimately be a conflict between the Neighbourhood Plan, and the new Local Plan Part 2 when adopted; the matter will be resolved in favour of the plan most recently becoming part of the Development Plan, however the Guidance is clear in that potential conflicts should be minimised.

64. In order to satisfy the basic conditions, the Neighbourhood Plan must be in general conformity with the strategic policies of the Development Plan. The emerging Local Plan Part 2 is not part of the Development Plan and this requirement does not apply in respect of that. Emerging planning policy is subject to change as plan preparation work proceeds.³² The Guidance states *“Neighbourhood plans, when brought into force, become part of the development plan for the neighbourhood areas. They can be developed before or at the same time as the local planning authority is producing its Local Plan”*. In *BDW Trading Limited, Wainholmes Developments Ltd v Cheshire West & Chester BC* [2014] EWHC1470 (Admin) it was held that the only statutory requirement imposed by basic condition (e) is that the Neighbourhood Plan as a whole should be in general conformity with the adopted development plan as a whole.

65. In considering a now repealed provision that *“a local plan shall be in general conformity with the structure plan”* the Court of Appeal stated *“the adjective ‘general’ is there to introduce a degree of flexibility.”*³³ The use of ‘general’ allows for the possibility of conflict. Obviously, there must at least be broad consistency, but this gives considerable room for manoeuvre. Flexibility is however not unlimited. The test for neighbourhood plans refers to the strategic policies of the development plan rather than the development plan as a whole.

³¹ Paragraph: 009 Reference ID: 41-009-20160211 Planning Practice Guidance

³² The District Council has work underway to prepare The Vale of Aylesbury Local Plan. The Local Development Scheme dated December 2014 indicates adoption is intended in July/August 2017

³³ *Persimmon Homes v. Stevenage BC* the Court of Appeal [2006] 1 P & CR 31

66. The Guidance states, “When considering whether a policy is in general conformity a qualifying body, independent examiner, or local planning authority, should consider the following:

- *whether the neighbourhood plan policy or development proposal supports and upholds the general principle that the strategic policy is concerned with;*
- *the degree, if any, of conflict between the draft neighbourhood plan policy or development proposal and the strategic policy;*
- *whether the draft neighbourhood plan policy or development proposal provides an additional level of detail and/or a distinct local approach to that set out in the strategic policy without undermining that policy;*
- *the rationale for the approach taken in the draft neighbourhood plan or Order and the evidence to justify that approach.”³⁴*

My approach to the examination of the Neighbourhood Plan policies has been in accordance with this guidance.

67. Consideration as to whether the making of the Neighbourhood Plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area) has been addressed through examination of the plan as a whole and each of the plan policies below. Subject to the modifications I have recommended I have concluded the Neighbourhood Plan is in general conformity with the strategic policies contained in the Development Plan.

The Neighbourhood Plan policies

68. The Neighbourhood Plan includes 21 policies as follows:

Policy AD1 Adderbury Settlement Boundary

Policy AD2 Green Infrastructure

Policy AD3 Local Green Spaces

Policy AD4 Local Open Spaces

Policy AD5 Local Gaps

³⁴ Planning Practice Guidance (ID ref: 41-074 201 40306)

- Twyford and Bodicote/Banbury
- West Adderbury and Milton

Policy AD6 Managing Design in the Conservation Area and its Setting: Church Quarter

Policy AD7 Managing Design in the Conservation Area: The Green

Policy AD8 Managing Design in the Conservation Area: The Manors

Policy AD9 Managing Design in the Conservation Area: The Streets

Policy AD10 Managing Design in the Conservation Area: The Lanes

Policy AD11 Managing Design in the Conservation Area: The Valley

Policy AD12 Managing Design in the Conservation Area and its Setting: Former Farm Groups

Policy AD13 Managing Design in the Crescent

Policy AD14 Managing Design in Banbury Road

Policy AD15 Managing Design in the Twyford Estate

Policy AD16 Managing Design in Berry Hill Road and St. Mary's Road

Policy AD17 Locally Listed Buildings

Policy AD18 New Community Facilities

Policy AD19 Community Assets & Local Services

Policy AD20 Promoting New Employment

Policy AD21 Community Infrastructure Levy

69. The Framework states *“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan.”* *“Outside these strategic elements, neighbourhood plans will be able to shape and direct sustainable development in their area.”*³⁵

³⁵ Paragraphs 184 and 185 National Planning Policy Framework 2012

70. The Guidance states “A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”³⁶

71. “While there are prescribed documents that must be submitted with a neighbourhood plan ... there is no ‘tick box’ list of evidence required for neighbourhood planning. Proportionate, robust evidence should support the choices made and the approach taken. The evidence should be drawn upon to explain succinctly the intention and rationale of the policies in the draft neighbourhood plan”.³⁷

72. “A neighbourhood plan must address the development and use of land. This is because if successful at examination and referendum the neighbourhood plan will become part of the statutory development plan once it has been made (brought into legal force) by the planning authority. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (See section 38(6) of the Planning and Compulsory Purchase Act 2004).”³⁸

73. Several policies refer to other policies of the Neighbourhood Plan. This is generally unnecessary and to a degree confusing as all of the policies of the Neighbourhood Plan apply throughout the entire plan area unless a specific area of application of a particular policy is identified. The identification of a particular policy or policies could mislead a reader to think other policies do not apply. The Neighbourhood Plan should in any case be read as a whole. I have, however, not recommended modification of policies in respect of these cross-references where there is advantage in avoiding repetition of criteria.

74. If to any extent, a policy set out in the Neighbourhood Plan conflicts with any other statement or information in the plan, the conflict must be resolved in favour of the policy. Given that policies have this status,

³⁶ Planning Practice Guidance Paragraph 041 Reference ID: 41-041-20140306

³⁷ Planning Practice Guidance Paragraph 040 Reference ID: 41-040-20160211

³⁸ Planning Practice Guidance Paragraph 004 Reference ID: 41-004-20140306

and if the Neighbourhood Plan is made they will be utilised in the determination of planning applications and appeals, I have examined each policy individually in turn. I have considered any inter-relationships between policies where these are relevant to my remit.

Policy AD1 Adderbury Settlement Boundary

75. This policy seeks to define an Adderbury settlement boundary as shown on the Policies Map and establish conditional support for infill development within it, and a presumption in favour of local landscape protection and enhancement in open countryside outside it. The policy states proposals for changes of use and development outside the settlement boundary will only be supported if it can be demonstrated they are consistent with that presumption.
76. In a representation the District Council states *“There is no objection to the principle of a settlement boundary being included in the ANP. Although there is no specific requirement for such boundaries in the adopted Development Plan, the inclusion of a boundary in itself does not conflict with Local Plan policy. However, it is considered that some further justification for the proposed boundary and explanation of how it was identified is required as set out in government guidance on defining settlement boundaries.”* I have considered Policy AD1 in these two respects, firstly the approach to identify a settlement boundary, and secondly the settlement boundary alignment.
77. A representation considers the settlement boundary should include provision for a new primary school. There is no requirement for the Neighbourhood Plan to make provision for a new primary school. Another representation includes comment on a planning appeal relating to land west of Horn Hill Road and comment on a planning appeal at Hook Norton. I do not consider these comments necessitate modification of the policy to meet the Basic Conditions.
78. A further representation states *“This policy seeks to introduce a settlement boundary for Adderbury, undermining the current approach taken by the Council in the Local Plan Part 1. Cherwell District Council have not designated settlement boundaries preferring a criterion-based approach to allow the flexibility for demonstrably sustainable development to come forward without delay. The approach taken in the ANP policy is therefore more restrictive than the adopted Local*

Plan policy and could be seen to undermine the strategic objectives of the adopted Local Plan conflicting with basic condition (e). This is because the policy seeks to introduce a presumption in favour of local landscape protection and enhancement. There is no such presumption in the Framework, the only presumption is in favour of sustainable development as set out in paragraph 14 unless specific policies in the Framework indicate development should be restricted. One of the core planning principles seeks for the intrinsic character and beauty of the countryside to be recognised but there is not a presumption in favour of its protection and enhancement. Paragraph 113 of the Framework deals with landscape protection which sets out protection should be commensurate to its status with distinctions made between international, national and local designations. For these reasons Gladman suggest this approach is deleted in favour of the District Councils approach in the Local Plan Part 1.” Another representation considers the settlement boundary will not facilitate flexibility to accommodate changing circumstances in the plan period.

79. A further representation objects to the policy requesting modification to include RSL’s land south of Milton Road as a reserve housing site. A representation submitted by the same company at the Regulation 14 consultation stage of plan preparation, and included with the current representation, had proposed further housing allocations adjacent to the existing built up area, such as RSL’s land south of Milton Road. That earlier representation had stated alternatively land could be identified as a reserve site with a view to releasing it should a need arise as a result of changes in circumstances or otherwise to meet need from outside the District.

80. A settlement boundary is used in the Neighbourhood Plan as a policy tool to define where plan policies are to apply, and in particular where development proposals will normally be supported and where proposals must meet a landscape criterion. Proposals are subject to other policies of the Neighbourhood Plan including those which establish design principles. Whilst it is not within my role to test the soundness of the Neighbourhood Plan it is necessary to consider whether the Plan meets the Basic Conditions in so far as it will not promote less development than set out in the Local Plan, as required by paragraph 184 of the Framework.

81. The District Council states *“The Council recognises the figures and assumptions provided in the Neighbourhood Plan provided in the Foreword and at paragraph 4.6 which were available when the*

Submission Plan was being finalised. The latest housing figures are available on the Council's website at <https://www.cherwell.gov.uk/monitoring>. The Council will be exploring how it can deliver the housing requirement for the rural area in Local Plan Part 1 – (Policy Villages 2) in Local Plan Part 2.” Clearly if there is a future conflict between a policy of the Local Plan Part 2 and the Neighbourhood Plan then the conflict is resolved in favour of the Plan that last became part of the Development Plan.

82. Strategic Policy Villages 1 of the Local Plan Part 1 categorises Adderbury as one of more than 20 Category A villages that are identified as the more sustainable villages in Cherwell District. Policy Villages 2 of the Local Plan provides for an additional 750 dwellings at Category A villages (2014-2031) in addition to the rural allowance for small site 'windfalls' and planning permissions as at 31 March 2014. Since 1 April 2014 a total of 664 dwellings have been identified as contributing to meeting the Policy Villages 2 requirement of 750 dwellings. These are sites with either planning permission or a resolution to approve and identified developable sites. At 31 March 2017 there are 86 dwellings remaining from the Policy Villages 2 requirement in the period to 2031.

83. *The Neighbourhood Plan states “The policy is consistent with LP1 Policies Villages 1 and Villages 2, although it makes no provision for housing site allocations over and above the current committed housing schemes on the edge of the village. Nor was there suitable land on the present edge of the village with potential for retail or employment development” and “The District benefits from having an up-to-date strategic planning policy framework and a five-year supply of housing land”. The Neighbourhood Plan states over 180 new homes have been approved since 2013 and that it will take a number of years for the effects on character and capacity to be absorbed. “The scale of those recently completed housing schemes, and of the schemes that will be built out in the next couple of years or so, is such that the District Council does not consider it desirable or necessary for any additional major contribution from Adderbury to meeting the needs of LP1 Policy Villages 2 in the plan period by way of new greenfield development on the edge of the village”.*

84. The Local Plan Part 1 does not allocate sites in the rural areas as only strategic sites were allocated in the Plan. The Local Plan Part 1 does not identify a need for a specific amount of development in the Neighbourhood Plan area. The Cherwell Annual Monitoring Report

2017 at Table 40 (which captures data relating to sites of 10 or dwellings in Category A villages) shows that together sites East of Deene Close, north of Milton Road, and off Banbury Road will accommodate, within the Neighbourhood Plan area, a total of 122 dwellings of which 61 were completed by 2017. The contribution arising from these sites amounts to a significant boost to the supply of housing. Whilst no total figure can be assumed there is undoubtedly potential for a significant number of additional dwellings to be provided on infill plots or through the redevelopment of sites within the proposed settlement boundary. The Neighbourhood Plan places no cap or limit on the number of homes that can be provided within the settlement boundary. I conclude Policy AD1 will not lead to the Neighbourhood Plan promoting less development than set out in the Local Plan, as required by paragraph 184 of the Framework.

85. Paragraph 55 of the Framework states “*Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:* • *the essential need for a rural worker to live permanently at or near their place of work in the countryside; or* • *where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or* • *where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or* • *the exceptional quality or innovative nature of the design of the dwelling. Such a design should:* – *be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;* – *reflect the highest standards in architecture;* – *significantly enhance its immediate setting; and* – *be sensitive to the defining characteristics of the local area.”* Policy AD1 is silent with respect to the possibility of special circumstances that would justify support of a proposal for an isolated home outside the settlement boundary. These special circumstances would have to be balanced with landscape considerations. I have recommended a modification so that the policy has sufficient regard for national policy in this respect.
86. Paragraph 54 of the Framework states “*In rural areas, exercising the duty to cooperate with neighbouring authorities, local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites where appropriate.”* Strategic Policy Villages 3: Rural Exception Sites states “*The Council*

will support the identification of suitable opportunities for small scale affordable housing schemes within or immediately adjacent to villages to meet specific, identified local housing needs that cannot be met through the development of sites allocated for housing development.” Policy AD1 is silent with respect to the possibility of local housing need circumstances that would justify support for an exception site proposal outside the settlement boundary. These local circumstances would have to be balanced with landscape considerations. Policy AD1 does not have sufficient regard for national policy and is not in general conformity with strategic policy relating to exception sites. I have recommended a modification so that the policy has sufficient regard for national policy in this respect.

87. I have recommended the imprecise references in the policy to *“development management policies of the development plan”* and *“relevant policies of the Neighbourhood Plan”* are deleted so that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework. The Development Plan should in any case be read as a whole, and similarly the Neighbourhood Plan within it should also be read as a whole.
88. I now consider issues relating to the precise alignment of the settlement boundary. A representation in two parts on behalf of two separate clients states *“It is submitted that the settlement boundary as presently defined is inappropriate in drawing a distinction between the confines of the settlement and the open countryside which have distinct land use and landscape characteristics”*. The representation proposes the settlement boundary should include identified domestic gardens in two locations on the basis they relate to domestic properties; are not open countryside; and do not justify the purpose of the policy in favour of landscape protection.
89. In the schedule of changes accompanying the letter of the Parish Council dated 26 January 2018 that I have referred to earlier in my report it is proposed *“On Policies Inset Maps A, B, C the boundary should be amended as follows: 1. To include the properties at the end of Mill Lane. 2. To exclude gardens at the end of Lambourne Way. 3. To exclude gardens behind properties on the south side of The Green”*. It is stated this proposal is *“In response to the comments of residents with regard to possible 'backland and tandem' development*

and developers /landowners with regard to consistency, and to provide further clarity and consistency. In response to CDC's comments."

90. A settlement boundary can represent the dividing line between built areas and open countryside, and can follow clearly defined features such as walls, hedgerows or water courses. Extant planning permissions and allocations can be included within the settlement boundary. The definition of the boundary however does not have to relate to some observable land use difference or dividing feature. A settlement boundary does not have to include the full extent of a settlement, and settlement boundaries do not have to reflect land ownership boundaries or the precise curtilages of properties. Settlement boundaries can be used to identify the limits to future development of a settlement. One approach is to exclude curtilages of properties which have the capacity to extend the built form of a settlement in areas where this is not considered desirable. Such areas could include parts of large residential gardens.
91. The Neighbourhood Plan states *"The Parish Council has followed the standard conventions adopted by local planning authorities for drawing boundaries of this type. The boundary therefore reflects the present observable, developed edge of the village and makes provision for the committed housing schemes approved in recent years"* and *"In some places, there are dwellings on the edge of village with long gardens extending into the countryside beyond. As the sub-division and development of such rear garden land is not considered an acceptable form of infill development in principle, they have been excluded from the Boundary"*. Representations have highlighted inconsistency in this respect and the Parish Council has proposed this error is corrected with respect to the alignment of the settlement boundary in the vicinity of Lambourne Way and south of Sir George's Lane/Lake Walk. The Parish Council has also proposed the error that excluded property in the vicinity of Mill Lane that should have been included in the settlement boundary is also corrected. I am able to recommend modification of the Neighbourhood Plan in order to correct errors. I have recommended a modification in these respects.
92. The settlement boundary proposed has been subject to community engagement and consultation during the plan preparation process. Consideration has been given to the character of the settlement and its development form. I am satisfied the settlement boundary indicates a physical limit to development over the plan period and will guide development to sustainable solutions. It is beyond my role to consider

whether any alternative alignment of the settlement boundary would offer a more sustainable solution (including those proposed in representations relating to land west of property fronting Horn Hill Road and north of the new development off Milton Road; and land east of a property fronting The Leys and south of the former railway line in the vicinity of Lucy Plackett playing fields).

93. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies. I have noted the Neighbourhood Plan states *“In the event of the District’s housing supply strategy having to change before the end of the plan period, then its implications will be considered by the Parish and District Councils and the Neighbourhood Plan may be reviewed to plan for that eventuality”*. This commitment to monitoring represents good practice.
94. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with supporting a prosperous rural economy; delivering a wide choice of high quality homes; conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 2:
In Policy AD1**

- **delete “provided they accord with the development management policies of the development plan and the relevant policies of the Neighbourhood Plan”**
- **replace the third paragraph with “Development proposals will not be supported outside the Adderbury Settlement Boundary unless it is demonstrated they will enhance, or at least not harm, local landscape character. New isolated homes in the countryside will not be supported except in the special circumstances described in paragraph 55 of the Framework. Proposals for the provision of affordable housing on rural exception sites immediately adjacent to the Adderbury Settlement Boundary will be supported**

where they meet an identified local need and relate well to the built form of the existing settlement.”

The Adderbury Settlement Boundary shown on the Policies Map and insets should be adjusted 1. To include the properties at the end of Mill Lane. 2. To exclude gardens at the end of Lambourne Way. 3. To exclude gardens behind properties on the south side of The Green” as illustrated on revised Policies Map Insets A, B, and C attached to the schedule of changes accompanying the letter of the Parish Council dated 26 January 2018.

Policy AD2 Green Infrastructure

95. This policy seeks to define the Adderbury Green Infrastructure Network which is shown on the Policies Map. Development schemes within or immediately adjoining the network must demonstrate how they maintain or enhance green infrastructure value in that location.
96. In the mid-west part of the Plan area shown on Inset A green infrastructure is indicated outside the plan area. The Neighbourhood Plan cannot relate to land outside the Plan area. I have recommended a modification in this respect.
97. A representation by Oxfordshire County Council supports this policy and states *“It would be very helpful for the Neighbourhood Plan to include a list of suggested schemes that address specific issues and could potentially be delivered by developers or for which developer contributions could be sought.”* This is not necessary to meet the Basic Conditions.
98. A representation on behalf of the Church Commissioners for England states with respect to the remaining employment development for Banbury Business Park *“The designation of the site for Green Network is at odds with the employment allocation and the previous planning permission for B1/B2, which demonstrates that employment uses are acceptable at the site”*. I agree that land with consent for business use cannot be identified as Green Infrastructure. This would not have regard for the component of the Framework concerned with building a strong, competitive economy. The policy would also undermine strategic policy that has allocated the land for employment use. I have recommended a modification in this respect

99. A representation states “*We note that upon our client's and adjacent to the public footpath running in a northerly direction from Chapel Lane a corridor has been indicated and a fairly large part of NG parcel number 0486 has also been included. Whilst this land and all land immediately adjoining it is highly unlikely to ever be developed we wish to make it clear that this land is private land with no access rights other than the footpath and the owner is not constrained with respect to his use of the land for its current agricultural use purposes.* Whilst the Guidance refers to “*safe and accessible environments*” and “*providing opportunities for recreation and exercise*” the Glossary to the Framework defines Green Infrastructure as a network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities. I am satisfied environmental and quality of life benefits of parts of a green infrastructure network can arise without access. In accordance with paragraph 173 of the Framework I have recommended the deletion of the requirement for public open space provision as this policy obligation may threaten the ability of certain schemes to be delivered viably.

100. Two representations suggest deletion of references to footpaths, bridleways and cycleways on the basis they do not fall within the definition of green infrastructure in the Guidance and are in any case protected under other legislation. The Framework states “*to minimise impacts on biodiversity*” planning policies should identify and map components of the local ecological network including wildlife corridors. The Green Infrastructure Network identifies linear features including the Oxford Canal and towpath, and rivers and watercourses including banks, that can perform the role of wildlife corridors. I am satisfied footpaths and other rights of way can also perform the role of wildlife corridors.

101. One representation states, with respect to Policies Map Inset A, Green Infrastructure has been incorrectly included south of Adderbury Fields and a footpath is shown in the wrong position. The Parish Council and the District Council agree these are incorrectly shown. I am not satisfied representation of green areas within new developments north of Aynho Road and south of Milton Road reflect the layouts as developed. In at least one case the mapping has been overtaken by events with the development of the Gracewell care home facility. I have recommended a modification to correct these errors.

102. In a representation the District Council states the policy “*could benefit from some flexibility to allow for the re-provision of green infrastructure if this is proposed to be lost through development proposals.*” The Framework states plans should “*be a creative exercise in finding ways to enhance and improve the places in which people live*”. The Framework also recognises that if significant harm to biodiversity arising from a development cannot be avoided or mitigated, then as a last resort compensation should be considered. I am satisfied the network shown on Policies Map Inset A serves a purpose of identifying areas of alert, in and adjacent to which, development proposals should, through evidence of investigation of green infrastructure, demonstrate that the integrity and green infrastructure value of the network is not diminished. I have recommended a modification that introduces flexibility into the policy so that maintenance or enhancement of green infrastructure does not have to occur “*in that location*”.

103. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

104. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with promoting healthy communities; and conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 3:

In Policy AD2

- **after “enhance its” insert “integrity and”**
- **delete “in that location”**
- **delete “and public open space provision” and insert “,or through equivalent alternative provision nearby”**
- **on Policies Map Inset A delete the Green Infrastructure indication on land south of Adderbury Fields**
- **on the Policies Map amend the footpath locations in the area indicated on the Policies Map included with the letter of the Parish Council dated 26 January 2018**

- on the Policies Map delete the Green Infrastructure designation on Banbury Business Park
- on Policies Map Inset A correct the location of Green Infrastructure in newly completed developments south of Milton Road and north of Aynho Road and update loss of Green Infrastructure at the Gracewell site
- Green infrastructure indicated on Policies Map Inset A that is outside the Neighbourhood Plan area must be deleted

Policy AD3 Local Green Spaces

105. This policy seeks to designate seven Local Green Spaces. The wording of the policy reflects the terms of the designation of Local Green Spaces set out in paragraph 76 of the Framework where it is stated communities will be able to rule out development other than in very special circumstances.
106. The Policy makes specific reference to the Society of Friends Meeting House. A building cannot be designated as Local Green Space. I have recommended a modification in this respect. I have noted Policy AD18 seeks to establish support for the improvement and extension of the community facilities at Lucy Plackett Fields provided they do not undermine the integrity of the Local Green Space. Any proposals would have to be assessed in terms in the context of “very special circumstances”.
107. In a representation the District Council states *some of these sites in Policy AD3 are in public and private ownership. Planning Policy Guidance requires that the qualifying body should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space and states landowners will have opportunities to make representations in respect of proposals in a draft plan. Paragraph: 019 Reference ID: 37-019-20140306 Revision date: 06n 03 2014.* I am satisfied the extensive community consultation undertaken in Plan preparation is sufficient to demonstrate regard for the Guidance and that landowners have had opportunity to make representations. The Guidance states “Some areas that may be considered for designation as Local Green Space may already have largely unrestricted public access, though even in places like parks there may be some restrictions. However, other land could be considered for designation even if there is no public access (e.g. green areas which are valued because of their wildlife, historic significance

and/or beauty). Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.”³⁹

108. The Framework states *“Local communities through local and neighbourhood plans should be able to identify for special protection green areas of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed and be capable of enduring beyond the end of the plan period.”*

109. In a representation the District Council supports this policy and states *“in order to understand the location of the sites referred to in these policies, it is suggested that these are either numbered or labelled on the policies map.* Designation of Local Green Space can only follow identification of the land concerned. For a designation with important implications relating to development potential it is essential that precise definition is achieved. The proposed Local Green Spaces are presented on the Policy Map insets at a scale that is insufficient to identify the precise boundaries of each Local Green Space proposed for designation. When viewed digitally the scale of the map can be adjusted so that boundaries can be precisely identified. I recommend a modification such that the Plan document when printed as hard copy includes maps of each Local Green Space at a larger scale so that the boundaries of each Local Green Space can be precisely identified.

110. In respect of the areas intended for designation as Local Green Space I find the Local Green Space designations are being made when a neighbourhood plan is being prepared, and I have seen nothing to suggest the designations are not capable of enduring beyond the end of the plan period. The intended designations have regard to the local planning of sustainable development contributing to

³⁹ Planning Practice Guidance Paragraph: 017 Reference ID: 37-017-20140306

the promotion of healthy communities, and conserving and enhancing the natural environment, as set out in the Framework.

111. The Framework states that: *“Local Green Space designation will not be appropriate for most green areas or open space. The designation should only be used:*
- *where the green space is in reasonably close proximity to the community it serves;*
 - *where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
 - *where the green area concerned is local in character and is not an extensive tract of land.”*⁴⁰

I find that in respect of each of the intended Local Green Spaces the designation relates to green space that is in reasonably close proximity to the community it serves, is local in character, and is not an extensive tract of land.

112. I now consider whether there is sufficient evidence for me to conclude that the areas proposed for designation as Local Green Space are demonstrably special to a local community and hold a particular local significance. The Green Spaces and Local Gaps report provides sufficient evidence for me to conclude that each of the areas proposed for designation as Local Green Space is demonstrably special to a local community and holds a particular local significance. I find that the areas proposed as Local Green Space are suitable for designation and have regard for paragraphs 76 and 77 of the Framework concerned with the identification and designation of Local Green Space.

113. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the

⁴⁰ Paragraph 77 National Planning Policy Framework 2012

Framework concerned with promoting healthy communities. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 4:

In Policy AD3

- **delete reference to the Society of Friends Meeting House**
- **identify each Local Green Space on the Policies Map with a reference number and include within the Plan document a map of each Local Green Space at a sufficient scale to identify the boundaries precisely**

Policy AD4 Local Open Spaces

114. This policy seeks to designate 18 Local Open Spaces, identified on the Policies Map where development will not be permitted unless three stated criteria are met.
115. In a representation the District Council supports this policy and states *“in order to understand the location of the sites referred to in these policies, it is suggested that these are either numbered or labelled on the policies map.”* I have recommended a modification in this respect so that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework.
116. A representation by Oxfordshire County Council states *“It would be very helpful for the Neighbourhood Plan to include a list of suggested schemes that address specific issues and could potentially be delivered by developers or for which developer contributions could be sought.”* This is not necessary to meet the Basic Conditions.
117. A representation opposes inclusion of the *“Adderbury Fields Estate Open Space on the southern side”* as it is in long term arable use. The Parish Council has acknowledged this is an error. I am able to recommend modifications to correct errors. I have recommended a modification in this respect.
118. The policy includes the term *“permitted”*. The policy uses the term *“will be permitted”*. With regard to the issue of decision making the Framework states *“the planning system is plan-led. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material*

considerations indicate otherwise". This basis for decision making should be made clear. Policies should use the term "will be supported" in recognition that the basis of decision making is the development plan unless material considerations indicate otherwise. The material considerations at the time of determination of a future planning application are unknown and therefore cannot be dismissed through a policy that states development will be permitted or not permitted. I have recommended a modification so that the basis of decision making on planning applications should be clarified.

119. The Framework states it is "*proper to seek to promote or reinforce local distinctiveness*". The Framework also states "*Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities*". Paragraph 74 of the Framework states "*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: • an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or • the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or • the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*" I have recommended a modification so that the policy has sufficient regard for national policy.
120. It is unnecessary and confusing for the policy to refer to other policies of the Neighbourhood Plan, as the Neighbourhood Plan should be read as a whole. The terms "*an essential justification*" and "*a financial contribution*" are imprecise. I have recommended a modification in these respects so that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework.
121. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.
122. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has

regard to the components of the Framework concerned with promoting healthy communities; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 5:

In Policy AD4

- **Replace the text after the list of locations with “To be supported development proposals on land within any of the Local Open Spaces must demonstrate that, unless it can be clearly shown that the land is surplus to requirements as Local Open Space, that any loss of active or passive recreational amenity will be compensated by equivalent alternative provision in a no less convenient location for users.”**
- **identify each Local Open Space on the Policies Map with a reference number**
- **on Policies Map Inset B correct the location of Green Infrastructure in newly completed developments south Milton Road and north of Aynho Road. The Local Open Space shown extending south of the most extreme south-westerly extent of the settlement boundary should be deleted.**

Policy AD5 Local Gaps

- **Twyford and Bodicote/Banbury**
- **West Adderbury and Milton**

123. This policy seeks to prevent the coalescence of Adderbury with settlements to the north and west by defining two Local Gaps, identified on the Policies Map, within which development proposals will only be supported if they do not harm, individually or cumulatively the function and open character of the defined gap.

124. In the schedule of changes accompanying the letter of the Parish Council dated 26 January 2018 that I have referred to earlier in my report it is proposed paragraph 5.22 of the Neighbourhood Plan should make reference to the Local Gaps following historic field boundaries, and paragraph 5.24 should make reference to the Local Gaps reflecting the Parish boundary. It is beyond my role to

recommend modification of the Neighbourhood Plan on this basis as the changes proposed are not necessary to meet the Basic Conditions.

125. A representation by Oxfordshire County Council states *“Highway improvements and alterations should be specifically excluded from this policy.”* In a representation the District Council states *“Saved Policy C15 of the 1996 Cherwell Plan provides protection for settlements from coalescence but does not define areas. However, the local gaps identified by Policy AD5 have to be fully justified. For Local Plan Part 2 the Council will be exploring the potential allocation of non-strategic sites in the rural areas. It is noted that Policy AD1 provides for protection of the landscape and countryside on the edge of Adderbury”*.
126. A representation by Bodicote Parish Council supports the policy with several comments including *“We do not believe that any development would be appropriate in the Twyford Gap. This gap is increasingly diminishing and the coalescence of Bodicote with Twyford is ever closer. This policy talks about ‘visual’ coalescence, but we are also concerned about actual physical coalescence”*.
127. A representation states *“This policy seeks to introduce local gaps to prevent the coalescence of Adderbury and nearby settlements. Gladman consider the introduction of a gap policy, even if labelled as a local gap, to be a strategic policy beyond the remit of neighbourhood plans. The Local Plan does not deem it necessary to introduce strategic gaps between settlements with the preferred criterion-based approach more than capable of dealing with any potential coalescence issues that may arise through a development proposal. Gladman therefore suggest this policy is deleted to ensure that the plan meets the basic conditions”*.
128. Another representation that objects to this policy and suggests it should be deleted states *“At paragraph 3.6 of the Basic Conditions Statement, it is claimed in the context of paragraph 185 of the NPPF that the Plan avoids duplicating development plan policies by focussing on policies that translate the general requirements of the development plan into an Adderbury context. With regard to Policy AD5, there appears to be some confusion between duplication and translation. Policy ESD13 of the Local Plan is suitable and sufficient, as confirmed by the Local Plan Inspector, to protect vulnerable gaps between settlements from inappropriate development and avoid*

coalescence. Policy AD5 clearly duplicates Local Plan Policy ESD13 and to introduce such a further layer of restriction would be unsound for the same reasons the Local Plan Inspector identified in respect of Draft Local Plan Policy ESD15, which was duly deleted.” The representation includes a submission made at the Regulation 14 stage of Plan preparation. This earlier submission includes references to Local Plan preparation processes where soundness is tested.

129. The representation of the District Council, and the Neighbourhood Plan itself, refer to saved CLP Policy C15 which states *“the Council will prevent the coalescence of settlements by resisting development in areas of open land, which are important in distinguishing them”*. The text supporting Policy C15 includes *“Each town or village has its own separate identity, and it is important that development on areas of open land between them is restricted to prevent their coalescence”*. The Local Gaps to which Policy AD5 relates are not specifically identified by Policy C15 but that does not prevent a policy relating to them being included in the Neighbourhood Plan. I have noted the relevance of CLP Policy C15 but also note the District Council has stated this is not a strategic policy for the purposes of neighbourhood planning. General conformity with Policy C15 is therefore not a requirement to meet the Basic Conditions. Policy AD5 is however fulfilling a role of providing an additional level of detail to Policy C15.
130. Strategic Policy ESD15 refers to the need for new development proposals to respect local topography and landscape features and Strategic Policy ESD13 provides a policy that establishes an approach to landscape protection and enhancement. Neither of these policies specifically refer to coalescence of settlements nor do they identify specific areas where those policies will be of particular relevance.
131. Paragraph 109 of the Framework states the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. The Adderbury Neighbourhood Plan Green Space and Local Gaps Report states *“The agricultural landscape around Adderbury is recognised as contributing to the character of this very special ironstone village. At present there are two weak areas in this surrounding belt, the diminishing gaps between Adderbury and the urban sprawl of Banbury and Bodicote in the north, and Milton to the south west. It is essential that the retention and protection of this open agricultural landscape between the settlements be achieved to prevent coalescence”*. Whilst the value of

the landscape is a factor in the explanation of Policy AD5 the primary motivation for the policy is the prevention of coalescence. Local Gaps as identified in Policy AD5 are a mechanism to direct the location of new development.

132. The absence of any specific reference to Local Gaps in the Framework does not invalidate their legitimacy as a planning policy mechanism in the Neighbourhood Plan to direct development so as “to ensure local people get the right types of development for their community” in accordance with paragraph 184 of the Framework. The term “harm, individually or cumulatively, its function” would prevent any change of use regardless of whether or not the proposal represented sustainable development. I have recommended a modification in this respect as this restriction does not have sufficient regard for national policy that establishes a presumption in favour of sustainable development. Subject to this modification the policy does not prevent all development in the Local Gaps, but adds a further consideration relating to open character, to be taken into account in any development proposals, which may, in some cases, be satisfied by appropriate siting, design or landscaping rather than the refusal of planning permission.

133. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies, in particular Policies ESD13 and ESD15.

134. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 6:
In Policy AD5 delete “function and”**

Policies AD6 to AD13: Heritage and Conservation

135. In a representation the District Council states “*Cherwell Local Plan Policy ESD15 protects the character of built and historic*

environment and the Adderbury Conservation Area Appraisal (CAA) provides an assessment of the character of the area. The assessments in the CAA for the character areas defined in it have formed the basis for the character areas in the ANP. As the ANP character areas are based on the CAA character areas it is suggested that all the areas from the CAA are included in the ANP character areas and illustrated accordingly on Submission Policies Map C. The ANP has included some of the assessment from the CAA in its policies AD6, AD7, AD8, AD9, AD10, AD11, AD12, and AD13 as policy. As there are no general policies that provide a baseline for development, it is suggested that a general baseline policy which covers these character areas may be useful to the Plan to guide development. Some of the information contained within the design policies is based on the existing character and in some cases the policies may be overly protective and not allow for change, positive improvements and investment.

Suggestions include:

- Materials - square and ashlar stone are formal, it might be appropriate to use coursed (rubble) ironstone.*
- Details on windows/doors could be provided if required*
- It may be helpful to define modest cottage in Policy AD10*
- It may be helpful if the buildings in Policy AD17 are defined and assessed against the Local Heritage Assets assessment process.*
- It might be problematic managing trees/planting in Policy AD6”*

Inclusion of additional character areas or changes to character areas, or inclusion of a baseline policy, are not necessary to meet the Basic Conditions. I am satisfied Policies AD6 to AD13 provide an additional level of detail or distinct local approach to that set out in strategic policy ESD15 without undermining that policy.

136. Policies AD7, AD8, AD9, AD14, AD15, and AD16 include reference to the retention or re-provision of hedges. The Hedgerow Regulations 1997 which set out requirements associated with the removal of hedgerows in the countryside do not apply to hedgerows in or marking the boundary of private gardens. Protection of garden hedges is limited to cases where there is a planning condition attached to any planning permission for the land that would prevent the hedge from being removed. This protection can be limited, for example up to 5 years after the implementation of an approved planning permission. It is only where a hedge is in place at the time of determination of a

planning proposal that retention can be required. In cases where no hedge exists new provision could be the subject of a planning condition. I have not recommended a modification in respect of references to hedges in the policies concerned.

137. In a representation Oxfordshire County Council states "*Policies AD 6, 7, 8, 9, 12, 14, 15, 16. These Managing Design policies make provision for proposals having to retain or re-provide natural verges to the highway or roadside verges. The Highway Authority has rights over verges through the Highway's Act and these policies may conflict with this. Indeed section 96(6) states: "No tree, shrub, grass verge, guard or fence shall be planted, laid out or erected under this section, or, if planted, laid out or erected under this section, allowed to remain, in such a situation as to hinder the reasonable use of the highway by any person entitled to use it, or so as to be a nuisance or injurious to the owner or occupier of premises adjacent to the highway."* The policies would not prevent the Highway Authority fulfilling its statutory functions and obligations with respect to highway land. Verges are often highway land. The carrying out of works by a local authority within the boundaries of a road is not itself development. The policies concerned are seeking to achieve specified treatment of highway frontages as part of development proposals. The policies only apply to land included within a development site. In recognition of the complexities of the interaction of different statutory provisions and the difference in circumstances that can apply from one location to another I have recommended a modification of the relevant policies so that the retention or re-provision of natural verges shall be a design principle "where possible."

138. In the schedule of changes accompanying the letter of the Parish Council dated 26 January 2018 that I have referred to earlier in my report it is proposed the key to Policies Map Inset C should explain that the non-coloured areas are 20th century infill where no vernacular design exists. The Parish Council letter also proposes insertion of text prior to Policies AD6 to AD12 making reference to the Adderbury Conservation Area Appraisal (2012), strategic policy ESD15, and the emerging District Council Design Guide. I consider the addition to the key and to supporting text will be helpful, to parties preparing development proposals and to decision makers, in interpreting the policies. I have recommended a modification in these respects so that the policies provide a practical framework within which decisions on planning applications can be made with a high degree of predictability

and efficiency as required by paragraph 17 of the Framework. The Parish Council suggest similar text should also be inserted earlier in the Plan document. Whilst I would have no objection to this I have not recommended a modification in this respect as I do not consider this to be necessary to meet the Basic Conditions.

139. Paragraph 58 of the Framework in stating planning policies should aim to ensure that developments establish a strong sense of place makes specific reference to *“streetscapes and buildings to create attractive and comfortable places to live, work and visit.”* Paragraphs 59 and 60 of the Framework state *“local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally”* and *“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness”*. With the exception of those design principles where I have recommended a modification I am satisfied Policies AD6 to AD 13 inclusive seek to reinforce local distinctiveness whilst avoiding unnecessary prescription.

Recommended modification 7:

In the Key to Policies Map Inset C insert an explanation of non-coloured areas within the settlement boundary

Immediately before Policy AD6 insert “Managing Design Policies. The following policies AD6 to AD12 have been based on the descriptions of the characteristics provided in the Adderbury Conservation Area Appraisal (2012) and also cross reference strategic policy ESD15, and the emerging CDC Design Guide in order to reinforce the characteristics of each area”

Policy AD6 Managing Design in the Conservation Area and its Setting: Church Quarter

140. This policy seeks to establish design principles which development proposals in the Church Quarter must have full regard for

if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

141. The District Council states *“It might be problematic managing trees/planting”*. The Framework states *“planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.”* The approach of Policy AD6 does not adequately have regard for the balanced approach of national policy. Designation as a Conservation Area introduces a clear statutory framework for the control of loss or works to trees of a specific trunk dimension. The introduction of an alternative policy regime is not adequately explained. I have recommended a modification in this respect.
142. The District Council also state *“it might be appropriate to use coursed (rubble) ironstone”*. I agree alternative dressing of stonework would be appropriate and a less prescriptive approach would have greater regard for national policy. I have recommended a modification in this respect. I note the policy requirement is to *“include”* rather than require exclusive use of the specified materials. In this respect an appropriate design solution could demonstrate regard for local distinctiveness whilst also including innovative use of appropriate alternative materials.
143. In a representation Oxfordshire County Council states the policy would *“prevent provision of footways, which is not conducive to improving provision for pedestrians and may lead to a potential development being unable to provide appropriate pedestrian access to their site, a requirement all developments need to meet”*. The policy is seeking to achieve a particular design solution. The policy would not prevent the Highway Authority fulfilling its statutory functions and obligations with respect to land included within the site of a development proposal nor on any other land not included within the site of the development proposal.
144. The County Council has also stated *“To be sustainable, we suggest that any new development must be able to support the health, wellbeing and independence of all residents including those without access or unable to use motor vehicles. Where policies state or imply no pavements should be provided (AD6, 7 and 8), we strongly recommended that this is accompanied with appropriate policies to*

limit the volume and speed of traffic so that the mobility of more vulnerable road users such as children, parents with push chairs, disabled people and older people is not impaired.” It is appropriate for a Neighbourhood Plan to state design principles. The introduction of measures to limit volume and speed of traffic is not a matter that can be dealt with in a land use policy but is a matter for consideration by the Highway Authority.

145. Another representation states *“This policy will only support development if it avoids any obstruction of views from Banbury Road to the Church Quarter Character Area. This is considered to be overly restrictive and Gladman suggest a more flexible approach should be taken to accord with the Framework, where the impacts of any development in this area should be measured in the planning balance. Only where development in this area would have a significant adverse impact on the views to the Church Quarter Character Area should otherwise sustainable development be sought to be restricted. This policy also makes reference to obstructing views into the open countryside from the western end of Mill Lane. This should again be considered in the planning balance and not as restrictive as this policy is worded. It is not sufficient to seek to protect views simply for providing a nice view of the countryside and evidence is required to demonstrate how the view identified has demonstrable attributes that elevates the sites importance above the norm.”* It is appropriate for a community to identify views that are cherished locally. However, I agree that the requirement to avoid *“any obstruction”* of the defined views from the western end of Mill Lane and from Banbury Road does not have sufficient regard for national policy in favour of sustainable development and has not been sufficiently explained. I have recommended a modification in these respects.

146. Representations submitted by a group of six people includes comment on a planning appeal relating to land west of Horn Hill Road and comment on a planning appeal at Hook Norton. I do not consider the comments necessitate modification of the policy to meet the Basic Conditions.

147. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

148. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 8:

In Policy AD6

- **after “ironstone” continue “or coursed (rubble) ironstone”**
- **delete principle v**
- **delete “do not obstruct” and insert “do not significantly harm”**
- **after “highway” insert “where possible”**
- **delete “avoid any obstruction of” and insert “do not significantly harm”**

Policy AD7 Managing Design in the Conservation Area: The Green

149. This policy seeks to establish design principles which development proposals in The Green must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

150. The District Council also state “*it might be appropriate to use coursed (rubble) ironstone*”. I agree alternative dressing of stonework would be appropriate and a less prescriptive approach would have greater regard for national policy. I have recommended a modification in this respect. I note the policy requirement is to “*include*” rather than require exclusive use of the specified materials. In this respect an appropriate design solution could demonstrate regard for local distinctiveness whilst also including innovative use of appropriate alternative materials.

151. In a representation the County Council states “*To be sustainable, we suggest that any new development must be able to support the health, wellbeing and independence of all residents including those without access or unable to use motor vehicles. Where policies state or imply no pavements should be provided (AD6, 7 and 8), we strongly recommended that this is accompanied with appropriate policies to limit the volume and speed of traffic so that the*

mobility of more vulnerable road users such as children, parents with push chairs, disabled people and older people is not impaired.” It is appropriate for a Neighbourhood Plan to state design principles. The introduction of measures to limit volume and speed of traffic is not a matter that can be dealt with in a land use policy but is a matter for consideration by the Highway Authority.

152. The term “*spacious nature*” is imprecise. I have recommended a modification in this respect so that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework.

153. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

154. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 9:

In Policy AD7

- **delete “spacious nature of the area and” and insert “the distinctive density and layout of the area including”**
- **after “ironstone” continue “or coursed (rubble) ironstone”**
- **after “highway” continue “where possible”**

Policy AD8 Managing Design in the Conservation Area: The Manors

155. This policy seeks to establish design principles which development proposals in The Manors must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

156. The District Council also state *“it might be appropriate to use coursed (rubble) ironstone”*. I agree alternative dressing of stonework would be appropriate and a less prescriptive approach would have greater regard for national policy. I have recommended a modification in this respect. I note the policy requirement is to *“include”* rather than require exclusive use of the specified materials. In this respect an appropriate design solution could demonstrate regard for local distinctiveness whilst also including innovative use of appropriate alternative materials.
157. In a representation the County Council states *“To be sustainable, we suggest that any new development must be able to support the health, wellbeing and independence of all residents including those without access or unable to use motor vehicles. Where policies state or imply no pavements should be provided (AD6, 7 and 8), we strongly recommended that this is accompanied with appropriate policies to limit the volume and speed of traffic so that the mobility of more vulnerable road users such as children, parents with push chairs, disabled people and older people is not impaired.”* It is appropriate for a Neighbourhood Plan to state design principles. The introduction of measures to limit volume and speed of traffic is not a matter that can be dealt with in a land use policy but is a matter for consideration by the Highway Authority.
158. Three representations propose the policy should include *“proposals promoting back land and tandem development will not be permitted as this will have a detrimental effect on the pastoral landscape of the Manors character area.”* A modification of this nature is not necessary to meet the Basic Conditions.
159. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.
160. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 10:

In Policy AD8

- after “ironstone” continue “or coursed (rubble) ironstone”
- after “highway” continue “where possible”

Policy AD9 Managing Design in the Conservation Area: The Streets

161. This policy seeks to establish design principles which development proposals in The Streets must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

162. The District Council also state “*it might be appropriate to use coursed (rubble) ironstone*”. I agree alternative dressing of stonework would be appropriate and a less prescriptive approach would have greater regard for national policy. I have recommended a modification in this respect. I note the policy requirement is to “*include*” rather than require exclusive use of the specified materials. In this respect an appropriate design solution could demonstrate regard for local distinctiveness whilst also including innovative use of appropriate alternative materials.

163. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

164. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 11:

In Policy AD9

- after “ironstone” continue “or coursed (rubble) ironstone”
- after “walls or” insert “, where possible,”

Policy AD10 Managing Design in the Conservation Area: The Lanes

165. This policy seeks to establish design principles which development proposals in The Lanes must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.
166. In a representation Oxfordshire County Council states the policy would “*prevent provision of footways, which is not conducive to improving provision for pedestrians and may lead to a potential development being unable to provide appropriate pedestrian access to their site, a requirement all developments need to meet. Policy AD10 may also prevent bringing routes up to standard, as it requires maintaining the existing informal pattern of narrow routes with no footway*”. The policy is seeking to achieve a particular design solution. The policy would not prevent the Highway Authority fulfilling its statutory functions and obligations with respect to land included within the site of a development proposal nor on any other land not included within the site of the development proposal.
167. A representation states the policy identifies areas for views not to be obstructed. The representation raises the same points as identified in respect of Policy AD6 and suggest the same modifications are made. I agree the requirement to avoid “*any obstruction*” of the defined views from both ends of Chapel Lane does not have sufficient regard for national policy in favour of sustainable development and has not been sufficiently explained. I have recommended a modification in these respects.
168. Two other representations suggest the policy should oppose backland and tandem development as this will have a detrimental effect on the pastoral landscape of The Lanes character area. A modification of this nature is not necessary to meet the Basic Conditions. The term “*modest*” as used in paragraph 5.37 is imprecise. I have recommended a modification to make it clear the cottages in Church Lane are small and modest.
169. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

170. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 12:

In Policy AD 10

- In principles vii and viii delete “do not obstruct” and insert “do not significantly harm”
- In supporting text paragraph 5.37 before “modest” insert “small and”

Policy AD11 Managing Design in the Conservation Area: The Valley

171. This policy seeks to establish design principles which development proposals in The Valley must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

172. A representation states the policy identifies areas for views not to be obstructed. The representation raises the same points as identified in respect of Policy AD6 and suggest the same modifications are made. I agree the requirement to avoid “*any obstruction*” of the defined views from both ends of Chapel Lane does not have sufficient regard for national policy in favour of sustainable development and has not been sufficiently explained. I have recommended a modification in these respects.

173. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

174. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring

good design; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 13:

In Policy AD11 delete “do not obstruct” and insert “do not significantly harm”

Policy AD12 Managing Design in the Conservation Area and its Setting: Former Farm Groups

175. This policy seeks to establish design principles which development proposals in the Former Farm Groups area must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.
176. In a representation Oxfordshire County Council states “*this Policy may prevent developers from being able to provide appropriate access to their site, through boundary wall requirements restricting access visibility, for example.*” The policy is seeking to achieve a particular design solution. The policy would not prevent the Highway Authority fulfilling its statutory functions and obligations with respect to land included within the site of a development proposal nor on any other land not included within the site of the development proposal.
177. The Framework states “*planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.*” The approach of Policy AD12 does not adequately have regard for the balanced approach of national policy. Designation as a Conservation Area introduces a clear statutory framework for the control of loss or works to trees. The introduction of an alternative policy regime is not adequately explained. I have recommended a modification in this respect.
178. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

179. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; conserving and enhancing the natural environment; and conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

**Recommended modification 14:
In Policy AD12**

- **after “spaces and” insert “where possible”**
- **delete “as well as mature deciduous and coniferous trees within the gardens and along the roadsides, of a growth height and planting density”**

Policy AD13 Managing Design in the Crescent

180. This policy seeks to establish design principles which development proposals in the Crescent area must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

181. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

182. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy has regard to the components of the Framework concerned with requiring good design; and conserving and enhancing the natural environment. This policy meets the Basic Conditions.

Policy AD14 Managing Design in Banbury Road

183. This policy seeks to establish design principles which development proposals in the Banbury Road area must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

184. In a representation Oxfordshire County Council states *“In terms of the retention of verges along Banbury Road, in addition to previous comments regarding verges, the A4260 is a strategic corridor and bus route and suffers severe congestion through Adderbury, which affects the reliability of bus services. This policy may affect the possibility of widening the road to increase capacity, particularly around the junction with Aynho Road. There may be other character area land use policies which affect highway verges along the A4260 and the B4100 – these should be amended to remove the requirement to retain or reinstate highway verges”*. As stated earlier in my report the policy would not prevent the Highway Authority fulfilling its statutory functions and obligations with respect to highway land. Verges are often highway land. The carrying out of works by a local authority within the boundaries of a road is not itself development. The policy is seeking to achieve specified treatment of highway frontages as part of development proposals. The policies only apply to land included within a development site. In recognition of the complexities of the interaction of different statutory provisions and the difference in circumstances that can apply from one location to another I have recommended a modification so that the retention or re-provision of natural verges shall be a design principle “where possible.”

185. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

186. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; and conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 15:

In Policy AD14 after “gardens and” insert “where possible”

Policy AD15 Managing Design in the Twyford Estate

187. This policy seeks to establish design principles which development proposals in the Twyford Estate must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

188. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

189. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; and conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 16:

In Policy AD15 after “gardens and” insert “where possible”

Policy AD16 Managing Design in Berry Hill Road and St. Mary’s Road

190. This policy seeks to establish design principles which development proposals in Berry Hill road and St. Mary’s Road must have full regard for if they are to be supported. The area of application of the policy is defined on Policies Map Inset C.

191. In a representation Oxfordshire County Council states *“Regarding the retention of verges along Berry Hill Road, in addition to previous comments regarding verges, there is currently no footway, which forces pedestrians into the carriageway on what is a busy through route to Bloxham. This policy may affect the possibility of constructing a footway along Berry Hill Road in future. The requirement to retain or re-provide highway verges should be removed.”* As stated earlier in my report the policy would not prevent the Highway Authority fulfilling its statutory functions and obligations with respect to highway land

192. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted

Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

193. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with requiring good design; and conserving and enhancing the natural environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 17:

In Policy AD16 after “gardens and” insert “where possible”

Policy AD17 Locally Listed Buildings

194. This policy seeks to identify ten named buildings and structures as Locally Listed Buildings on the basis that they have local architectural or historic interest.
195. In a representation Historic England suggest that the policy should include local heritage assets that have not yet been identified but may be so during the life of the Neighbourhood Plan, rather than limiting itself to those that have already been identified e.g. include the wording *“Other Local Heritage Assets may be identified during the Plan period using the criteria...”*. “In a representation Oxfordshire County Council states *“Disappointingly there is still no mention of heritage assets of archaeological interest. The historic environment, as defined by the NPPF, does not consist of built heritage only and does include archaeological sites and features as historic assets. There is therefore no proposed protection or identification of these important assets within the plan and our original advice therefore remains unchanged. This is particularly surprising as the Archaeology team have had numerous emails and phone calls from the residents of Adderbury, including the parish council, about their archaeology; it is clearly something that they consider important”*. Representations submitted by a group of six people state archaeological findings north of Milton Road should be preserved. It is not within my role to add additional assets to which the policy should apply. There is no requirement for the Neighbourhood Plan to include reference to

archaeology, or to heritage assets that may in the future be identified, in order to meet the Basic Conditions.

196. The District Council states *“It may be helpful if the buildings in Policy AD17 are defined and assessed against the Local Heritage Assets assessment process”*. The Guidance states it is the role of the local planning authority to recognise non-designated heritage assets.⁴¹ The District Council website states *“In addition to Listed Buildings, Government policy advises us to have regard to non-designated heritage assets through the planning process. In 2013 Cherwell established a programme of Local Heritage Assets, working with local communities to nominate structures which have a specific local heritage value. This register will replace the former local list. The intention of the register is to identify buildings and structures of heritage value, which while not worthy of formal listing by Historic England, still play an important role in the history and architectural heritage of a community. We have run workshops with parish councils and local amenity groups and over 40 new assets have been added to the list by the community. Structures and buildings identified on the register do not have the same statutory protection as listed buildings.”* It is appropriate for a community to use the neighbourhood plan preparation process to identify buildings and structures of local interest and to include policies to require particular consideration of those assets in the determination of planning applications. It is not appropriate to imply those assets identified will be recognised by the District Council as heritage assets. I have recommended a modification in this respect.

197. Another representation states *“This policy seeks to resist any proposal that would result in harm to the significance of a Local Heritage Asset. This does not accord with the Framework, especially paragraph 135 which seeks for any harm or loss to the significance of a heritage asset to be considered in a balanced judgement, not simply to restrict development. Gladman suggest that this policy is modified to accord with national policy regarding non-designated heritage assets.”* Paragraph 135 of the 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*

⁴¹ Planning Practice Guidance Reference ID 18a-041-20140306

harm or loss and the significance of the heritage asset.” I have recommended a modification in this respect so that the policy has regard for national policy and provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework.

198. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with conserving and enhancing the historic environment. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 18:

Replace Policy AD17 with “Proposals affecting the significance of the following locally important buildings and structures will be assessed having regard to the scale of any harm or loss and the significance of the locally important building or structure: (include list of properties)” and change the policy title to “Buildings and structures of local importance”

Include in ‘Chapter 6 Implementation’ of the Neighbourhood Plan a proposal that “The following buildings and structures are nominated for assessment as Local Heritage Assets: (include the list of heritage assets)”

Policy AD18 New Community Facilities

199. This policy seeks to allocate land off Milton Road, West Adderbury, as identified on the Policies Map, for sport and community uses subject to six conditions. The policy also seeks to establish support for the extension of the community facilities at the Lucy Plackett Fields provided they do not undermine the integrity of the Local Green Space.

200. In a representation the District Council states *“This policy guides the development of the new community facility which will include the provision of access, community building and sports pitches. This would form part of the planned development for the community on public owned land. The need for the leisure facility has been identified in the leisure survey, which forms part of the evidence base”*. Representations submitted by a group of six people comment on floodlighting issues. I am satisfied part vi of the policy satisfies the Basic Conditions. In a representation Oxfordshire County Council states points ii and iii *“are considered superfluous as they are as they will be assessed by the Highway Authority”*. I am satisfied points ii and iii seek to shape and guide development as envisaged in the Framework

201. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

202. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy has regard to the components of the Framework concerned with promoting healthy communities. This policy meets the Basic Conditions.

Policy AD19 Community Assets & Local Services

203. This policy seeks to establish:

- conditional support for proposals to improve the viability of community use of named buildings and facilities through extension or partial redevelopment;
- that proposals that will result in loss or significant harm to any named facility will be resisted unless not financially viable or will be replaced;
- support for new or expanded shops or commercial uses;
- that proposals for loss of shops or commercial uses will be resisted unless commercially no longer viable.

204. In a representation the District Council states *“It would worth considering clarifying in the Policy or supporting text that new local*

shops or commercial properties should be small scale. It would be beneficial to identify the assets and local services on the policies map". The Framework sets out national policy relating to the location of new retail development. The reference to promotion of healthy communities includes the term "*local shops*". I have recommended a modification in this respect. I have recommended a modification so that the community assets and local services listed in the policy are identified on the Policies Map so that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework.

205. Oxfordshire Clinical Commissioning Group state "*it may relevant to also list Gracewell Nursing Home*". It is not within my role to recommend additions to the list of community assets and services that are the subject of the policy. Any addition would not have been subject to consultation. I have however referred to the desirability to update the list with respect to any assets or facilities that no longer exist. Representations submitted by a group of six people state the policy does not adequately address issues relating to the general food store. There is no requirement that the policy should address the matters raised.

206. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

207. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with promoting healthy communities. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 19:

In Policy AD19

- **after "new" insert "local"**
- **identify each community asset and local facility on the Policies Map**

Policy AD20 Promoting New Employment

208. This policy seeks to establish that proposals for new employment and tourism uses and proposals to intensify employment uses within an established business park will be conditionally supported within the settlement boundary. The policy also seeks to conditionally support proposals for tourism and leisure development along the Oxford Canal. Proposals that will result in loss of employment land or buildings will only be supported if it is clearly demonstrated the land is no longer viable for a business use.
209. In a representation the District Council states *“It is suggested, to follow the approach in Policy SLE1 of the Local Plan, that ‘business park’ is replaced by ‘employment sites’ in the policy which provides a wider definition and more flexibility”* and *“The Council supports the recognition of the Oxford Canal in the Neighbourhood Plan and in this policy. It may be of benefit for the Plan to contain a standalone policy for the part of Policy A20 that relates to leisure, tourism and the Oxford Canal. If not, the title of the policy should be amended.”* Adjustment of the policy title to reflect the policy content assists clarity as required by the Framework. Use of the term ‘employment site’ provides greater clarity, and flexibility in building a strong competitive economy as required in the Framework. I have recommended a modification in these respects.
210. Strategic Policy SLE1 includes *“In cases where planning permission is required existing employment sites should be retained for employment use unless the following criteria are met: - the applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term. - the applicant can demonstrate that there are valid reasons why the use of the site for the existing or another employment use is not economically viable. -the applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment”*.
211. In order to provide a practical framework for decision-making on development proposals, as required by paragraph 17 of the Framework, it is preferable that policies should be self-contained and not include references to policies or content in other parts of the Development Plan as the Development Plan, including the Neighbourhood Plan, should be read as a whole. Self-contained neighbourhood plan policies may also avoid obsolescence resulting

from changes to, or replacement of those other documents. In this instance in order to demonstrate general conformity with strategic policy I have recommended a modification to include reference to strategic Policy SLE1 as a shorthand method of capturing content without lengthy repetition in the Neighbourhood Plan policy. This will ensure that the policy provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework. I have referred to necessary consequential adjustments to supporting text in the Annex to my report.

212. Strategic Policy ESD 16 states *“The Oxford Canal - We will protect and enhance the Oxford Canal corridor which passes south to north through the District as a green transport route, significant industrial heritage, tourism attraction and major leisure facility through the control of development. The length of the Oxford Canal through Cherwell District is a designated Conservation Area and proposals which would be detrimental to its character or appearance will not be permitted. The biodiversity value of the canal corridor will be protected. We will support proposals to promote transport, recreation, leisure and tourism related uses of the Canal where appropriate, as well as supporting enhancement of the canal’s active role in mixed used development in urban settings. We will ensure that the towpath alongside the canal becomes an accessible long-distance trail for all users, particularly for walkers, cyclists and horse riders where appropriate. Other than appropriately located small scale car parks and picnic facilities, new facilities for canal users should be located within or immediately adjacent to settlements. The Council encourages pre-application discussions to help identify significant issues associated with a site and to consider appropriate design solutions to these and we will seek to ensure that all new development meets the highest design standards”*. In the case of Strategic Policy ESD16 it is only necessary to capture the specific point regarding location of new facilities in order to ensure general conformity. In this case I have recommended the policy is modified to include an additional criterion in order to demonstrate conformity with strategic policy relating to development along the Oxford Canal.

213. The policy has regard for those parts of the Framework which state planning policies should *“support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development”* and *“support sustainable rural tourism*

and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres”.

214. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

215. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. Subject to the recommended modification the policy has regard to the components of the Framework concerned with building a strong, competitive economy; ensuring the vitality of town centres; and supporting a prosperous rural economy. Subject to the recommended modification this policy meets the Basic Conditions.

Recommended modification 20:

In Policy AD 20

- **delete “business park” and insert “employment site”**
- **add criteria vi “new facilities for canal users, other than appropriately located small scale car parks and picnic facilities, should be located within or immediately adjacent to settlements.”**
- **continue the policy after “business use” with “and subject to general conformity with the criteria set out in Strategic Policy SLE1”**

Continue the policy title with “and Tourism”

Policy AD21 Community Infrastructure Levy

216. This policy seeks to establish that five named projects are identified as priorities for investing in local infrastructure.

217. Historic England supports the use of Community Infrastructure Levy monies to fund maintenance of heritage assets as set out in Policy AD21, particularly where this includes measures that increase their use or appreciation by the public.

218. In a representation the District Council states *“The Neighbourhood Plan may need to consider other infrastructure projects to include in the list, such as public transport, highway improvements such as planting footpaths, bridleways, health, communications, etc”*.

219. The County Council considers more detail should be provided regarding the projects and how they will be implemented and in particular *“The Neighbourhood Plan identifies “improving cycle safety and connectivity of off-road cycleways” as a priority for investing future community infrastructure levy funding allocated by the local planning authority to the Parish into local infrastructure, but nothing else in transport terms. This is also not precise in terms of scheme identification. The most significant transport issue in the village is the severe congestion at the junction of the A4260 and B4100. This has a direct adverse effect on local residents in terms of journey time reliability and pollution. Previous comments from Oxfordshire County Council mentioned that ‘The NP could provide a greater emphasis on the importance of public transport and the planned improvements to local bus services ... The Plan should support the County Council’s strategy to develop these bus services, which will be of great benefit to Adderbury’s present and future residents.’ This has not been addressed within the latest version of the Plan. The importance of bus connections into Oxford and Banbury should be recognised. Enhancing the bus service between Banbury and Oxford should be mentioned within the NP, not only because this will be of immense benefit to the people of Adderbury, but also because S106 contributions towards the cost will be expected from new residential developments, on a pro rata basis. Bus stops that are required as a consequence of new developments can be requested as S106/S278 as a mitigating measure”* and *“We also recommend that pedestrian safety and the improvement of connectivity (e.g. the provision of pavements and controlled crossings) and accessibility of public footpaths (e.g. the replacement of stiles with accessible gates) are also included within Policy AD21 and section 6.5 ‘Infrastructure Projects’.*” Additions to the list of projects or more details of projects are not necessary to meet the Basic Conditions.

220. Network Rail state consideration should be given to developer contributions to fund enhancements such as car parking facilities at Kings Sutton railway station. Oxfordshire Clinical Commissioning Group suggest an addition to the list of projects named in the policy. It

is not within my role to recommend additions to the list of projects that are the subject of the policy.

221. Representations submitted by a group of six people includes comment in relation to the provision of land for use as a cemetery however this does not require any modification of the policy to meet the Basic Conditions.

222. It is appropriate to use the Neighbourhood Plan preparation process to determine community support for projects to be treated as priorities for investment in local infrastructure. Whilst parties have stated additional projects and details should be included in the policy these are not necessary to meet the Basic Conditions.

223. The policy is in general conformity with the strategic policies of the Development Plan, namely the policies included in the Adopted Cherwell Local Plan 2011-2031 Part 1 and provides an additional level of detail or distinct local approach to that set out in the strategic policies.

224. The policy seeks to shape and direct sustainable development to ensure that local people get the right type of development for their community. The policy has regard to the components of the Framework concerned with promoting sustainable transport; and promoting healthy communities. This policy meets the Basic Conditions.

Summary and Referendum

225. I have recommended 20 modifications to the Submission Version Plan. I have also made a recommendation of modification in the Annex below.

226. I am satisfied that the Neighbourhood Plan⁴²:

- is compatible with the Convention rights, and would remain compatible if modified in accordance with my recommendations; and

⁴² The definition of plans and programmes in Article 2(a) of EU Directive 2001/42 includes any modifications to them

- subject to the modifications I have recommended, meets all the statutory requirements set out in paragraph 8(1) of schedule 4B of the Parish and Country Planning Act 1990 and meets the Basic Conditions:
 - having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
 - the making of the neighbourhood plan contributes to the achievement of sustainable development;
 - the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area);
 - does not breach, and is otherwise compatible with, EU obligations; and would continue to not breach and be otherwise compatible with EU obligations if modified in accordance with my recommendations; and
 - the making of the neighbourhood plan is not likely to have a significant effect on a European site or a European offshore marine site, either alone or in combination with other plans or projects.⁴³

I recommend to Cherwell District Council that the Adderbury Neighbourhood Development Plan for the plan period up to 2031 should, subject to the modifications I have put forward, be submitted to referendum.

227. I am required to consider whether the referendum area should extend beyond the Neighbourhood Plan area and if to be extended, the nature of that extension.⁴⁴ I have seen nothing to suggest the referendum area should be extended beyond the designated Neighbourhood Area.

I recommend that the Neighbourhood Plan should proceed to a referendum based on the area that was designated by Cherwell District Council as a Neighbourhood Area on 7 June 2013.

⁴³ Prescribed for the purposes of paragraph 8(2) (g) of Schedule 4B to the 1990 Act by Regulation 32 The Neighbourhood Planning (General) Regulations 2012 and defined in the Conservation of Habitats and Species Regulations 2010 and the Offshore Marine Conservation (Natural Habitats, &c.) Regulations 2007

⁴⁴ Paragraph 8(1)(d) Schedule 4B Town and Country Planning Act 1990

Annex: Minor Corrections to the Neighbourhood Plan

228. A number of consequential modifications to the general text, and in particular the justification of policies sections, of the Neighbourhood Plan will be necessary as a result of recommended modifications relating to policies, for example, adjustment of paragraph 5.65 to refer to Strategic Policy SLE1 in order to correspond with modification of the text of Policy AD20.

229. I am able to recommend modification of the Neighbourhood Plan in order to correct errors.⁴⁵ I recommend the following minor changes only in so far as it is to correct an error or where it is necessary so that the Neighbourhood Plan provides a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency as required by paragraph 17 of the Framework:

- The Note on the front cover of the Submission Plan relating to Pre-Submission Consultation should be updated.
- The list of land use policies presented at page 5 of the Neighbourhood Plan shows different policy titles to those in the main body of the Plan in respect of Policies AD6 and AD12. The list of land use policies should be amended.
- Representation 2 in the Schedule of Regulation 16 representations refers to archaeological remains recently found. Paragraph 2.4 should be updated to refer to *“archaeological evidence of Neolithic remains”*
- Representation 3 in the Schedule of Regulation 16 representations states the alignment of identified footpaths are incorrectly shown on the Policies Map. These should be checked and corrected as necessary.
- The list of community assets and local services in Policy AD19 should be updated to delete any facilities that now no longer exist.
- In the Glossary replace Oxford with Oxfordshire.
- Delete “Management” and insert “Managing” in the title to Policy AD9.

⁴⁵ Paragraph 10 (3)(e) of Schedule 4B to the Town and Country Planning Act 1990

**Recommended modification 21:
Modification of general text will be necessary to achieve consistency with the modified policies, and to correct identified errors including those arising from updates.**

Chris Collison
Planning and Management Ltd
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26 March 2018
REPORT ENDS

Appendix 36

Cherwell Brownfield Register

Organisation URI	Organisation Label	Site Reference	Previously Part Of	Site Name Address	Site plan URL	Coordinate Reference System	GeoX	GeoY	Hectares	Ownership Status	Deliverable	Planning Status	Permission Type	Permission Date	Planning History	Proposed For PIP	Min Net Dwellings	Development Description	Non Housing Development	Part2	Net Dwellings Range From	Net Dwellings Range To	Hazardous Substances	Site Information	Notes	First Added Date	Last Updated Date	Location		
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR2	-	1 To 4A Church Lane And 12 To 14 Parsons Street Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445507	240613	0.12	Not owned by a public authority	yes	Permissioned	full planning permission	2016-11-17	https://planningregister.cherwell.gov.uk/Search	-	8	16/01932/F - Retention of ground floor retail units and conversion of first floor over shops to form eight flats - re-submission of 16/00815/F	-	-	-	-	-	-	-	-	-	2017-12-04	2017-12-04	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR4	-	27 Park Road, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	444776	240472	0.07	Not owned by a public authority	yes	Not permissioned	-	-	https://planningregister.cherwell.gov.uk/Search	-	6	15/01555/F - Conversion of the existing building to form 6 no. self contained flats with associated car parking.	-	-	-	-	-	-	Planning permission expired in December 2018.	2017-12-04	2019-10-30	Banbury		
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR5	-	3 West Bar Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445179	240322	0.14	Not owned by a public authority	yes	Permissioned	full planning permission	2019-09-02 2017-07-04	https://planningregister.cherwell.gov.uk/Search	-	12	19/00958/F - Change of Use of existing building together with a 2.5 storey high extension to the eastern elevation to facilitate the conversion of the building to 8 No residential units. 17/00914/F - Demolition of existing single storey element (currently used as a driving test centre) and erection of new building to provide 4 flats.	-	-	-	-	-	-	-	-	2017-12-04	2019-10-30	Banbury	
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR7	-	Admiral Holland, Woodgreen Avenue, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	444442	240624	0.4	Owned by a public authority	yes	Permissioned	full planning permission	2019-03-28	https://planningregister.cherwell.gov.uk/Search	-	14	18/01591/CDC - proposed development of 8 no houses and 6 no flats	-	-	-	-	-	-	2017 HELAA Site - HELAA253	2017-12-04	2019-10-30	Banbury		
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR9	-	Canalside, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	446105	240254	24.78	Mixed ownership	-	Not permissioned	-	-	-	-	649	Local Plan strategic allocation - Banbury 1. Proposes 700 dwellings and 15,000 sqm of commercial uses (only limited new B1a office use classes)	Commercial uses - only limited new B1a office use (15000 sqm)	-	-	-	-	-	2018 HELAA site - HELAA258. A Canalside Supplementary Planning Documents is being prepared. Planning permission for 51 homes at Crown House has already been given and is under construction. The 51 homes have been deducted from the total of 700 homes.	2017-12-04	2018-12-03	Banbury		
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR10	-	Car Park Edmunds House, 40 South Bar Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445258	240190	0.08	Not owned by a public authority	yes	Permissioned	full planning permission	2017-07-31	https://planningregister.cherwell.gov.uk/Search	-	6	16/02154/F - 6 dwellings	-	-	-	-	-	-	-	2017-12-04	2018-12-03	Banbury		
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR11	-	Land at Bolton Road, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445482	240714	2	Unknown ownership	-	Not permissioned	-	-	-	-	200	Local Plan strategic allocation - Banbury 8. Proposes 200 dwellings and retail, hotel, leisure and car parking.	Retail, hotel, leisure and car parking (commensurate scale)	-	-	-	-	-	2018 HELAA site - HELAA257.	2017-12-04	2018-12-03	Banbury		
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR12	-	Land at Higham Way, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	446500	240186	3	Not owned by a public authority	yes	Not permissioned	-	-	-	-	150	Local Plan strategic allocation - Banbury 19. Proposes 150 dwellings.	-	-	-	-	-	-	2018 HELAA site - HELAA254.	2017-12-04	2017-12-04	Banbury		

Organisation URI	Organisation Label	Site Reference	Previously Part Of	Site Name Address	Site plan URL	Coordinate Reference System	GeoX	GeoY	Hectares	Ownership Status	Deliverable	Planning Status	Permission Type	Permission Date	Planning History	Proposed For PIP	Min Net Dwellings	Development Description	Non Housing Development	Part2	Net Dwellings Range From	Net Dwellings Range To	Hazardous Substances	Site Information	Notes	First Added Date	Last Updated Date	Location	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR15	-	P R Alcock And Sons Ltd, Castle Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445571	240807	0.16	Not owned by a public authority	yes	Not permissioned	-	-	-	-	5	15/01788/F - Redevelopment of the existing builders yard buildings to create 4 No dwellings and the extension of the existing terrace of dwellings to create 1 No further dwelling.	-	-	-	-	-	-	Planning permission expired in November 2018.	2017-12-04	2017-12-04	Banbury	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR16	-	Poundland, 1 - 6 Malthouse Walk, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445797	240546	0.07	Not owned by a public authority	yes	Not permissioned	-	-	-	-	20	15/01691/O56 - Change of use of building (first and second floors) from class B1(a) offices to class C3 dwelling houses (20 No one bedroom flats).	-	-	-	-	-	-	Planning permission expired in November 2018.	2017-12-04	2019-10-30	Banbury	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR17	-	The Imperial Oriental, 13 - 14 South Bar Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445346	240268	0.03	Not owned by a public authority	yes	Not permissioned	-	-	-	-	7	Planning permission for partial demolition of ground floor rear extension, conversion and alterations to property to provide 7 No. self contained residential units with class A1 retail unit to ground floor frontage expired in March 2018.	-	-	-	-	-	-	Planning permission expired in March 2018	2017-12-04	2018-12-03	Banbury	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR20	-	Former Bicester Library, Old Place Yard, Bicester	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	458354	222208	0.04	Owned by a public authority	yes	Not permissioned	-	-	-	-	3	2017 HELAA site - HELAA080. The site could accommodate 3 dwellings.	-	-	-	-	-	-	The site was previously used as a library however is now vacant. Part of land identified for residential development in the Non-Statutory Cherwell Local Plan 2011.	2017-12-04	2019-10-30	Bicester	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR22	-	McKay Trading Estate, Station Approach, Bicester	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	458622	222054	1.2	Not owned by a public authority	yes	Not permissioned	-	-	-	-	60	2017 HELAA site - HELAA070. The site could accommodate 60 dwellings as part of a mixed-use scheme.	Employment - B use class (commensurate scale)	-	-	-	-	-	The site is currently being used for employment purposes and is located at an industrial estate. Planning permission given for redevelopment to include new offices.	2017-12-04	2017-12-04	Bicester	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR23	-	St Edburg's School, Cemetery Road, Bicester	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	458143	222246	0.37	Not owned by a public authority	yes	Not permissioned	-	-	-	-	10	2017 HELAA site - HELAA262. The site could accommodate 14 dwellings.	-	-	-	-	-	-	Development principles approved in October 2008 for re-use of school buildings.	2017-12-04	2017-12-04	Bicester	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR26	-	Varneys Garage, Quarry Road, Hornton	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	437897	245768	0.35	Not owned by a public authority	yes	Permissioned	outline planning permission	2018-05-30	https://planningregister.cherwell.gov.uk/Search	-	3	18/00568/OUT - Application for redevelopment of existing car repair/sales, scrap yard/waste handling depot to residential development for three dwellings.	-	-	-	-	-	-	-	-	2017-12-04	2019-10-30	Hornton
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR28	-	Builder's Yard, The Moors, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	449362	214579	0.3	Owned by a public authority	-	Permissioned	full planning permission	2018-05-25	https://planningregister.cherwell.gov.uk/Search	-	6	18/00384/OUT - Outline development of up to 6 no dwellings and the demolition of the former Smithy building and garages. All matters reserved other than means of access.	-	-	-	-	-	-	2017 HELAA Site - HELAA149	2017-12-04	2019-10-30	Kidlington	
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR31	-	The Plough Inn, Merton	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	457575	217639	0.38	Not owned by a public authority	yes	Not permissioned	-	-	-	-	1	15/00429/OUT - Development of 1No dwelling house - all matters reserved	-	-	-	-	-	-	Planning permission expired in May 2018.	2017-12-04	2019-10-30	Merton	

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http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR35	-	153 And 155 Middleton Road, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	446491	241052	0.051	Not owned by a public authority	yes	Permissioned	full planning permission	2017-04-21	https://planningregister.cherwell.gov.uk/Search	-	8	17/00378/F - Alteration, conversion and rear extension to form 8 flats.	-	-	-	-	-	-	-	2018-12-03	2018-12-03	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR39	-	Inside Out Interiors Ltd, 85 - 87 Churchill Road, Bicester	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	459330	223175	0.19	Not owned by a public authority	yes	Permissioned	outline planning permission	2017-05-19	https://planningregister.cherwell.gov.uk/Search	-	10	16/02461/OUT - Conversion of existing building to provide 5No two bed house, 1No two bed flat and 1No one bed flat. New build to provide 1No commercial unit with outside space, parking and cycle storage + 3No two bed flats	1 commercial unit	-	-	-	-	-	-	2018-12-03	2018-12-03	Bicester
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR40	-	Land Adjacent 83 And 85 Part Of Car Park Sheep Street, Bicester	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	458352	222705	0.1	Not owned by a public authority	yes	Permissioned	full planning permission	2018-02-19	https://planningregister.cherwell.gov.uk/Search	-	9	17/02585/F - Retail units and 9 residential apartments.	Retail units	-	-	-	-	-	-	2018-12-03	2018-12-03	Bicester
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR42	-	Gurkha Village, 174 Oxford Road, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	449587	213246	0.23	Not owned by a public authority	yes	Permissioned	full planning permission	2017-04-18	https://planningregister.cherwell.gov.uk/Search	-	5	17/00419/F - Erection of 2 storey building to provide 5 No flats.	-	-	-	-	-	-	-	2018-12-03	2018-12-03	Kidlington
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR43	-	44 Banbury Road, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	448834	214291	0.07	Not owned by a public authority	yes	Permissioned	full planning permission	2017-08-29	https://planningregister.cherwell.gov.uk/Search	-	5	17/01430/F - Demolition of existing bungalow and erection of a 3 storey building with the upper storey in the roofspace to provide 4 x 2 bedroom flats and 2 x 1 bedroom flats.	-	-	-	-	-	-	-	2018-12-03	2018-12-03	Kidlington
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR44	-	2A - 4 Broad Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445720	240553	0.02	Not owned by a public authority	yes	Permissioned	full planning permission	2018-08-16	https://planningregister.cherwell.gov.uk/Search	-	6	18/00799/F - Division of ground floor into two retail units. Conversion of first and second floor from retail to domestic (change of use). Additional floor at rear for domestic accommodation.	Retail units	-	-	-	-	-	-	2019-10-30	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR45	-	Land to the rear of 45 to 53 Hightown Road, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445913	230533	1.5	Not owned by a public authority	yes	Permissioned	full planning permission	2018-11-01	https://planningregister.cherwell.gov.uk/Search	-	8	18/01441/F - Demolition of 47 High Town Road, Banbury and the erection of 9 dwellings, new access and ancillary works.	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR46	-	Banbury Cycles, 56 - 58 Broad Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445688	240494	0.04	Not owned by a public authority	yes	Permissioned	full planning permission	2019-01-08	https://planningregister.cherwell.gov.uk/Search	-	7	18/01971/F - Conversion of first floor and construction of a new second floor over to form 6 self contained flats. Conversion of rear cottage to form a ground floor office and a maisonette on the first and second floors.	Ground floor office	-	-	-	-	-	-	2019-10-30	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR47	-	Ilbury Farm, Nether Worton Road, Hempton, Deddington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	443429	231034	0.35	Not owned by a public authority	yes	Permissioned	full planning permission	2019-02-28	https://planningregister.cherwell.gov.uk/Search	-	0	18/02208/F - Demolition of existing dwelling, erection of replacement dwelling and garage with associated access and landscaping and associated change of use of land.	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Deddington
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR48	-	76 Bicester Road, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	450045	213423	0.09	Not owned by a public authority	yes	Permissioned	full planning permission	2019-01-14	https://planningregister.cherwell.gov.uk/Search	-	6	18/01758/F - Alteration and extension to form 7 no one and two bedroom flats with parking and ancillary space.	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Gosford and Water Eaton

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http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR49	-	Land adjacent Braeside Rope Way, Hook Norton	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	435786	232928	0.25	Not owned by a public authority	yes	Permissioned	full planning permission	2018-09-28	https://planningregister.cherwell.gov.uk/Search	-	3	18/01061/F - Demolition of existing garage and alteration of existing access. Erection of four dwellings with associated garages and parking spaces.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Hook Norton
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR50	-	Brymbo Bungalows, Station Road, Hook Norton	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	436846	233910	0.49	Not owned by a public authority	yes	Permissioned	full planning permission	2018-10-26	https://planningregister.cherwell.gov.uk/Search	-	-1	18/01507/F - Demolition of 2 no existing bungalows and erection of 1 no replacement dwellings; conversion of existing engine shed to ancillary accommodation.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Hook Norton
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR51	-	British Waterways Site, Langford Lane, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	448183	214939	0.4	Not owned by a public authority	yes	Permissioned	full planning permission	2018-11-23	https://planningregister.cherwell.gov.uk/Search	-	10	17/01556/F - Redevelopment of site comprising the erection of 10 dwellings, formation of new boaters car park and conversion of existing outbuildings to form ancillary accommodation to residential properties.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Kidlington
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR52	-	2 - 4 High Street, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	449034	214064	0.11	Not owned by a public authority	yes	Permissioned	full planning permission	2018-07-12	https://planningregister.cherwell.gov.uk/Search	-	16	18/00809/O56 - Change of use from offices to residential comprising of 16 no flats.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Kidlington
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR53	-	Kings Two Wheel Centre 139 Oxford Road, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	449569	213494	0.11	Not owned by a public authority	yes	Permissioned	full planning permission	2019-03-28	https://planningregister.cherwell.gov.uk/Search	-	10	18/01388/F - Demolition of existing vacant workshop and show room buildings. Erection of two and three storey building to provide 10 no dwellings and provision of off-street car parking.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Kidlington
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR54	-	162 The Moors, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	448718	214832	0.07	Not owned by a public authority	yes	Permissioned	full planning permission	2018-05-25	https://planningregister.cherwell.gov.uk/Search	-	5	18/00259/F - Demolition of existing two storey house and erection of building to form 6 flats.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Kidlington
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR55	-	Winterlake Springwell Hill, Bletchington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	450130	218782	0.58	Not owned by a public authority	yes	Permissioned	full planning permission	2018-12-03	https://planningregister.cherwell.gov.uk/Search	-	0	18/01750/F - Demolition of existing dwellings and erection of a replacement dwelling.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Kirtlington
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR56	-	High Haven Farm, Hawthorn Hill, South Newington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	439888	232027	0.95	Not owned by a public authority	yes	Permissioned	full planning permission	2019-02-28	https://planningregister.cherwell.gov.uk/Search	-	0	19/00007/F - Demolition of existing dwellings and erection of a replacement dwelling and associated outbuilding.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	South Newington
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR57	-	Former Garage Block to the rear of 63 To 65 Spencer Avenue, Yarnton	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	447589	212434	0.21	Not owned by a public authority	yes	Permissioned	full planning permission	2018-12-20	https://planningregister.cherwell.gov.uk/Search	-	5	18/01860/F - Erection of building comprising of 5 x flats.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Yarnton
http://opendata.comunities.org/id/district-council/cherwell	Cherwell District Council	BLR58	-	198 & 200 Woodstock Road, Yarnton	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	447442	213121	0.31	Not owned by a public authority	yes	Permissioned	full planning permission	2019-01-17	https://planningregister.cherwell.gov.uk/Search	-	0	18/02034/F - Demolition of existing pair of semi-detached dwellings and erection of 2 replacement dwellings with garaging and associated landscaping.	-	-	-	-	-	-	-	-	2019-10-30	2019-10-30	Yarnton

Sites removed from the register - 30-10-2019

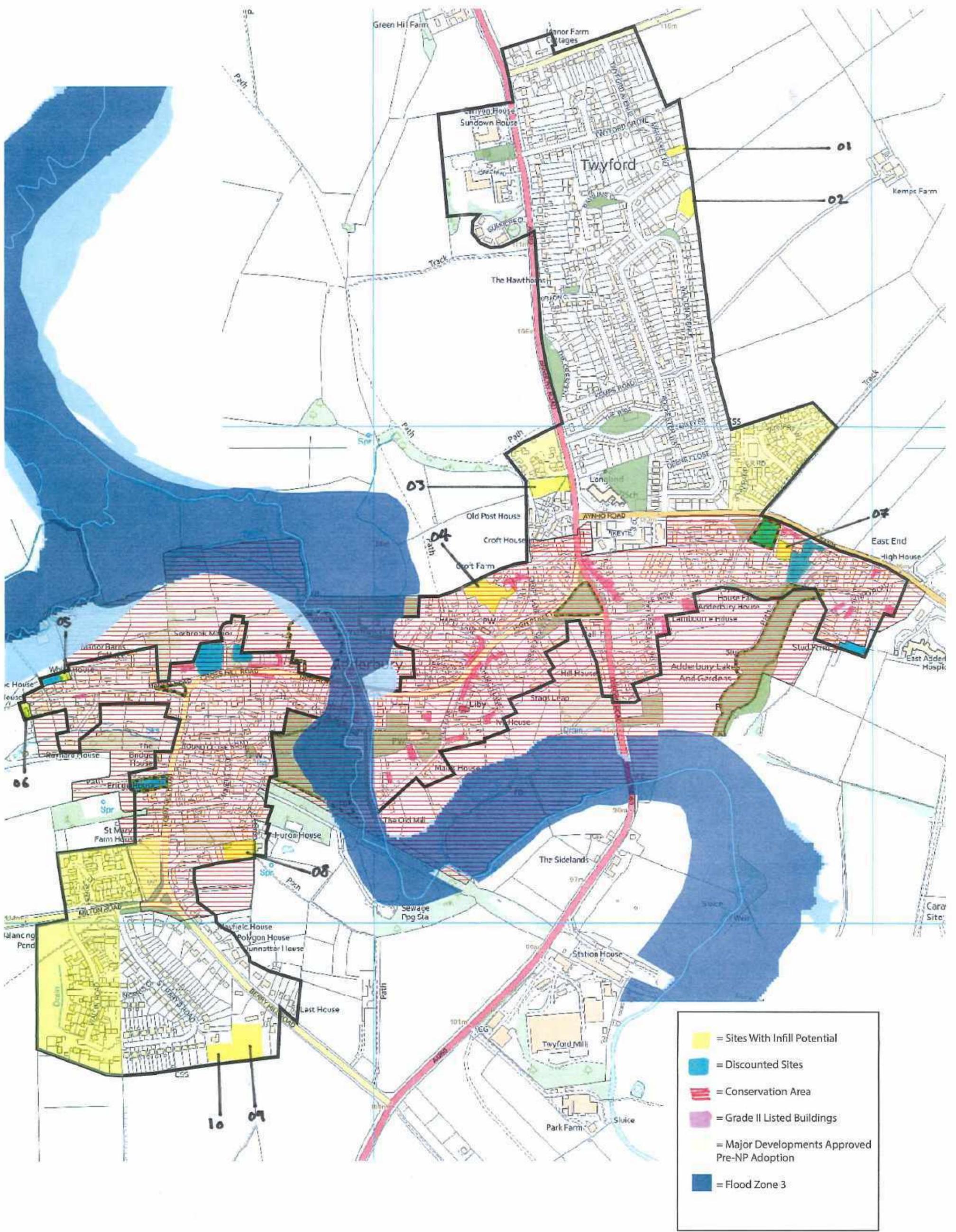
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http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR1	-	The Tally Ho Inn, 45 Ploughley Road, Arncott	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	461025	218018	0.4	Not owned by a public authority	yes	Permissioned	full planning permission	2017-08-14	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/01079/F - Change of use of accommodation Blocks 2 and 3 (bedroom accommodation) (Use Class C1) to 9 no. 1 bedroom retirement homes (Use Class C3)	-	-	-	-	-	-	The permission has been superseded by 19/00933/F which is change of use from hotel (C1) to residential training institute (C2).	2017-12-04	2019-10-30	Arncott
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR3	-	15 - 16 South Bar Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445345	240259	0.02	Not owned by a public authority	yes	Permissioned	full planning permission	2018-02-13	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/01313/F - Conversion of existing 3-storey commercial building into 3 flats and erection of new rear extension to accommodate a further 5 residential apartments	-	-	-	-	-	-	Development has commenced on site	2017-12-04	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR6	-	60 - 62 Broad Street, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445688	240512	0.06	Not owned by a public authority	yes	Permissioned	full planning permission	2017-04-24	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	16/02529/F - alterations to building and change of use to form retail units at ground floor level and 12 No self contained flats over	2 retail units at ground floor (346 sqm)	-	-	-	-	-	Development has commenced on site	2017-12-04	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR18	-	The Unicorn, Market Place, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	445612	240640	0.04	Not owned by a public authority	yes	Permissioned	full planning permission	2017-01-24	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	16/01661/F - Conversion of Unicorn Inn and coach house to residential use (7 flats). Internal and external alterations.	-	-	-	-	-	-	Development has commenced on site	2017-12-04	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR21	-	Garage Block Rear Of 52 To 58 Bucknell Road, Bicester	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	457893	223267	0.1	Not owned by a public authority	yes	Permissioned	full planning permission	2016-09-19	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	16/01421/F - Demolition of existing garage. Development of 4 apartments (2 x 1 bed units and 2 x 2 bed units). Provision of associated external areas to include parking bin and cycle stores.	-	-	-	-	-	-	Permission superseded by 18/00102/F which was completed in September 2018 (2018/19).	2017-12-04	2019-10-30	Bicester
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR25	-	The George And Dragon, 15 East Street, Fritwell	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	452817	229340	0.15	Not owned by a public authority	-	Permissioned	full planning permission	2017-11-15	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/01954/F - 7 No new residential dwellings with associated access and parking arrangements.	-	-	-	-	-	-	Development has commenced on site	2017-12-04	2019-10-30	Fritwell
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR27	-	65 Oxford Road, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	449288	213797	0.1	Not owned by a public authority	yes	Permissioned	full planning permission	2017-02-24	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	16/02550/F - Demolition of existing dwelling; erection of 6 No two bed flats; parking for six vehicles is to be provided as well as accompanying ancillary/amenity provision.	-	-	-	-	-	-	The site was completed in March 2018 (2017/18).	2017-12-04	2019-10-30	Kidlington
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR32	-	Tyre Depot, South of Cassington Road, Yarnton	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	447951	211899	0.9	Not owned by a public authority	yes	Not permissioned	-	-	-	-	0	13/00330/OUT - Erection of 16 dwellings and new access road was approved subject to legal agreement but then withdrawn.	-	-	-	-	-	-	The application was withdrawn. Commercial uses implemented.	2017-12-04	2019-10-30	Yarnton
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR33	-	Gosford Hill Court, Bicester Road, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	449912	213415	0.26	Not owned by a public authority	yes	Permissioned	full planning permission	2017-12-28	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/02208/F - Roof extension to existing block of flats to create additional two number two bedroom flats.	-	-	-	-	-	-	The site was completed in June 2018 (2018/19).	2018-12-03	2019-10-30	Gosford and Water Eaton

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http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR34	-	Akeman Spinney, Heyford Road, Kirtlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	450062	220359	0.56	Not owned by a public authority	yes	Permissioned	full planning permission	2017-12-19	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/02158/F - Demolition of existing dwelling, erection of 5 No dwellings.	-	-	-	-	-	-	Development has commenced on site	2018-12-03	2019-10-30	Kirtlington
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR36	-	Garage Blocks Rear Of Mold Crescent Penrose Drive, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	446491	241052	0.17	Not owned by a public authority	yes	Permissioned	full planning permission	2017-05-30	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/00756/F - Erection of 6 No. dwellings and associated car parking on site of former garage block.	-	-	-	-	-	-	The site was completed in March 2019 (2018/19).	2018-12-03	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR37	-	Garage Block Opposite 5 Penrhyn Close, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	443386	241156	0.09	Not owned by a public authority	yes	Permissioned	full planning permission	2017-12-01	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/01693/F - Erection of a building to provide 9 No. age-restricted retirement living apartments on a former garage site.	-	-	-	-	-	-	Development has commenced on site	2018-12-03	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR38	-	Garage Block 1 Rear Of 214 To 226 Bretch Hill, Banbury	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	443685	240420	0.17	Not owned by a public authority	yes	Permissioned	full planning permission	2018-02-14	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/02270/F - Demolition of garage block and erection of 5 No. new dwellings and associated parking.	-	-	-	-	-	-	Development has commenced on site	2018-12-03	2019-10-30	Banbury
http://opendatacommunities.org/id/district-council/cherwell	Cherwell District Council	BLR41	-	78 Bicester Road, Kidlington	https://www.cherwell.gov.uk/info/33/planning-policy/384/brownfield-land-register	OSGB36	450060	213423	0.09	Not owned by a public authority	yes	Permissioned	full planning permission	2017-07-05	https://www.publicaccess.cherwell.gov.uk/online-applications/	-	0	17/01067/F - Demolition of existing bungalow and erection of building to form six apartments with parking.	-	-	-	-	-	-	Development has commenced on site	2018-12-03	2019-10-30	Kidlington

Appendix 37A

Adderbury settlement boundary sites map



- = Sites With Infill Potential
- = Discounted Sites
- = Conservation Area
- = Grade II Listed Buildings
- = Major Developments Approved Pre-NP Adoption
- = Flood Zone 3

Appendix 37B

Adderbury settlement boundary sites table

Site Map Ref No.	Site Area (Acres)	Within Curtilage of Existing dwelling?	Constraints	Policy Designations	Approx Potential Capacity (10dpa)	Planning Applications
1	0.16	N			1	N
2	0.33	Y			2	Yes 12/00231/F: Erection of Detached Dwelling (Approved)
3	0.64	N	Local Open Space, owned by Parish Council, PROW through site, TPO'd Tree	Local Open Space (AD4)	6	N
4	0.95	N	Adjacent to Grade II Listed building	Conservation Area	9	N
5	0.1	N		Conservation Area	1	N
6	0.13	Y			1	Yes 11/01537/F: One single storey dwelling (Refused)
7	0.25	Y		Conservation Area, Local Open Space (AD3)	3	N
8	0.5	Y	Constrained access, and demolition of garage required	Conservation Area	5	N
9	1	Y			10	N
10	0.4	Y			5	N
				Total Capacity Outside Existing Dwelling Curtilages	17	
				Total Capacity within Existing Dwelling Curtilages	26	
				Total Potential Capacity	43	

Appendix 38
Accessibility Statement

Proposed Residential Development
Berry Hill Road, Adderbury

HOLLINS STRATEGIC LAND

Appeal Accessibility Statement
June 2020



Eddisons

TRANSPORT PLANNING & DESIGN

Incorporating Croft Transport Planning & Design



REPORT

Document: Accessibility Statement

Project:	Proposed Residential Development, Berry Hill Road, Adderbury		
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Plan 8	Walking Routes to Employment Opportunities
Plan 9	Walking Routes to Transport Nodes
Plan 10	8km Cycle Catchment

APPENDICES

Appendix 1	Detailed Route Descriptions
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1 BACKGROUND AND SCOPE OF REPORT

1.1 Background

1.1.1 Croft were commissioned during 2017 by Hollins Strategic Land to produce a Transport Statement to support a planning application relating to proposals to develop a site for residential use off Berry Hill Road in the village of Adderbury in the district of Cherwell in Oxfordshire.

1.1.2 Outline planning permission was originally sought in October 2017 for the construction of up to 60 residential dwellings (Use Class C3) with associated open space, landscaping, and vehicular access taken from Berry Hill Road (ref: 17/02394/OUT).

1.1.3 The location of the site is shown on **Plan 1**.

1.1.4 All highways issues relating to the original planning application were resolved to the satisfaction of the local highway authority, Oxfordshire County Council (OCC).

1.1.5 The proposals were then reduced in size and consisted of 40 residential dwellings. The vehicular access to the site will remain as previously proposed, and is shown on Plan 2 (**Drawing Number 1899-Fo1 Revision H**), enclosed with this Statement, which shows the same vehicular access as Drawing Number 1899-Fo1 Revision D, which was the last version that Oxfordshire County Council (OCC) have commented on and is referred to in the Committee Report.



1.1.6 The amended planning application (same reference as the original) was then refused for three reasons in January 2020. The first of these was as follows:

'The development proposed, by reason of its scale and siting beyond the built up limits of the village, in open countryside and taking into account the number of dwellings already permitted in Adderbury, with no further development identified through the Adderbury Neighbourhood Plan 2014-2031, is considered to be unnecessary, undesirable and unsustainable development. The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs. The proposal is therefore unacceptable in principle and contrary to Policies ESD1, BSC1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework'.

1.1.7 Part of this reason for refusal refers to the sustainability of the site and concludes that *'The site itself is in an unsustainable location on the edge of the village, distant from local services and facilities and would result in a development where future occupiers would be highly reliant on the private car for day to day needs'.*

1.1.8 Again, all highways issues were resolved to the satisfaction of OCC, subject to conditions and a range of improvements and off site contributions, which are listed later in this Section.

1.1.9 OCC made a number of conclusions within the Committee Report and Updated Committee Report, namely:

- Para 9.76 of the Committee Report - 'The Highway Authority have raised no objections to the proposed development on key matters such as the main access arrangements (vehicular and pedestrian/ cycle) and the proposal to include new bus stops on the A4260. No concerns are raised with regard to transport movements and their impact upon the local highway network'.
- Para 9.78 of the Committee Report – 'The LHA has sought contributions towards transport improvements and these would have been pursued should this site have been recommended for approval'.

1.1.10 It is also worth noting that OCC did not object to the site on the basis of its locational sustainability.

1.1.11 As part of the appeal process this Statement will provide a more detailed consideration of the sustainable credentials of the Appeal site to provide the Inspector with more comprehensive information to demonstrate that the site is indeed appropriately sustainable and will not be contrary to Policies ESD1, BSC1, SLE4 and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1, Saved Policy H18 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

1.2 Site Location

1.2.1 The Appeal site is located to the south of the centre of the village of Adderbury.

1.2.2 The site is bordered to the west by existing properties off Berry Hill Road, to the north and east by various public rights of way and undeveloped land and to the south by Berry Hill Road.

1.2.3 Berry Hill Road runs along the southern boundary of the site and runs between the village centre to the north and its junction with the A4260 Oxford Road to the south-east of the site.

1.2.4 The road is around 6 to 7 metres wide with wide verges on both sides of the road. Part way along the site frontage the speed limit of the road changes from 30mph, in the northern section, to national speed limit, to the south. The road also has street lighting.

1.3 Summary of Proposals

1.3.1 It is proposed to develop the site to provide up to 40 residential dwellings, with associated car parking and landscaping.

1.3.2 Car parking across the site will comply with Oxfordshire County Council's current residential car parking standards.

1.3.3 Vehicular access is proposed directly off Berry Hill Road, as shown in **Plan 2 (Drawing Number 1899-Fo1 Revision H)**.

1.3.4 Although the vehicular access has stayed the same as Revision D, there have been some other minor changes have been made which are listed as follows:

- Revision E – based on OS background.
- Revision F – same plan but additional OS background added.
- Revision G – amended proposed footway on Berry Hill Road.
- Revision H – proposed bus stops moved to the western side of the junction of Oxford Road/Berry Hill Road due to recent bus route changes.

- 1.3.5 As already stated, the current speed limit adjacent along Berry Hill Road is split between a 30mph and national speed limit. It is part of these proposals that the speed limit will be extended to beyond the Site Access.
- 1.3.6 The plan shows that visibility splays of 2.4 metres by 43 metres can be achieved in both directions which are commensurate with traffic speeds of 30mph, as set out in Manual for Streets. The internal layout of the site will be designed to provide a safe environment for pedestrians and cyclists with clearly defined walkways, crossing points and speed reducing features where appropriate.
- 1.3.7 The proposals will provide a new footway on the northern side of Berry Hill Road from the site access up to the junction of Berry Hill Road and Horn Hill Road. This will provide the local highway network with around 400 metres of additional footway to assist not only pedestrians travelling to and from the Appeal Site but also the existing residential properties along the northern and eastern side of Berry Hill Road. This will substantially assist in the general accessibility of this part of the village.
- 1.3.8 In addition to the above, it is worth noting that the proposed new footway along Berry Hill Road will also extend to the south-east of the site access and around the corner onto the A4260 Oxford Road, where a new crossing point with a pedestrian refuge, dropped kerbs and tactile paving will be provided. This will enhance existing pedestrian infrastructure in the area and connect the site to the existing footway provision along the southern side of the A4260 Oxford Road, thus providing a safe continuous walking route to local employment opportunities, such as Twyford Mill and Station Yard Industrial Estate, located approximately 400 metres to the north of the Berry Hill Road junction.

1.3.9 The proposals will also provide the following contributions to improve the sustainability of the site:

- Section 106 contribution of £60,000 for improvements to local bus services, which will benefit local residents.
- Section 106 contribution of £20,000 for improvements to local public rights of way and bridleways, which will benefit existing residents.
- Section 106 of £10,000 for the provision of two new bus stops, with shelters, on Berry Hill Road to serve the proposed development, which will benefit existing residents.

1.4 Scope of Report

1.4.1 This Statement will deal specifically with the issues of transport sustainability relating to the appeal proposals.

1.4.2 Section 2 considers in detail the accessibility of the Appeal Site by non-car modes, including walking, cycling and public transport. Section 3 of the Transport Statement that accompanied both planning applications also considered this issue but this Statement will provide more detail and information to assist the Inspector at the forthcoming Hearing.

1.4.3 Section 3 draws together the findings and conclusions of this Statement.

2 ACCESSIBILITY BY NON CAR MODES

2.1 Introduction

2.1.1 In order to accord with the aspirations of the National Planning Policy Framework (NPPF), any new proposals should extend the choice in transport and secure mobility in a way that supports sustainable development.

2.1.2 The presumption in favour of sustainable development is a central theme running through the framework and transport planning policies are seen as a key element of delivering sustainable development as well as contributing to wider sustainability and health objectives. One of the core principles of the NPPF is to *'ensure opportunities to promote walking, cycling and public transport use are identified and pursued.'*

2.1.3 To achieve this objective, paragraph 108 of the NPPF states when making decisions it should be ensured that:

"Appropriate opportunities to promote sustainable transport modes can be - or have been - taken up given the type of development and its location."

2.1.4 New proposals should therefore attempt to influence the mode of travel to the development in terms of gaining a shift in modal split towards non-car modes, thus assisting in meeting the aspirations of current national and local planning policy.

2.1.5 As detailed above, the amended planning application (same reference as the original) was then refused for three reasons in January 2020. The first of these, listed in the previous section of this Statement, included the following:

2.1.6 To confirm that the Appeal Site is sustainable in transport terms this section will consider its accessibility by the following modes of transport:

- Accessibility on foot.
- Accessibility by cycle.
- Accessibility by bus.
- Accessibility by rail.

2.2 Pedestrian Routes

2.2.1 As shown on **Plan 4**, there are existing public right of way (PRoW) routes for pedestrians to travel to and from the Appeal Site. These are also being supplemented by improvements to existing infrastructure to ensure residents and visitors can travel between the site and the surrounding area both safely and directly.

2.2.2 These proposed improvements to pedestrian infrastructure improvements included in Section 1.3 of this Statement.

2.3 Accessibility on Foot

2.3.1 It is important to create a choice of direct, safe and attractive routes between where people live and where they need to travel in their day-to-day life. This philosophy clearly encourages the opportunity to walk whatever the journey purpose and also helps to create more active streets and a more vibrant neighbourhood.

2.3.2 The Chartered Institute of Highways and Transportation (CIHT) published in 2015 a document entitled 'Planning for Walking' (CD6.2). In paragraph 2.1, it states that in 2012 that 79% of all journeys made in the UK of less than a mile (1.6 kilometres) are carried out on foot.

2.3.3 The Institute of Highways and Transportation (IHT) document 'Guidelines for Providing for Journeys on Foot', provides information on acceptable walking distances. Table 3.2 suggests distances for desirable, acceptable and preferred maximum walks to 'town centres', 'commuting/schools' and 'elsewhere'. The 'preferred maximum' distances are shown below in Table 3.1.

Suggested Preferred Maximum Walk		
Town Centre	Commuting/School	Elsewhere
800m	2,000m	1,200m

Table 2.1 - IHT 'Providing for Journeys on Foot' Walk Distances

2.3.4 The Government introduced advice on walking distances in the 2001 revision to Planning Policy Guidance (PPG) 13 Transport, now withdrawn, which advised that *'Walking is the most important mode of travel at the local level and offers the greatest potential to replace short car trips, particularly those under two kilometres.'*

2.3.5 Manual for Streets (MfS) continues the theme of the acceptability of the 2,000 metre distance in paragraph 4.4.1. This states that *'walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes' (up to about 800m) walking distance of residential areas which residents may access comfortably on foot. However, this is not an upper limit and PPS13 states that walking offers the greatest potential to replace short car trips, particularly those under 2 km'.*

2.3.6 Table 2.2 below summarises this guidance in tabular form.

'Comfortable' Walk	'Preferred Maximum' Walk
800m	2,000m

Table 2.2 Manual for Streets Walk Distances

2.3.7 More specific guidance on the distances that children will walk to school is found in the July 2014 document published by the Department for Education (DfE) entitled 'Home to School Travel and Transport' statutory guidance document. This suggests that the maximum walking distance to schools is 2 miles (3.2 kilometres) for children under 8 and 3 miles (4.8 kilometres) for children over the age of 8. This is summarised below in Table 2.3.

Children under 8 Walk Distances	Children over 8 Walk Distances
3,200m	4,800m

Table 2.3 DfE Walk Distances to Schools

2.3.8 Further evidence that people will walk further than the suggested 'preferred maximum' distances in the IHT 'Providing for Journeys on Foot' is contained in a WYG Report entitled 'Accessibility – How Far Do People Walk and Cycle'. This report refers to National Travel Survey (NTS) data for the UK as a whole, excluding London, and confirms the following 85th percentile walk distances:

- All journey purposes – 1,930 metres;
- Commuting – 2,400 metres;
- Shopping – 1,600 metres;



- Education – 3,200 or 4,800 metres;
- Personal business – 1,600 metres.

2.3.9 Overall, in Table 5.1, the document states that 1,950 square metres is the 85th percentile distance for walking as the main mode of travel. Table 2.4 below summarises the various 85th percentile walk distances suggested as guidelines in the WYG Study.

85 th Percentile Walk Distances					Overall Recommended Preferred Max
All Journeys	Commuting	Shopping	Education	Personal	
1,950m	2,100m	1,600m	3,200m/4,800m	1,600m	1,950m

Table 2.4 WYG Report/NTS Data Walk Distances

2.3.10 In summary, the distance of 1,950 metres, or around 2 kilometres, represents an acceptable maximum walking distance for the majority of land uses although clearly the DfE guidance for walking to school is up to 3.2 kilometres.

2.3.11 Section 3.1 of the CIHT guidance 'Planning for Walking' mentioned earlier in this report provides a useful reminder of the health benefits of walking. This states that:

'A brisk 20 minute walk each day could be enough to reduce an individual's risk of an early death.'

2.3.12 A 20-minute walk equates to a walking distance of around 1,600 metres.

- 2.3.13 In light of the above review, a pedestrian catchment of 2 kilometres from the centre of the developable site, using all usable pedestrian routes, has been provided in **Plan 3** and provides an illustrative indication of the areas that can be reached based on a leisurely walk from the site.
- 2.3.14 In addition to the pedestrian catchment plan, a review of the proximity of local facilities has been undertaken. The locations of such facilities in relation to the site are also shown in **Plan 3**.
- 2.3.15 The 2,000 metre pedestrian catchment includes numerous local amenities such as a local recreational park/play area, Lucy Plackett Playing Fields, Adderbury Stores, The Coach and Horses public house, The Bell Inn public house, Adderbury Library, Adderbury Post Office, The Church of St Mary, Christopher Rawlins Church of England Primary School, Adderbury Parish Institute, Adderbury Day Nursery and local employment areas such as the Twyford Mill Estate.
- 2.3.16 Table 2.5 below, shows the walking distance from the centre of the developable site to several of the local key amenities in the vicinity of the site.

Amenities within 2,000m using Footways					
Shops & Day to day facilities	(m)	Education/Community	(m)	Health/Leisure/ Employment	(m)
New Bus Stops	350	Adderbury Day Nursery	710	Antycip Simulation	740
Existing Bus Stop	480	Recreational Park/Play Area	630	Fired Earth	780
Post Box	510	Lucy Plackett Playing Fields	990	Trade Secret	780
Adderbury Stores	1,520	The Church of St Mary	1,300	Motec Europe	800
Adderbury Post Office	1,530	Adderbury Library	1,410	The Bell Inn	1,510
		Adderbury Parish Institute	1,470	The Coach and Horses	1,600
		Christopher Rawlins Church of England Primary School	2,000 1,680 (Oxford Road)	Squires Hairdressers	1,650
				Banbury Westend Tennis & Squash Club	1,740

Table 2.5 Distance from Centre of the developable Site to Local Facilities

- 2.3.17 As can be seen, there are a number of 'local facilities' within 2 kilometres of the site, these include Adderbury Post Office, Adderbury Stores, Adderbury Library, The Church of St Mary and Adderbury Parish Institute. Various distances above have been measured using the footways along Berry Hill Road, Horn Hill Road, Cross Hill Road, New Road and Water Lane.

- 2.3.18 Included within the 2,000 metre catchments are education facilities, such as Adderbury Day Nursery and Christopher Rawlins Church of England Primary School. It is also worth noting that despite Blessed George Napier Roman Catholic School (Secondary School & Sixth Form) being located outside of the 2km pedestrian catchment, it is accessible via an 11 minute journey on bus service S4 and a short walk, equating to a total time of approximately 17 minutes.
- 2.3.19 As mentioned above, various distances have been measured by using the footways along Berry Hill Road, Horn Hill Road, Cross Hill Road, New Road and Water Lane. As shown on **Plan 4**, existing Public Right of Way routes surround the site and the likelihood is residents would use these routes to get to their 'day to day' amenities.
- 2.3.20 However, there are a number of existing PRowS in the area that provide a more direct and shorter route to some of the amenities in daylight and dry weather and these are shown in Table 2.6 below, using a combination of footways and existing and improved PRowS.

Amenities within 2,000m using Footway and PRoWs					
Shops & Day to day facilities	(m)	Education/Community	(m)	Health/Leisure/ Employment	(m)
New Bus Stops	350	Adderbury Day Nursery	710	Antycip Simulation	740
Existing Bus Stop	480	Recreational Park/Play Area	630	Fired Earth	780
Post Box	510	Lucy Plackett Playing Fields	700	Trade Secret	780
Adderbury Stores	920	The Church of St Mary	730	Motec Europe	800
Adderbury Post Office	930	Adderbury Library	810	The Bell Inn	900
		Adderbury Parish Institute	1,200	The Coach and Horses	1,130
		Christopher Rawlins Church of England Primary School	1,390	Squires Hairdressers	1,050
				Banbury Westend Tennis & Squash Club	1,130

Table 2.6 Distance from Site to Local Facilities using Footway and PRoW Routes.

2.3.21 As can be seen, the distances are much shorter when using the existing Public Right of Way routes for the majority of the amenities, namely Adderbury Post Office, Adderbury Stores, Adderbury Library, The Church of St Mary, The Bell Inn, Christopher Rawlins Church of England Primary School and Lucy Plackett Playing Fields.

2.3.22 To further consider the accessibility of the site for pedestrians, the walking routes to a selection of destinations has also been provided, as follows;

- Schools (primary);
- Local retail facilities;

- Healthcare and Leisure;
- Employment opportunities; and
- Transport Nodes.

2.3.23 The walking route for each of the above routes are provided in the following plans;

- Schools (primary and secondary) - **Plan 5**;
- Local retail facilities - **Plan 6**;
- Healthcare and Leisure Facilities - **Plan 7**;
- Employment opportunities - **Plan 8**; and
- Transport Nodes - **Plan 9**.

2.3.24 These are also described in more detail, based on footway routes, rather than using the PRowS in **Appendix 1**.

2.4 Assessment of Distances to Amenities Against Guidance

2.4.1 To provide some qualitative analysis to the exercise set out in the previous section and to consider the Appeal Site when judged against the guidance contained in the various reference documents, **Table 2.7** sets out a number of local facilities and assesses against the walking distance criteria detailed in the previous paragraphs.

2.4.2 For ease of reference the compliance with the various guidance documents is shown in green for 'complies with', orange for 'just outside' and red for 'outside guidance distance'.

Facility	Name	Walk Distance	Walk Time	Compliance with...
Nursery	Adderbury Day Nursery	710m	8.5 mins	IHT – complies with 2km distance MfS - complies with 2km distance DfE - complies with 3.2km distance WYG – complies with 3.2km distance
		2,000m	24.2 mins	IHT – complies with 2km distance MfS - complies with 2km distance DfE - complies with 3.2km distance WYG – complies with 3.2km distance
Primary School	Christopher Rawlins Church of England Primary School	1,680m (Oxford Road)	20 mins	IHT – complies with 2km distance MfS - complies with 2km distance DfE - complies with 3.2km distance WYG – complies with 3.2km distance
		1,390m (PRoW)	16.5 mins	IHT – complies with 2km distance MfS - complies with 2km distance DfE - complies with 3.2km distance WYG – complies with 3.2km distance
Local Services	Adderbury Library	1,410m	17.2 mins	IHT – outside 1.2km distance MfS - complies with 2km distance WYG - complies with 1.6km distance
		810m (PRoW)	10 mins	IHT – complies with 1.2km distance MfS - complies with 2km distance WYG - complies with 1.6km distance
Local Services	Adderbury Stores	1,520m	18.1 mins	IHT – outside 1.2km distance MfS - complies with 2km distance WYG – complies with 1.6km distance
		920m (PRoW)	11.1 mins	IHT – complies with 1.2km distance MfS - complies with 2km distance WYG – complies with 1.6km distance
Post Office	Adderbury Post Office	1,530m	18.2 mins	IHT – outside 1.2km distance MfS - complies with 2km distance WYG – complies with 1.6km distance
		930m (PRoW)	11.2 mins	IHT – complies with 1.2km distance MfS - complies with 2km distance WYG – complies with 1.6km distance
Amenity/Open Space	Recreational Play Area	630m	7.5 mins	IHT – complies with 1.2km distance MfS - complies with 2km distance WYG - complies with 1.6km distance
Key Employment Area	Twyford Mill Estate	680m	8.1 mins	IHT – complies with 1.2km distance MfS - complies with 2km distance WYG - complies with 2.1km distance

Table 2.7– Distance/Journey from Centre of Site and Comparison to Guidance

- 2.4.3 As can be seen from the above table, the Appeal Site complies with the distances to each of the key amenities 'areas' contained within the various guidance documents.
- 2.4.4 The table also confirms that there are numerous local facilities within a 15 minute walk of the centre of the Appeal Site, including Twyford Mill Estate (8 minutes), Adderbury Day Nursery (8 minutes), a Local Recreational Park/Play Area (8 minutes), Adderbury Stores (11 minutes using PRoW), Adderbury Library (10 minutes using PRoW) and Adderbury Post Office (11 minutes using PRoW). As such, there are a number of local services around a 15 minute walk which meets with the 'broad accessibility target' of the various guidance reference documents.
- 2.4.5 The above table demonstrates that the Appeal Site complies with the various distances contained within IHT, MfS, DfE and WYG.
- 2.4.6 Those amenities that fall outside these guidance distances are out of the village of Adderbury and are all located within either Banbury or Deddington, such as the nearest Secondary Schools, doctor's surgeries and dental practices, for example.
- 2.4.7 Clearly, pedestrians will travel further to get to a specific destination but generally, it could be considered that Deddington would be accessible by cycle and certainly by bus, thus enabling the level of vehicular travel to be minimised.
- 2.4.8 Banbury and Deddington can be accessed via a short bus journey from the site, as detailed below. The S4 service stops, for example, in the centre of Deddington, across the road from the Co-operative food store and a short walk to other day to day amenities and is around a 6 minute bus journey from the Appeal site.

- 2.4.9 Both Banbury and Deddington are also a short drive from the Appeal Site and as all of the other key amenities listed in the above table are within Banbury or Deddington these can all be visited as part of the same trip, even if it is by car, which is sustainable in itself.
- 2.4.10 Additionally, the main 'day to day' amenities such as schools, shops, bus stops, post boxes and employment opportunities are all within the 'preferred maximum' distances (2 kilometres) from the centre of the Appeal Site.
- 2.4.11 The above confirms that the site benefits from good accessibility when judged against these widely accepted walking distances criteria. Walking and cycling will be promoted and encouraged through the Travel Plan which will assist in delivering a sustainable development. Furthermore, as already stated, additional pedestrian links and off site works and contributions will be implemented as part of the Appeal proposals.

2.5 Suitability of Walking Routes

- 2.5.1 Within the CIHT document entitled 'Planning for Walking', there is reference within this document to the '5Cs of Good Walking Networks' that were defined by Transport for London (TfL) in their document entitled 'Improving Walkability' from 2005. These are as follows:
- 1. *Connected: Walking routes should connect all areas with key "attractors" such as public transport stops, schools, work and leisure destinations. Routes should connect locally and at district level, forming a comprehensive network.* The location of the existing and proposed pedestrian routes to and from the Appeal Site are 'connected' as they ensure that pedestrians can walk reasonably directly from the site to the nearby bus stops, schools and shops, for example.

- 2. *Convivial: Walking routes and public spaces should be pleasant to use and allow walkers and other road users to interact. They should be safe, inviting and enlivened by diverse activities. Ground floors of buildings should be continuously interesting. In terms of 'conviviality', the existing and proposed routes will be pleasant to use and will be, generally, lit to ensure a safe passage for all pedestrians.*
- 3. *Conspicuous: Routes should be clear and legible, if necessary, with the help of signposting and waymarking. Street names and property numbers should be comprehensively provided. The routes proposed are clear and legible to allow easy choices to be made at key junction points.*
- 4. *Comfortable: Comfortable walking requires high-quality pavements, attractive landscapes and buildings and as much freedom as possible from the noise, fumes and harassment of vehicles. Opportunities for rest and shelter should be provided. Each of the walking routes to and from the site will offer 'comfortable' routes. The surfacing of the existing routes is of a good standard and the new routes will be surfaced with high quality materials. Some of the pedestrian routes to and from the site are also free from 'noise, fumes and harassment of vehicles' as they are lightly trafficked.*
- 5. *Convenient: Routes should be direct and designed for the convenience of those on foot, not those in vehicles. This should apply to all users, including those whose mobility is impaired. Road crossings should be provided as of right and on desire lines. Each of the routes are reasonably direct and follow mostly existing roads within the village. The improvements proposed will ensure that the routes are designed as safe routes for all users.*

2.5.2 As such, the existing and proposed pedestrian routes meet the aspirations of each of these criteria and ensuring that the pedestrian routes to and from the Appeal Site are connected, convivial, conspicuous, comfortable and convenient.

- 2.5.3 In light of the above, it has been demonstrated that the Appeal proposals and associated footpath linkages will be in line with the guidance contained within local and national guidance and allow pedestrian travel to and from the site to be maximised.

2.6 Accessibility by Cycle

- 2.6.1 An alternative mode of travel to the site could be achieved by bicycle.
- 2.6.2 An acceptable and comfortable walk distance for general cycling is referenced as being up to 5 kilometres in the DfT Local Transport Note 2/08. The same guidance also includes a reference to commuting cycling with distances of up to 8 kilometres. A cycle route plan is enclosed as **Plan 10**.
- 2.6.3 A distance of 5 kilometres is generally accepted as a distance where cycling has the potential to replace short car journeys. This distance equates to a journey of around 25 minutes based on a leisurely cycle speed of 12 kilometres per hour and would encompass the whole of Adderbury, Banbury, Bloxham, Bodicote, Kings Sutton and Deddington.
- 2.6.4 National cycle route 5 is located approximately 4 kilometres west from the centre of the site, this cycle route runs through local surrounding areas such as Bloxham, Bodicote, Barford St Michael and Banbury. This cycle route also runs further south and into Oxford City Centre. The route to the NCR5 from the site travels along Berry Hill Road and Milton Road.
- 2.6.5 The Appeal site can, therefore, be considered as being accessible by cycle.
- 2.6.6 To consider the Appeal Site's accessibility by cycle, **Table 2.8** sets out a number of local facilities and assesses against the cycling distance criteria detailed in paragraph 2.6.2 above.

Facility	Name	Cycle Distance	Journey Time	Compliance with...
Nursery	Adderbury Day Nursery	710m	4 mins	Complies with 5km LTN and 8km NTS distances
Primary School	Christopher Rawlins Church of England Primary School	2,000m	10.1 mins	Complies with 5km LTN and 8km NTS distances
		1,680m (Oxford Road)	8.5 mins	Complies with 5km LTN and 8km NTS distances
Secondary School	Blessed George Napier Catholic School	5,750m	29 mins	Outside the 5km LTN Complies with 8km NTS distance
Local Services	Adderbury Stores	1,520m	8.1 mins	Complies with 5km LTN and 8km NTS distances
Local Services	Adderbury Library	1,410m	7.1 mins	Complies with 5km LTN and 8km NTS distances
Post Office	Adderbury Post Office	1,530m	8.1 mins	Complies with 5km LTN and 8km NTS distances
Supermarket	Co-operative	3,450m	17.4 mins	Complies with 5km LTN and 8km NTS distances
Doctor's Surgery	Deddington Health Centre	3,330m	17.1 mins	Complies with 5km LTN and 8km NTS distances
Pharmacy	Delmergate Pharmacy	3,450m	17.4 mins	Complies with 5km LTN and 8km NTS distances
Dentist	Deddington Dental	3,520m	18.2 mins	Complies with 5km LTN and 8km NTS distances
Amenity/Open Space	Recreational Play Area	630m	3.2 mins	Complies with 5km LTN and 8km NTS distances
Key Empl Area	Twyford Mill Estate	720m	4 mins	Complies with 5km LTN and 8km NTS distances
Key Empl Area	Deddington Fire Station	3,040m	15.4 mins	Complies with 5km LTN and 8km NTS distances
Key Empl Area	Banbury Business Park	3,100m	16 mins	Complies with 5km LTN and 8km NTS distances

Key Empl Area	Johnsons & Co (Deddington)	3,700m	19.1 mins	Complies with 5km LTN and 8km NTS distances
Key Empl Area	Bloxham Mill Business Centre	5,000m	25.3 mins	Complies with 5km LTN and 8km NTS distances
Key Empl Area	RAF Barford St John	5,550m	28.2 mins	Outside the 5km LTN Complies with 8km NTS distance

Table 2.8 -Distance from Site and Cycle Times to Local Facilities

2.6.7 As can be seen above, the Appeal Site has been demonstrated to be accessible by cycle. The above table shows that the site lies well within accepted cycle distance criteria to all nearby 'day to day' amenities and employment areas.

2.7 Accessibility by Bus

2.7.1 An effective public transport system is essential in providing good accessibility for large parts of the population to opportunities for work, education, shopping, leisure and healthcare in the town and beyond.

2.7.2 As part of the development, two new bus stops are proposed as an improvement along the A4260 Oxford Road, approximately 350 metres south from the centre of the developable site, and therefore within a 5 minute walk.

2.7.3 The nearest existing bus stops are located to the west of the site on Horn Hill Road, with an approximate walking distance of 480 metres from the centre of the developable site, around a 6 minute walk.

2.7.4 The nearest bus stops to the Appeal site and their associated walking distances and times are summarised in **Table 2.9** below;

Bus Service	Location	Distance	Walk Time
S4	Hill Horn Road	480m	6.1 mins
S4	A4260 Oxford Road (Proposed)	350m	4.1 mins

Table 2.9 –Bus Stop Distances and Walking Times from Centre of Appeal Site

- 2.7.5 The above bus stops and walking routes are also identified in **Plan 9**, which show the walking routes to all local transport nodes.
- 2.7.6 The existing bus stops are accessed via Berry Hill Road and Hill Horn Lane, to the north west of the Appeal site whilst the proposed bus stops will be accessed via the proposed footway on Berry Hill Road and Oxford Road, using the proposed pedestrian crossing points, including a formal one across Oxford Road with a pedestrian refuge island to provide a safer crossing of the carriageway.
- 2.7.7 A summary of the services available from the nearest bus stops from the development site is provided in **Table 2.10** below.

Service No	Route	Monday – Friday Frequency per hour				Sat	Sun
		AM Peak	Midday	PM Peak	Eve		
S4	Oxford City Centre – Banbury Town Centre	1	1	1	1	1 every 1 hour 30 mins	1 every 1 hour 30 mins

Table 2.10 Existing Bus Provision in the Vicinity of the Appeal Site

- 2.7.8 As can be seen from Table 2.9, the nearest bus stops to the site provide services to and from Banbury and Oxford City Centre which are likely to be the main area of employment for potential residents of the development
- 2.7.9 The first northbound bus service from the bus stops on Horn Hill Road between Monday to Saturday departs at 08:07 and arrives in Banbury Town Centre at 08:28, whilst the first bus services travelling southbound depart at 06:11 and 07:24 and arrive in Oxford City Centre at 07:05 and 08:24 hours respectively. The last bus to depart Banbury Town Centre Monday to Saturday is at 18:50 whilst the last bus to depart Oxford City Centre is at 20:20.
- 2.7.10 Based on this, it can be concluded that the local bus service provides an appropriate option for commute trips to and from Banbury and Oxford, which are the main areas of employment for potential residents of the development.
- 2.7.11 This provides a good level of bus provision to allow all residents at the Appeal Site to travel to and from the area by bus, and in particular those visiting the town centre and city centre which could include all types of journey purpose but in particular commuting.

- 2.7.12 The Appeal Site is just a 20 minute bus journey from Banbury Town Centre and a 55 minute bus journey from Oxford City Centre.
- 2.7.13 It is important to note that as part of the appeal proposals the Appellant is proposing to provide two new bus stops with road markings and bus shelter provided along Oxford Road, shown on **Plan 2**. It is also worth noting that these bus stops could also include some cycle parking to encourage the potential for linked sustainable trips using both cycle and bus travel.
- 2.7.14 With the provision of these improvements, this will further improve the existing bus service provision in the vicinity of the site and it can be concluded that the site is highly accessible by bus.

2.8 Access by Rail

- 2.8.1 The nearest train station to the Appeal Site is Banbury train station, although this is located outside of the recommended 2 kilometre walking distance, it is accessible via a 4 minute walk to the nearest bus stops, a 20 minute bus journey from the site to Banbury bus station and a 4 minute walk, equating to a combined journey time from the site of around 28 minutes.
- 2.8.2 Banbury rail provides frequent, regular and direct services to destinations such as Oxford, Birmingham New Street, London Marylebone and Manchester Piccadilly (Via Coventry and Stoke-on-Trent) throughout the week.
- 2.8.3 The station provides 6 services per hour to Oxford (approx. 29 minute journey), Coventry (approx. 29 minute journey), Birmingham New Street (approx. 51 minute journey) and London Marylebone (approx. 59 minute journey).

2.8.4 It is also worth noting that the station provides a car park with 978 spaces and 14 accessible spaces, this provides opportunities to park and ride from the station. Additionally, Banbury train station also offers 63 cycle storage spaces.

2.8.5 It is therefore concluded that the proposed development site is accessible by rail.

2.9 Compliance with Policies included Within Reason for Refusal

2.9.1 The proposals are consistent with NPPF as follows:

- Paragraph 34 states that 'developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised'. The Appeal proposals include a substantial level of sustainable transport improvements to ensure that the use of sustainable transport modes are maximised and the need to travel by car minimised.
- Paragraph 38 states that within large scale developments 'Where practical...key facilities such as primary schools and local shops should be located within walking distance of most properties'. The improvements proposed for the Appeal Site will ensure that the 'key facilities' detailed in Paragraph 38 of the NPPF will be located 'within walking distance of most properties'.

- Paragraph 70 states that planning policies and decisions should, amongst other things, 'ensure an integrated approach to considering the location of housing, economic uses and community facilities and services'. This Statement has demonstrated that this will be the case.
- Paragraph 72 states that '*The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education*'. This Statement has demonstrated that the Appeal Site has been demonstrated to be within the various national guideline walking distances and well within the DfE maximum walking distances for primary schools.

2.9.2 In terms of the local policy referred to in the first reason for refusal this relates to Policies ESD₁, BSC₁, SLE₄ and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Saved Policy H18 of the Cherwell Local Plan 1996.

2.9.3 In relation to new development, the pertinent section of Policy ESD₁ is enclosed below:

'Policy ESD₁: Mitigating and Adapting to Climate Change

Measures will be taken to mitigate the impact of development within the District on climate change. At a strategic level, this will include:

- *Distributing growth to the most sustainable locations as defined in this Local Plan.*
- *Delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars.*

- *Designing developments to reduce carbon emissions and use resources more efficiently, including water (see Policy ESD 3 Sustainable Construction).*
- *Promoting the use of decentralised and renewable or low carbon energy where appropriate (see Policies ESD 4 Decentralised Energy Systems and ESD 5 Renewable Energy).*

2.9.4 The Appeal proposals have been demonstrated within this Statement as being development that reduces the need to travel and which encourages sustainable travel options and they therefore accord with Policy ESD1 in terms of transport and accessibility.

2.9.5 Policy BSC1 refers to the 'District Wide Housing Distribution' and contains no pertinent transport policies therein.

2.9.6 Policy SLE4 is as follows:

'Policy SLE4: Providing Travel Choice

The Council will support the implementation of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth.

We will support key transport proposals including:

- *Transport Improvements at Banbury, Bicester and at the Former RAF Upper Heyford in accordance with the County Council's Local Transport Plan and Movement Strategies.*
- *Projects associated with East-West rail including new stations at Bicester Town and Water Eaton.*
- *Rail freight associated development at Graven Hill, Bicester.*
- *Improvements to M40 junctions.*

Consultation on options for new link and relief roads at Bicester and Banbury will be undertaken through the Local Transport Plan (LTP) review process. Routes identified following strategic options appraisal work for LTP4 will be confirmed by the County Council and will be incorporated in Local Plan Part 2.

New development in the District will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development.

All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.

- 2.9.7 The last paragraph of this Policy is the only pertinent part of this particular policy with regards to this Appeal Site. As has been demonstrated earlier in this Statement, the Appellant will provide off site improvements and contributions to additional off site works to mitigate transport impacts of the development.
- 2.9.8 Furthermore, this Statement has demonstrated that the proposals facilitate the use of public transport, walking and cycling which support reductions in greenhouse gas emissions and reduce congestion.
- 2.9.9 Policy Villages 2 of the Cherwell Local Plan is as follows:

Policy Villages 2:

Distributing Growth across the Rural Areas A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings as at 31 March 2014.

Sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable, and through the determination of applications for planning permission.

In identifying and considering sites, particular regard will be given to the following criteria:

- *Whether the land has been previously developed land or is of lesser environmental value.*
- *Whether significant adverse impact on heritage or wildlife assets could be avoided.*
- *Whether development would contribute in enhancing the built environment.*
- *Whether best and most versatile agricultural land could be avoided.*
- *Whether significant adverse landscape and impacts could be avoided.*
- *Whether satisfactory vehicular and pedestrian access/egress could be provided*
- *Whether the site is well located to services and facilities.*
- *Whether necessary infrastructure could be provided.*
- *Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period.*
- *Whether land the subject of an application for planning permission could be delivered within the next five years.*
- *Whether the development would have an adverse impact on flood risk.*

- 2.9.10 As has been demonstrated with this Statement, the Appeal Site 'is well located to services and facilities' and will provide the 'necessary infrastructure' can be provided through a range of off site highways works and contributions, as agreed with OCC.
- 2.9.11 Saved Policy H18 of the Cherwell Local Plan 1996 is as follows:
- 'Planning permission will only be granted for the construction of new dwellings beyond the built-up limits of settlements other than those identified under policy h1 when (i) it is essential for agriculture or other existing undertakings, or (ii) the proposal meets the criteria set out in policy h6; and (iii) the proposal would not conflict with other policies in this plan.'*
- 2.9.12 Policy H6 does not consist of any transport based elements and as such this policy is irrelevant to the transport and sustainability issues relating to the Appeal proposals.
- 2.9.13 In light of the above, it is clear that the Appeal Site is appropriately accessible and will cater for needs of the development's residents and visitors and assist in promoting a choice of travel modes other than the private car. The proposals, therefore, accord with the relevant parts of Policies ESD₁, BSC₁, SLE₄ and Villages 2 of the Cherwell Local Plan (2011-2031) Part 1 and Saved Policy H18 of the Cherwell Local Plan 1996 and the National Planning Policy Framework.

3 CONCLUSIONS

3.1.1 This Statement has considered the sustainable credentials of the Appeal Site. The following lists the conclusions of this Statement:

- The Appeal Site has good accessibility on foot and by cycle and the proposals will provide a substantial level of additional links and contributions to improve the accessibility of the proposals on foot and by cycle.
- The Appeal Site is within a short walk of a number of local services and day to day amenities such as shops, schools and other 'day to day' facilities.
- The Appeal Site meets with the walking distance criteria set out in the various guidance documents.
- The Appeal Site will also be accessible by public transport and the provision of two new bus stops on Oxford Road will enable residents to access the bus services which operate in the vicinity of the site and serve areas including Banbury Town Centre and Oxford City Centre.
- The Appeal Site provides potential for travel by rail, with the nearest bus services traveling into Banbury Town Centre, just a short walk from Banbury train station.
- The Appeal Site accords with the general principles of the pertinent local and national planning policies specifically referred to in the first reason for refusal.
- The Appeal proposals will also improve the general accessibility of Adderbury as a village with the improvements proposed which can be enjoyed by all residents, current and future.

3.1.2 This Statement has confirmed that the site is in a sustainable location, is reasonably close to local services and facilities and would result in a development where future occupiers would have access to a range of sustainable alternatives to the private car for day to day needs.

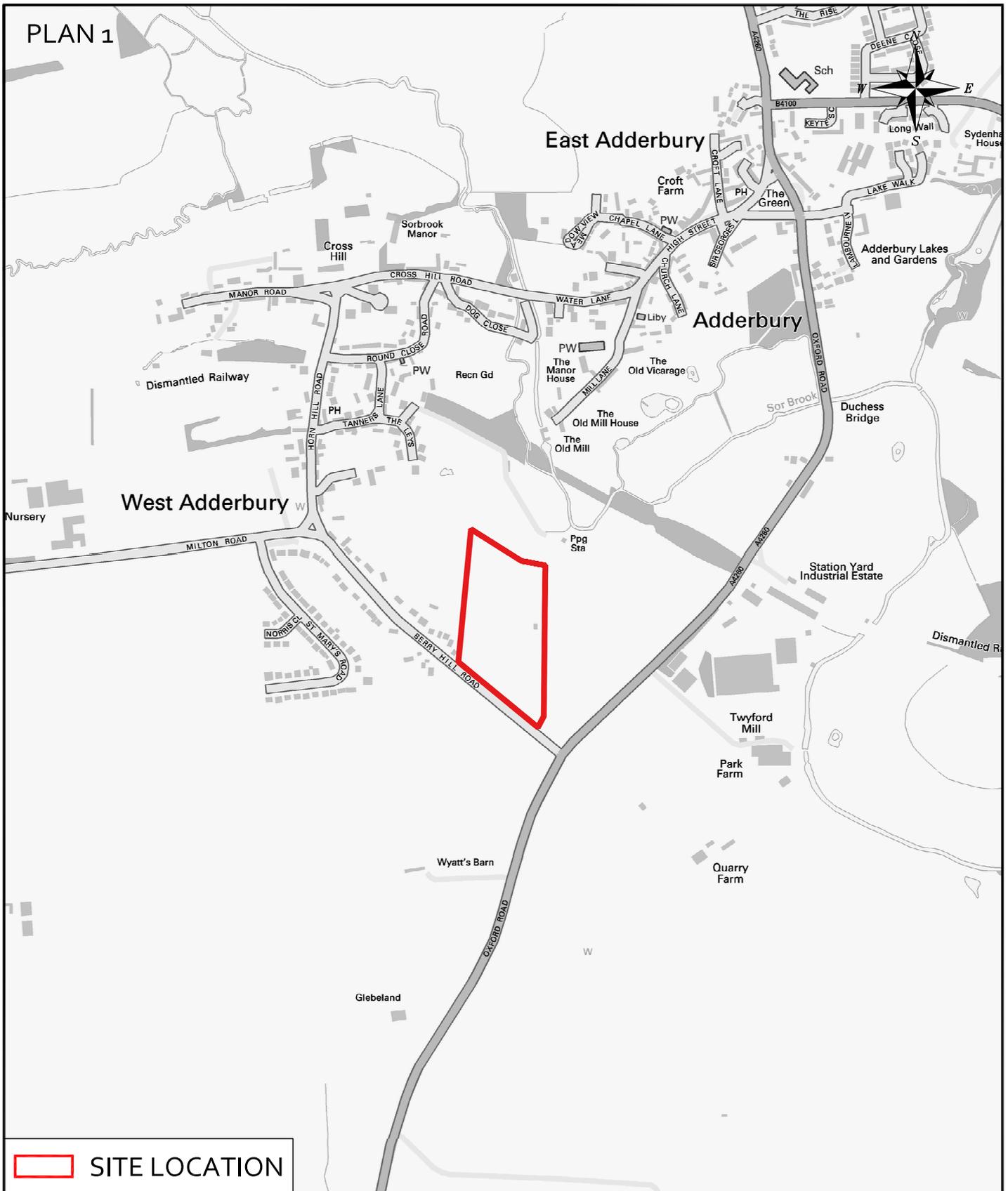
3.1.3 Furthermore, there are two sites located in western Adderbury, north and south of Milton Road. The centre of the site to the south of Milton Road was allowed at appeal. The Inspector addressed locational sustainability briefly in their paragraph 14:

'It is said that it is about 1km from the centre of the village by existing footpaths. The village of Adderbury contains a number of facilities including a shop, a post office, churches, a public house, recreation and sports grounds and primary and secondary schools are in nearby settlements. In this sense it was generally agreed that the village is a sustainable one where new development could be accommodated.'

3.1.4 The centre of the site to the south of Milton Road is around 370 metres from the junction between Milton Road/Horn Hill Road/Berry Hill Road; the centre of the developable area of the Appeal Site is around 460 metres from the junction. From the junction, journeys to services/facilities in the centre of the village would be the same distance. The difference in getting to the junction is only around 90 metres, around a minute's walk, which is not significant, particularly as the Appeal proposals incorporate a new footway along Berry Hill Road. If the sites north and south of Milton Road were deemed locationally sustainable, so too should the appeal site. It is also relevant that the appeal site would be closer to some services/facilities than the Milton Road sites. For example, it would be a shorter walk to the Adderbury Day Nursery and employment at Twyford Mill Estate, east of Oxford Road.

PLANS

PLAN 1



 SITE LOCATION

HOLLINS STRATEGIC LAND

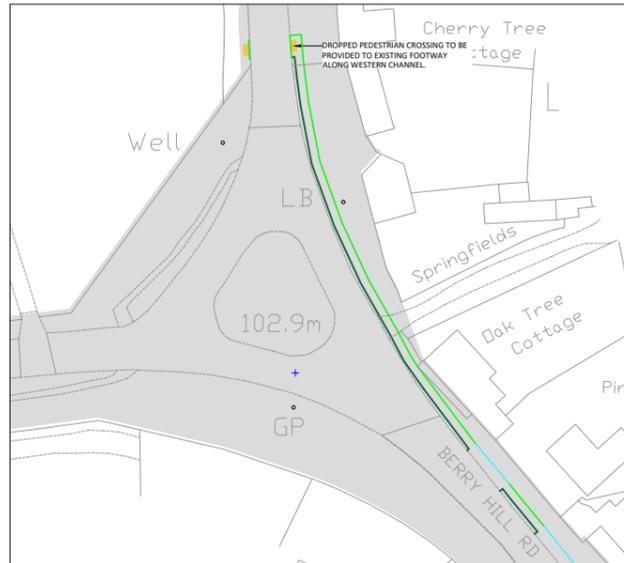
PROPOSED RESIDENTIAL DEVELOPMENT
BERRY HILL ROAD, ADDERBURY
SITE LOCATION PLAN

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DRAWN:	DATE:	CHECKED:	DATE:	SCALES:	DRAWING NUMBER:	REVISION:
GM	02.06.20	SM	02.06.20	NTS @ A4	1899-01	-



NORTHERN EXTENT @ 1:1250 SCALE

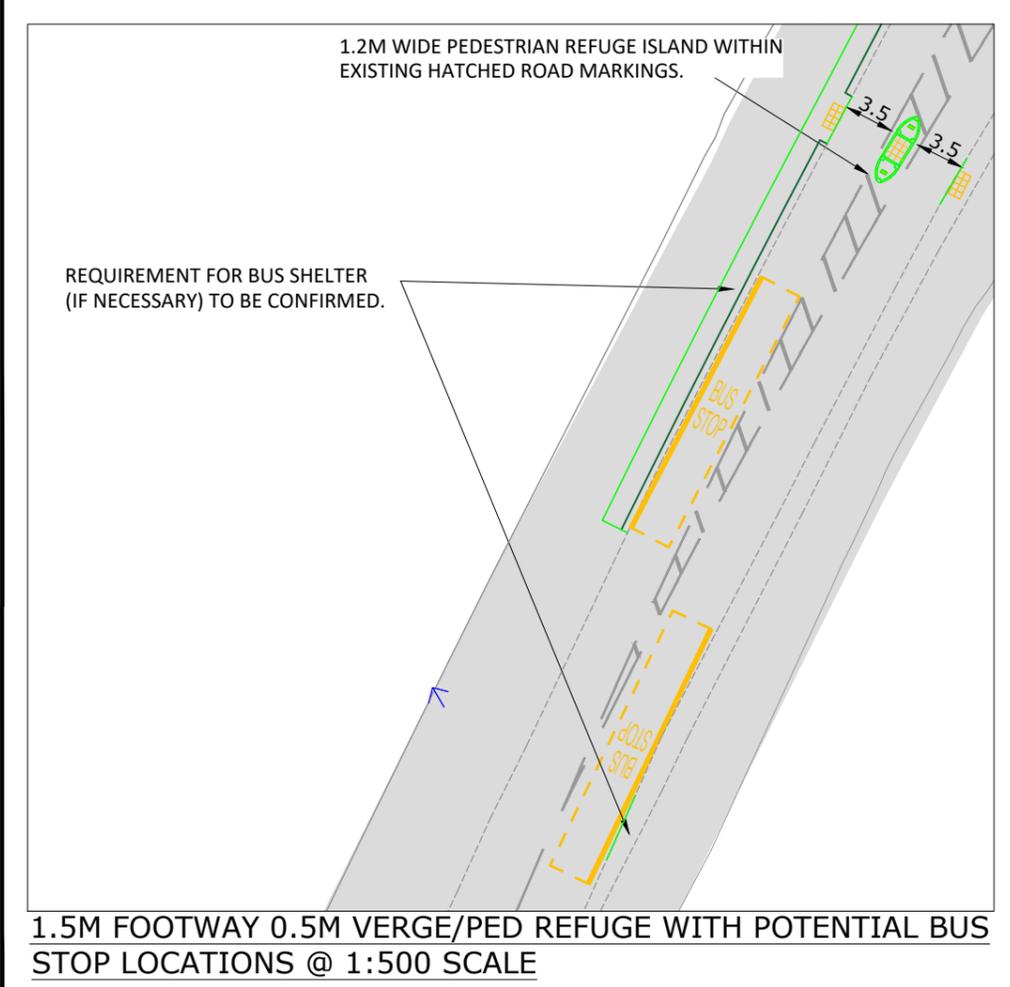


SITE ACCESS JUNCTION @ 1:1250 SCALE

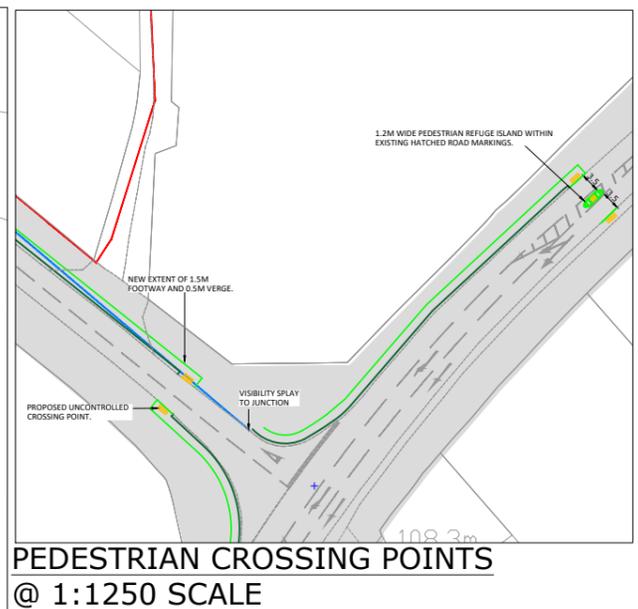
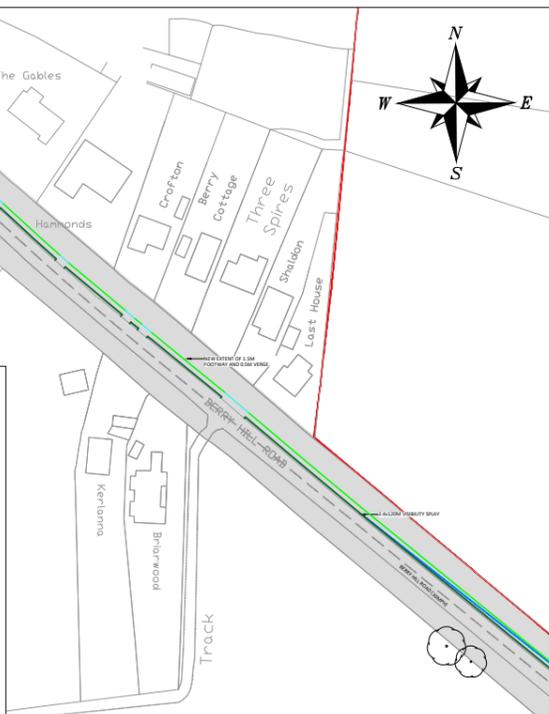
NOTES

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- INDICATIVE SITE BOUNDARY
- DENOTES NEW KERBS
- EXISTING ADOPTED HIGHWAY (BASED ON OS)
- DENOTES NEW 0.5M VERGE
- EXISTING DRIVEWAY



1.5M FOOTWAY 0.5M VERGE/PED REFUGE WITH POTENTIAL BUS STOP LOCATIONS @ 1:500 SCALE



PEDESTRIAN CROSSING POINTS @ 1:1250 SCALE

H	BUS STOPS MOVED SOUTH	LB	SM	JUN 20
F	1.5M FOOTWAY 0.5 VERGE ADDED	LB	JC	NOV 19
E	EXTRA OS ADDED	LB	MC	OCT 19
D	BASED ON OS PLAN	LB	JC	AUG 19
C	BUS STOPS ADDED	LB	MC	JUL 19
A	DESIGN BASED ON FULL TOPO SURVEY	JC	PJW	APR 18
	ACCESS LOCATION MOVED NORTH	JC	PJW	SEP 17
REV.	DETAILS	DRAWN	CHECKED	DATE

CLIENT: **HOLLINS STRATEGIC LAND**

PROJECT: **BERRY HILL ROAD, ADDERBURY**

DRAWING TITLE: **PROPOSED HIGHWAY IMPROVEMENT PLAN (ON OS BASE)**

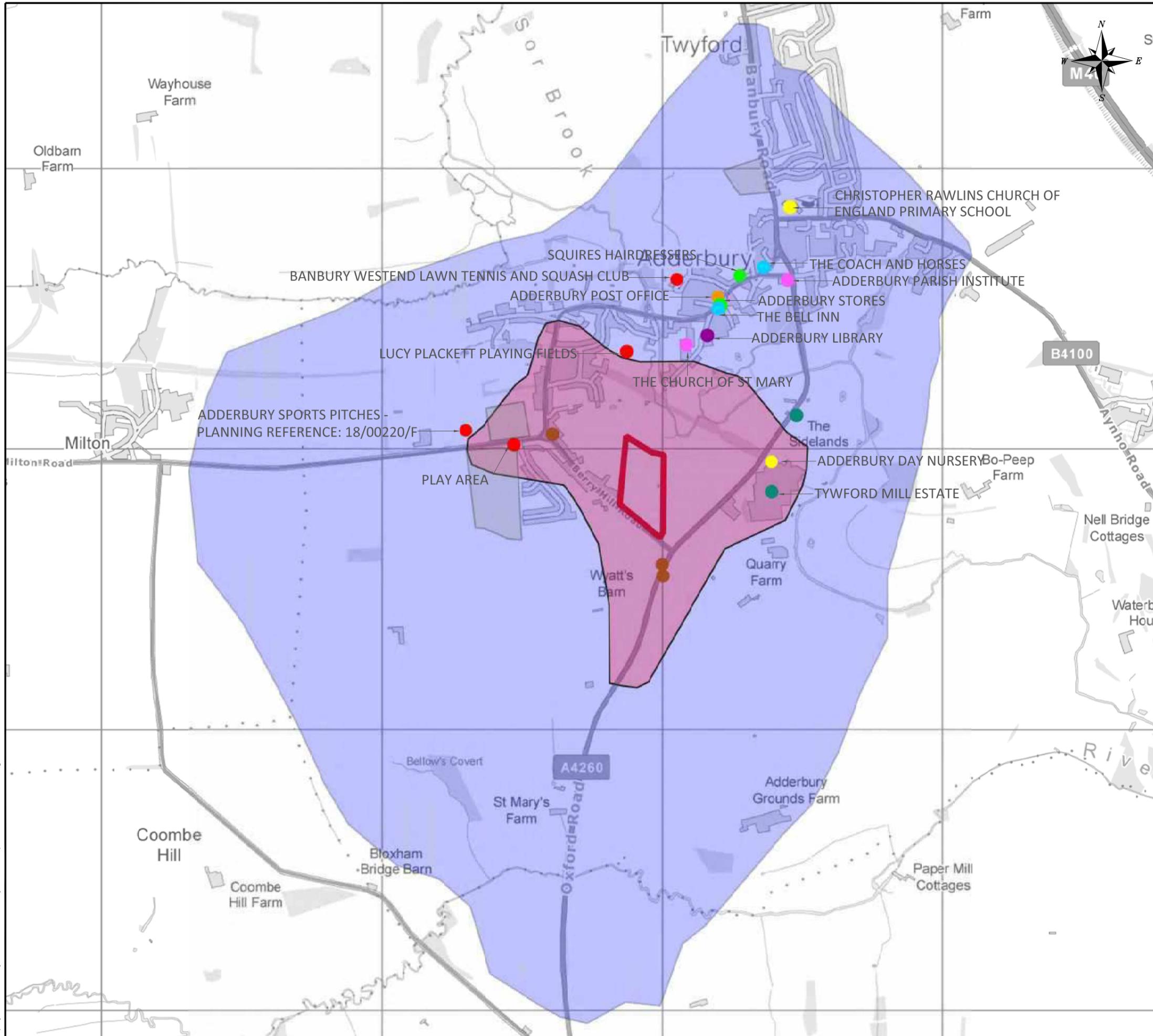
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DRAWN: **JC** CHECKED: **PJW** DATE: **SEP 17**

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DRAWING NUMBER: **1899-F01** REVISION: **H**



- Site Location
- Future Committed Development
- 800m Pedestrian Catchment
- 2km Pedestrian Catchment
- Nearest Bus Stops
- Education
- Community Facilities
- Cafe/Takeaway/Public House
- Retail
- Business/Employment/Industrial
- Library
- Leisure/Sport
- Post Office

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT:
HOLLINS STRATEGIC LAND

PROJECT:
BERRY HILL ROAD, ADDERBURY

DRAWING TITLE:
800M & 2KM PEDESTRIAN CATCHMENTS WITH AMENITIES

SCALES:
NTS @ A3

DRAWN: GM	CHECKED: SM	DATE: MAY 20
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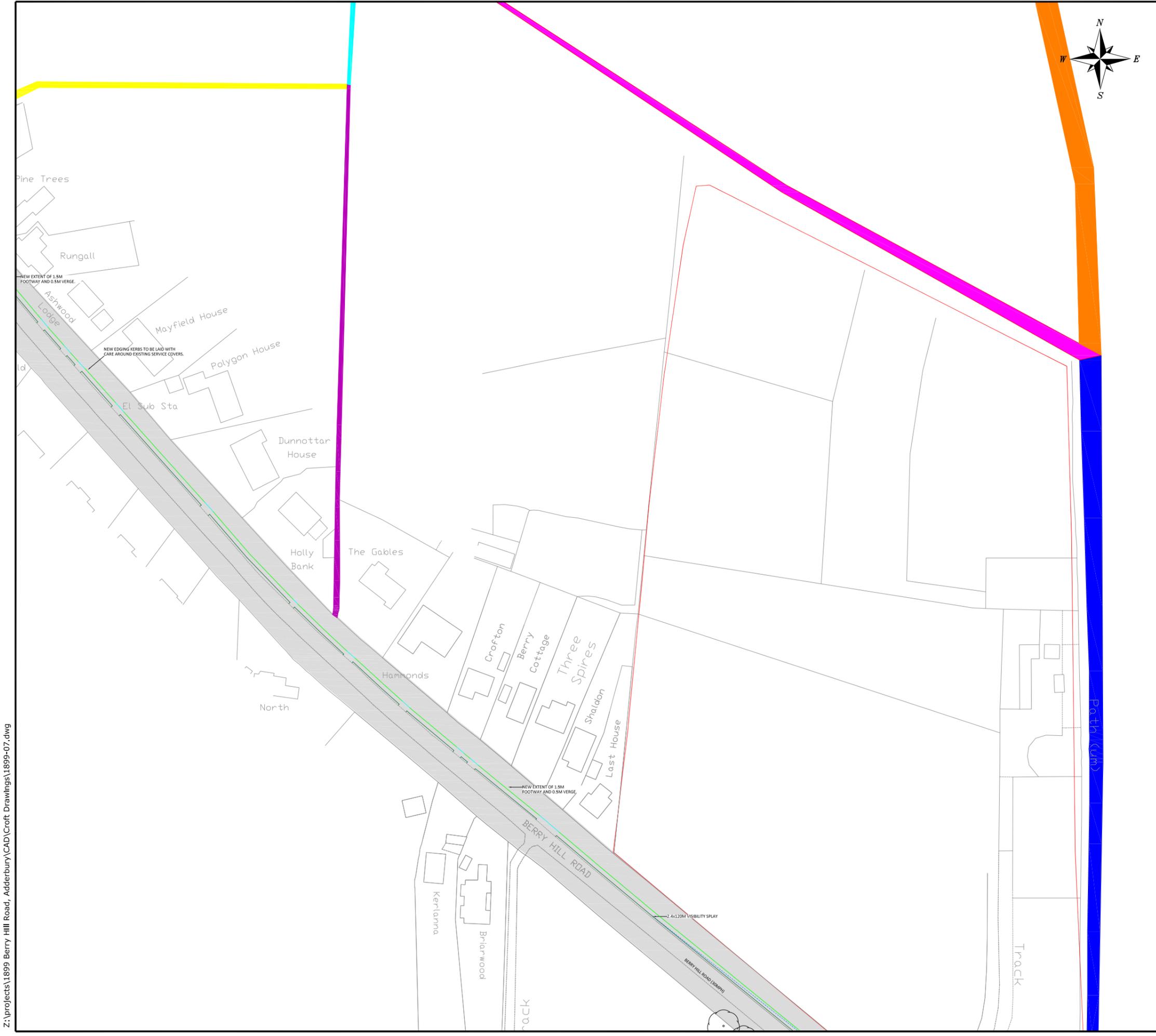
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DRAWING NUMBER: 1899-03	REVISION: -
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NOTES **PLAN 4**

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- INDICATIVE SITE BOUNDARY
- DENOTES NEW KERBS
- EXISTING ADOPTED HIGHWAY (BASED ON OS)
- DENOTES NEW 0.5M VERGE
- EXISTING DRIVEWAY
- INDICATIVE PUBLIC RIGHT OF WAY (101/13/30)
- INDICATIVE PUBLIC RIGHT OF WAY (101/13/20)
- INDICATIVE PUBLIC RIGHT OF WAY (101/6/10)
- INDICATIVE PUBLIC RIGHT OF WAY (101/24/20)
- INDICATIVE PUBLIC RIGHT OF WAY (101/24/30)
- INDICATIVE PUBLIC RIGHT OF WAY (101/7/10)

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT:
HOLLINS STRATEGIC LAND

PROJECT:
BERRY HILL ROAD, ADDERBURY

DRAWING TITLE:
PUBLIC RIGHT OF WAY PLAN

SCALES:
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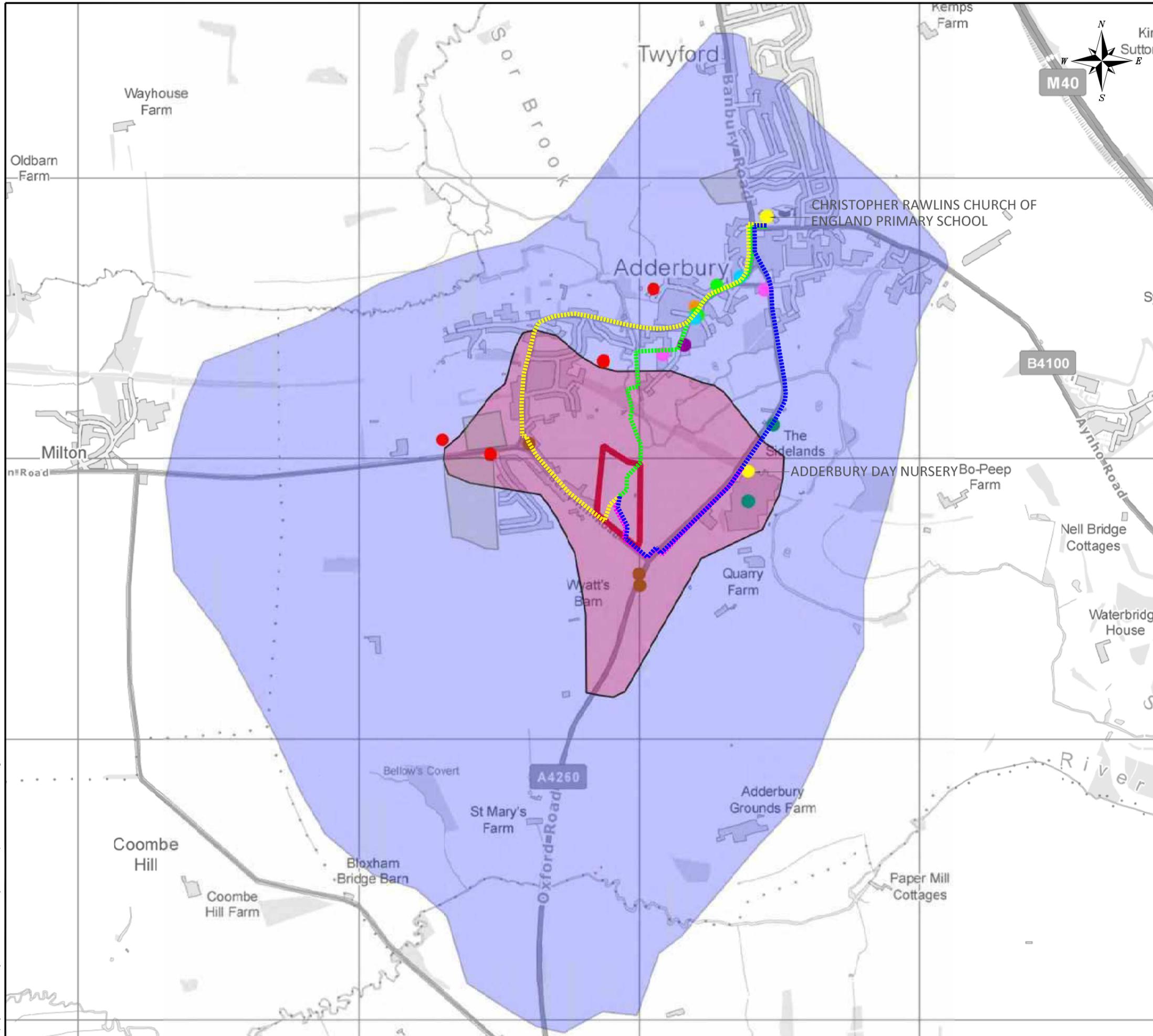
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DRAWING NUMBER: 1899-07	REVISION: -
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- Site Location
- ADDERBURY DAY NURSERY WALKING ROUTE (710 METRES)
- CHRISTOPHER RAWLINGS CHURCH OF ENGLAND PRIMARY SCHOOL WALKING ROUTE (2,000 METRES)
- CHRISTOPHER RAWLINGS CHURCH OF ENGLAND PRIMARY SCHOOL WALKING ROUTE USING PROW'S (1,390 METRES)
- CHRISTOPHER RAWLINGS CHURCH OF ENGLAND PRIMARY SCHOOL WALKING ROUTE USING OXFORD ROAD (1,680 METRES)

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT:
HOLLINS STRATEGIC LAND

PROJECT:
BERRY HILL ROAD, ADDERBURY

DRAWING TITLE:
WALKING ROUTE TO SCHOOLS AND NURSERIES

SCALES:
NTS @ A3

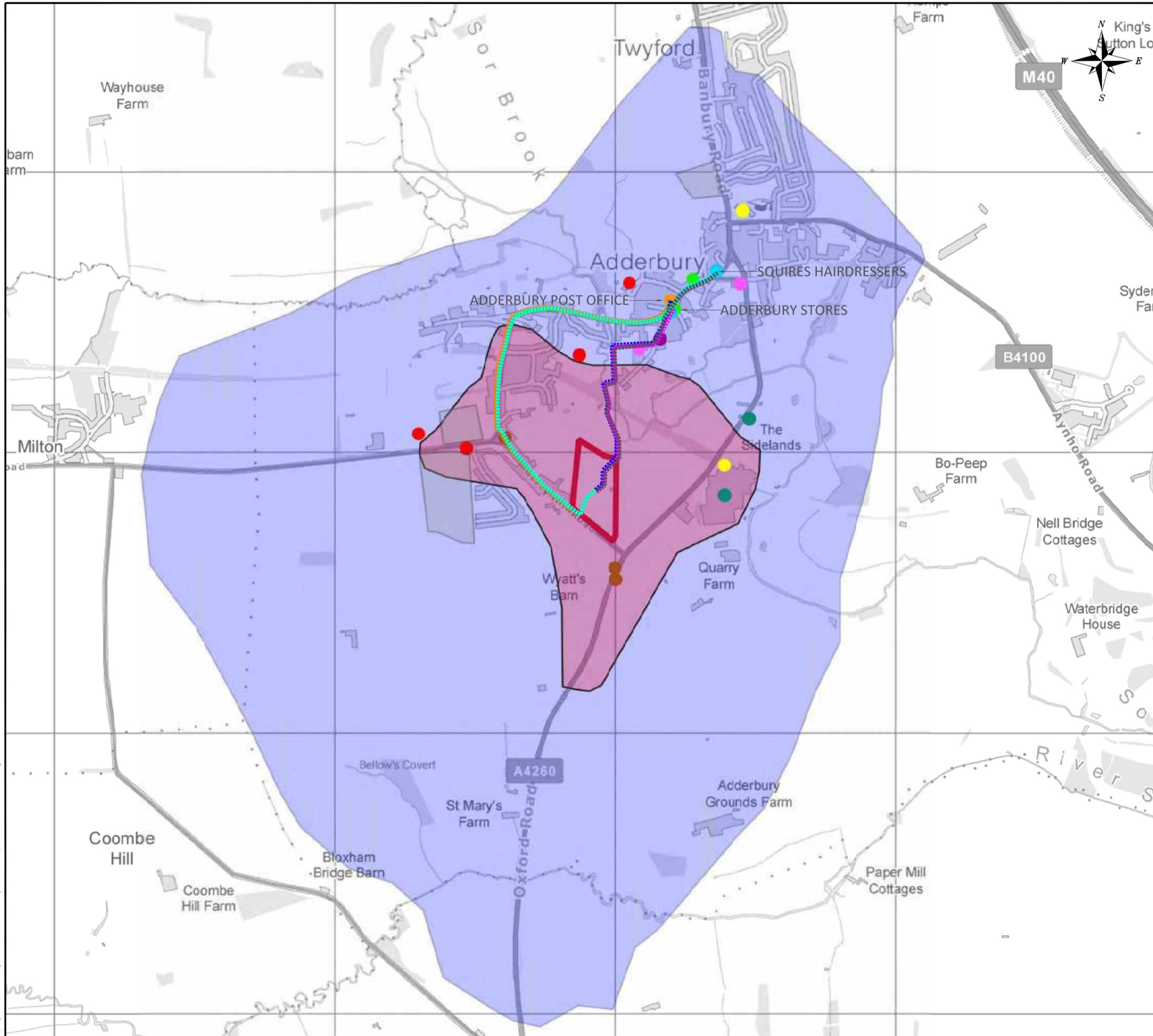
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DRAWING NUMBER: 1899-09	REVISION: -
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PLAN 6

NOTES

- ▭ Site Location
- ADDERBURY STORES WALKING ROUTE (1,520 METRES)
- ADDERBURY POST OFFICE (1,530 METRES)
- ADDERBURY STORES WALKING ROUTE USING PROW'S (920 METRES)
- ADDERBURY POST OFFICE USING PROW'S (930 METRES)
- SQUIRES HAIRDRESSERS (1,650 METRES)
- SQUIRES HAIRDRESSERS USING PROW'S (1,050 METRES)

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT:

HOLLINS STRATEGIC LAND

PROJECT:

BERRY HILL ROAD, ADDERBURY

DRAWING TITLE:

WALKING ROUTE TO RETAIL FACILITIES

SCALES:

NTS @ A3

DRAWN: GM	CHECKED: SM	DATE: MAY 20
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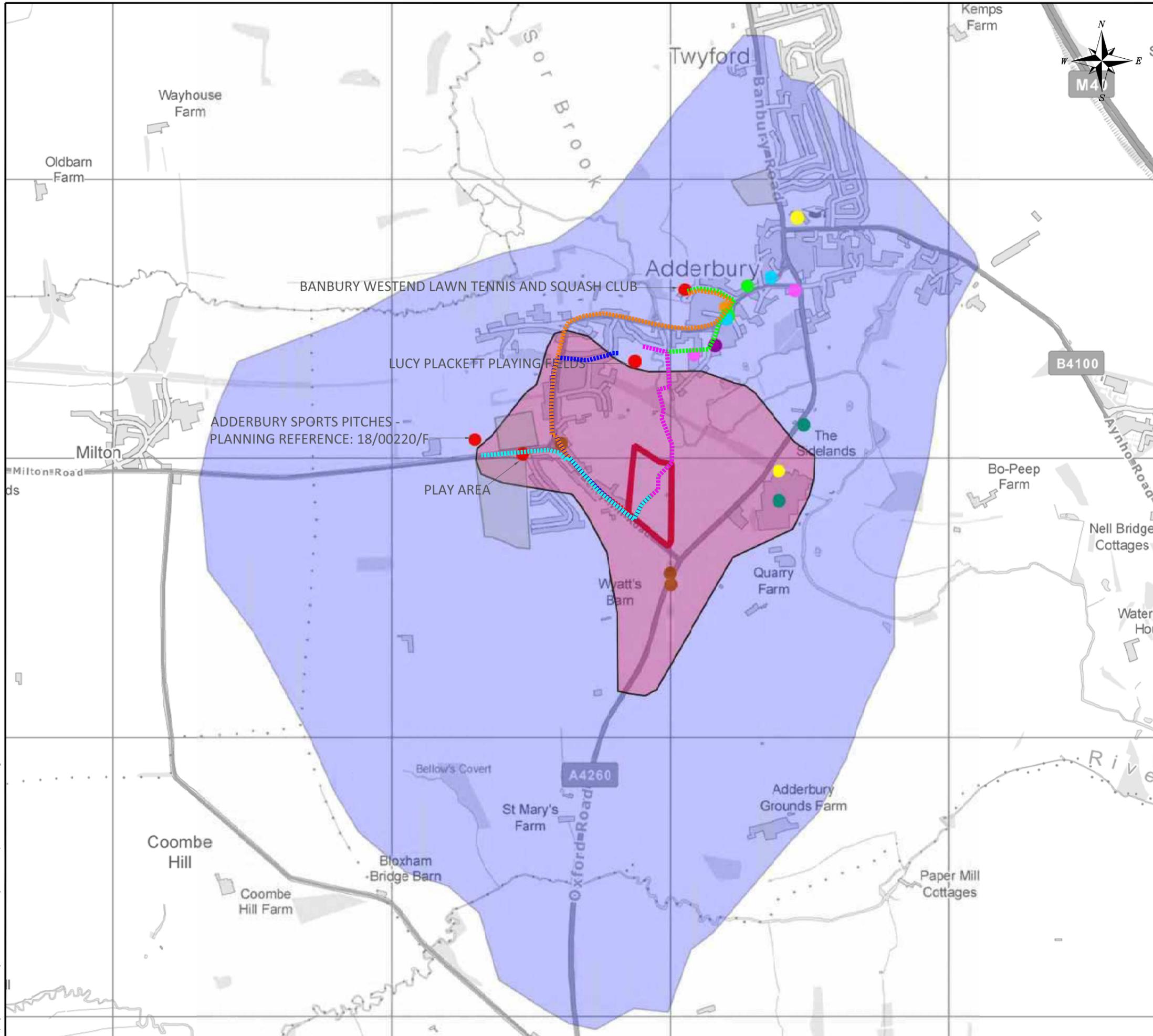
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DRAWING NUMBER: 1899-10	REVISION: -
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NOTES PLAN 7

Site Location

- PLAY AREA (630 METRES)
- LUCY PLACKETT PLAYING FIELDS (990 METRES)
- BANBURY WESTEND LAWN TENNIS AND SQUASH CLUB (1,740 METRES)
- LUCY PLACKETT PLAYING FIELDS USING PROW'S (700 METRES)
- BANBURY WESTEND LAWN TENNIS AND SQUASH CLUB USING PROW'S (1,130 METRES)
- ADDERBURY SPORTS PITCHES - PLANNING REFERENCE: 18/00220/F (820 METRES)

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT: **HOLLINS STRATEGIC LAND**

PROJECT: **BERRY HILL ROAD, ADDERBURY**

DRAWING TITLE: **WALKING ROUTE TO LEISURE FACILITIES**

SCALES: **NTS @ A3**

DRAWN: GM	CHECKED: SM	DATE: MAY 20
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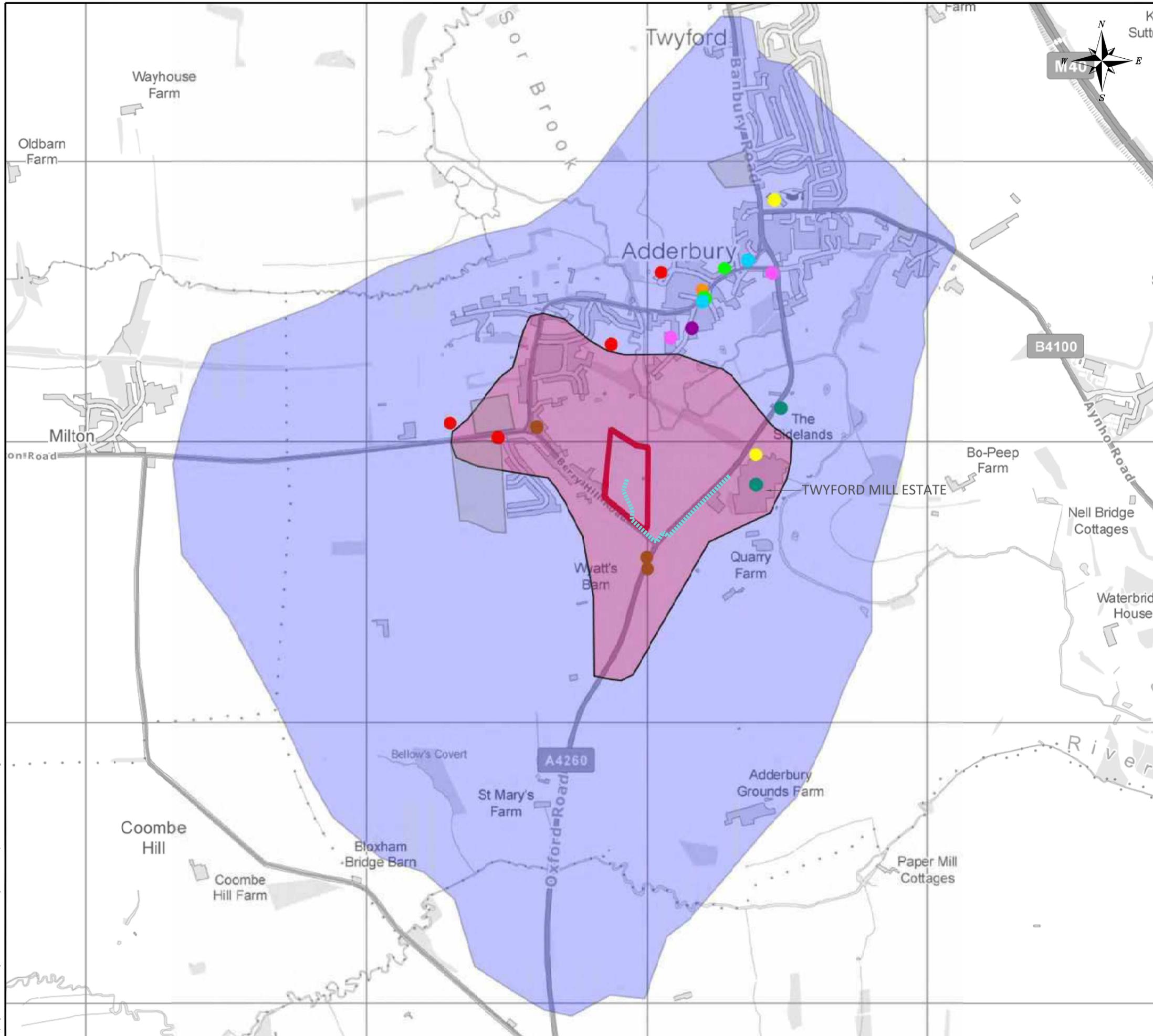
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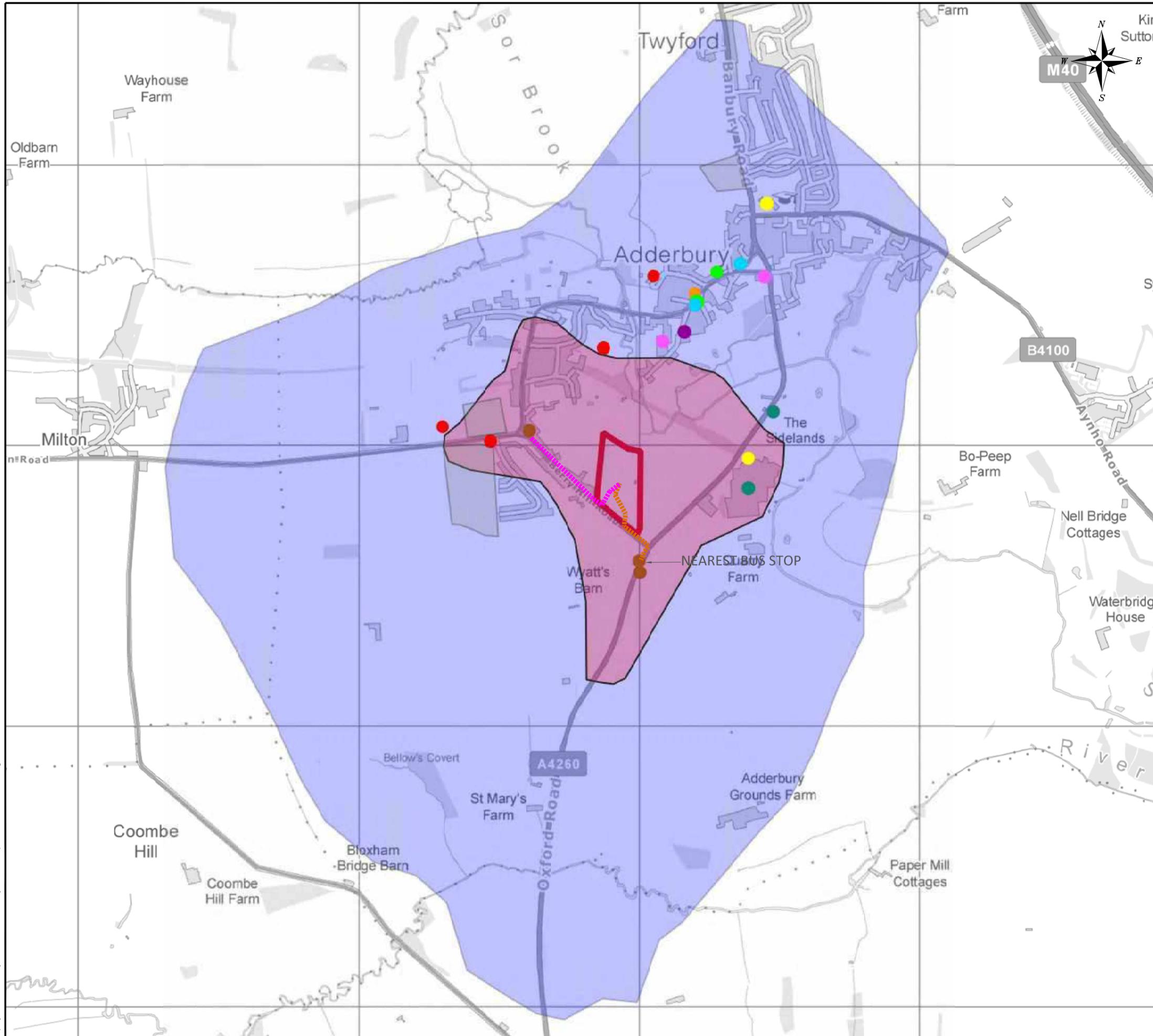
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NOTES		PLAN 8		
Site Location				
TWYFORD MILL ESTATE (680 METRES)				
REV	DETAILS	DRAWN	CHECKED	DATE
CLIENT:				
HOLLINS STRATEGIC LAND				
PROJECT:				
BERRY HILL ROAD, ADDERBURY				
DRAWING TITLE:				
WALKING ROUTE TO EMPLOYMENT OPPURTUNITIES				
SCALES:				
NTS @ A3				
DRAWN:	GM	CHECKED:	SM	DATE:
				JUNE 20
Croft Transport Planning & Design 340 Deansgate Manchester M3 4LY Email: info@crofts.co.uk Tel: 0161 837 7380 Web: www.crofts.co.uk				
DRAWING NUMBER:		REVISION:		
1899-12		-		

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NOTES PLAN 9

Site Location

OXFORD ROAD BUS STOP WALKING ROUTE (350 METRES)

EXISTING TRANSPORT NODE WALKING ROUTE (480 METRES)

REV	DETAILS	DRAWN	CHECKED	DATE

CLIENT: **HOLLINS STRATEGIC LAND**

PROJECT: **BERRY HILL ROAD, ADDERBURY**

DRAWING TITLE: **WALKING ROUTE TO TRANSPORT NODES**

SCALES: **NTS @ A3**

DRAWN: GM	CHECKED: SM	DATE: MAY 20
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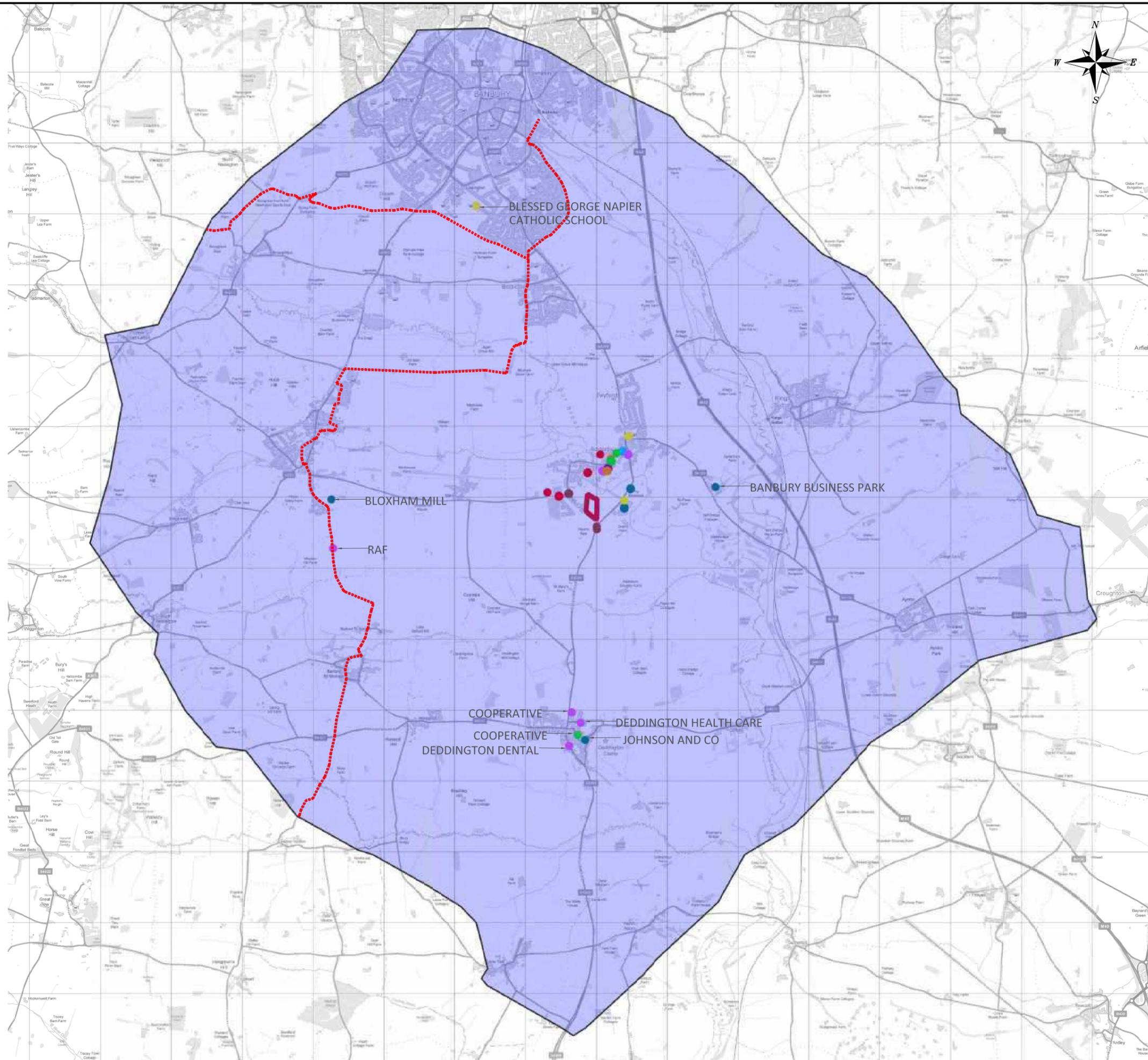
DRAWING NUMBER: 1899-13	REVISION: -
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NOTES

- Site Location
- 8km Cycle Catchment
- Future Committed Development
- Nearest Bus Stops
- Business/Employment/Industrial
- Cafe/Takeaway/Public House
- Community Facilities
- Education
- Leisure/Sport
- Library
- Post Office
- Retail
- NATIONAL CYCLE ROUTE 5



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REV	DETAILS	DRAWN	CHECKED	DATE
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CLIENT:
HOLLINS STRATEGIC LAND

PROJECT:
BERRY HILL ROAD, ADDERBURY

DRAWING TITLE:
CYCLE CATCHMENT PLAN

SCALES:
NTS @ A3

DRAWN: GM	CHECKED: SM	DATE: MAY 20
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DRAWING NUMBER: 1899-14	REVISION: -
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APPENDICES

APPENDIX 1

Detailed Route Descriptions

APPENDIX 1 – WALKING ROUTE DESCRIPTIONS

Walking Routes to Schools/Nurseries

The following tables below detail the walking route to a local primary school and nursery, including;

- Adderbury Day Nursery;
- Christopher Rawlings Church of England Primary School;

In addition to the walking route descriptions, consideration has also been given to the 'attractiveness' of the routes, whether they are considered safe and pleasant. This will assist in determine the usability of the routes and likelihood for encouraging trip on foot between the site and neighbouring facilities and amenities.

These are also shown on **Plan 5. Table 1** shows the walking route to Adderbury Day Nursery.

Walking Route to Adderbury Day Nursery		Footway	Lit	Surface
1	From within the site, walk in a south eastern direction towards Berry Hill Road	2m	Y	Tarmac
2	Turn left onto Berry Hill Road and continue along the proposed footways in an eastbound direction for approximately 100m	1.5m	Y	Tarmac
3	Turn left onto Oxford Road and continue in a north bound direction for around 70m	1.5	Partially	Tarmac
4	Cross Oxford Road using the proposed refuge crossing and continue to walk northbound along Oxford Road	1.5m	Partially	Tarmac
5	Continue walking in a northbound direction, using the footways on the eastern side of Oxford Road for approximately 330m	1.5m	Partially	Tarmac
6	Turn right into the Twyford Mill Estate and continue to walk for around 50 metres	-	Partially	Shared Surface
7	Arrive at Adderbury Day Nursery	-	Y	Tarmac
-	Total Distance – 710m	-	-	-

Table 1 – Walking Route to Adderbury Day Nursery

Route Conditions and Attractiveness

The walking route along Oxford Road is identified in **Photograph 1** below.



Photograph 1 – A section of the walking route along Oxford Road to Adderbury Day Nursery

As shown above, the walking route along Oxford Road is quite pleasant for pedestrians. There is an adequate footway on the eastern side, along with partial street lighting.

Table 2 below shows the walking route to Christopher Rawlings Church of England Primary School.

Walking Route to Christopher Rawlings Church of England Primary School		Footway	Lit	Surface
1	From within the site, walk in a south western direction towards Berry Hill Road using the pedestrian link	2m	Y	Tarmac
2	Turn right onto Berry Hill Road, using the proposed footways, continue walking in a north western direction for approximately 410 metres.	1.5m	Y	Tarmac
3	Cross over Horn Hill Road, and join the footpath provided on the western side	1.5m	Y	Tarmac
4	Continue to walk in a northbound direction for around 370m	1.5m	N	Tarmac
5	From here, follow the alignment of the road using the grass verge (around 40m) and rejoin the footpath on the Northern side of Cross Hill Road.	-	Y	-
6	Walk along Cross Hill Road in an eastbound direction for around 530m onto High Street	1.5m	Y	Tarmac
8	From here, walk in a northern direction on High Street for approximately 360m until you reach the High Street/A4260 Oxford Road Junction	1.5m	Y	Tarmac
9	Continue to walk in a northern direction to for around 80m until you reach the signalised pedestrian crossing point	1.5m	Y	Tarmac
10	From here, cross over Adderbury Court using the pedestrian crossing facilities and then cross again over the A4260 Oxford Road	2m	Y	Tarmac
11	Follow the footway along to the B4100 Aynho Road for around 50m	2m	Y	Tarmac
12	Arrive at School gates	-	-	-
-	Total Distance – 2000m	-	-	-

Table 2 – Walking Route to Christopher Rawlins Church of England Primary School

Route Conditions and Attractiveness

The pedestrian crossing facilities at the Adderbury Court/Oxford Road/B4100 Aynho Road junction is identified in **Photograph 2** below.



Photograph 2 – Pedestrian crossing point on Oxford Road used for the walking route to Christopher Rawlins Primary School

As shown above, the pedestrian crossing point is of good standard, with dropped kerbs and tactile paving, enhancing pedestrian safety.

Table 3 below shows the walking route to Christopher Rawlings Church of England Primary School using the A4260 Oxford Road.

Walking Route to Christopher Rawlings Church of England Primary School (Using Oxford Road)		Footway	Lit	Surface
1	From within the site, walk in a south eastern direction towards Berry Hill Road	2m	Y	Tarmac
2	Turn left onto Berry Hill Road and continue along the proposed footways in an eastbound direction for approximately 100m	1.5m	Y	Tarmac
3	Turn left onto Oxford Road and continue in a north bound direction for around 70m	1.5	Partially	Tarmac
4	Cross Oxford Road using the proposed refuge crossing and continue to walk northbound along Oxford Road	1.5m	Partially	Tarmac
5	Continue walking in a northbound direction, using the footways on the eastern side of Oxford Road for approximately 660m	1.5m	Partially	Tarmac
6	Follow the footpath around the bend and over the footbridge, for around 190m	-	Partially	Tarmac
7	Rejoin the footpath and continue to walk in a northbound direction for approximately 460m	1.5m	Partially	Tarmac
8	At the Oxford Road/Aynho Road junction, use the pedestrian crossing point to cross the road	2m	Y	Tarmac
9	From here, walk in an eastbound direction for around 30m	2m	Y	Tarmac
10	Arrive at School gates	-	-	-
-	Total Distance – 1680m	-	-	-

Table 3 – Walking Route to Christopher Rawlins Church of England Primary School using the A4260 Oxford Road.

Route Conditions and Attractiveness

The walking route along Oxford Road footbridge is identified in **Photograph 3** below.



Photograph 3 – A section of Oxford Road used for the walking route to Christopher Rawlins Primary School (Oxford Road footbridge)

As shown above, the walking route along this section of Oxford Road is of good standard, with a footway and footbridge along the eastern side and street lighting.

Walking Routes to Local Retail Facilities

The following table includes the detailed walking routes from the Appeal Site to the local retail facilities. This is also shown on **Plan 6**.

Table 4 shows the walking route to Adderbury Stores on High Street.

Walking Route to Adderbury Stores (High Street)		Footway	Lit	Surface
1	From within the site, walk in a south western direction towards Berry Hill Road using the pedestrian link	2m	Y	Tarmac
2	Turn right onto Berry Hill Road, using the proposed footways, continue walking in a north western direction for approximately 410 metres.	1.5m	Y	Tarmac
3	Cross over Horn Hill Road, and join the footpath provided on the western side	1.5m	Y	Tarmac
4	Continue to walk in a northbound direction for around 370m	1.5m	N	Tarmac
5	From here, follow the alignment of the road using the grass verge (around 40m) and rejoin the footpath on the Northern side of Cross Hill Road.	-	Y	-
6	Walk along Cross Hill Road in an eastbound direction for around 520m	1.5m	Y	Tarmac
8	From here, walk north on High Street for approximately 50m and cross	1.5m	Y	Tarmac
9	Arrived at Adderbury Stores	1.5	Y	Shared Surface
-	Total Distance – 1520m			

Table 4 – Walking Route to Adderbury Stores

Route Conditions and Attractiveness

The walking route along Horn Hill Road located to the north west of the site is identified in **Photograph 4** below.



Photograph 4 – A section of the walking route along Horn Hill Road to Adderbury Stores

As can be seen above, pedestrians would walk along the western side of Horn Hill Road, which has a good standard footway, it is overlooked by properties on both sides of the road, enhancing the safety of pedestrians.

Walking Routes to Leisure Facilities

Table 5 shows the walking route to the local Recreational Park/Play Area, as shown on Plan 7.

Walking Route to Recreational Park/Play Area	Footway	Lit	Surface
1 From within the site, walk in a south western direction towards Berry Hill Road using the pedestrian link	2m	Y	Tarmac
2 Turn right onto Berry Hill Road, using the proposed footways, continue walking in a north western direction for approximately 340 metres.	1.5m	Y	Tarmac
3 From here, cross Berry Hill Road and walk along the wide grass verge for around 50m	-	Y	-
4 Join the footpath on Milton Road and walk in a western direction for approximately 60m	1m	Y	Shared Surface
5 Cross St Marys Road and continue to walk for 50m.	1m	Y	Shared Surface
6 Arrive at destination	-	-	-
- Total Distance – 630m	-	-	-

Table 5 – Walking Route to Recreational Park/Play Area

Route Conditions and Attractiveness

The walking route to Recreational Park/Play Area involves walking along Berry Hill Road and then continuing along Milton Road, as illustrated in **Photograph 5** below.



Photograph 5 – A section of Milton Road used as the walking route to local Recreational Park/Play Area

As can be seen above, the walking route along Milton Road is quite pleasant, it is lit, lightly trafficked and is overlooked on both sides.

Table 6 shows the walking route to Lucy Plackett playing Fields.

Walking Route to Lucy Plackett playing fields		Footway	Lit	Surface
1	From within the site, walk in a south western direction towards Berry Hill Road using the pedestrian link	2m	Y	Tarmac
2	Turn right onto Berry Hill Road, using the proposed footways, continue walking in a north western direction for approximately 410 metres.	1.5m	Y	Tarmac
3	Cross over Horn Hill Road, and join the footpath provided on the western side	1.5m	Y	Tarmac
4	Continue to walk in a northbound direction for around 270m	1.5m	N	Tarmac
5	From here, turn right and continue to walk down Round Close Road for approximately 180m	-	Y	Tarmac
6	Arrive at destination	-	-	-
-	Total Distance – 990m	-	-	-

Table 6 – Walking Route to Lucy Plackett Playing Fields

Route Conditions and Attractiveness

The walking route to Lucy Plackett playing fields involves walking along Horn Hill Road and turning right on to Round Close Road, as illustrated in **Photograph 6** below.



Photograph 6 – A section of Round Close Road used as a walking route to Lucy Plackett Playing Fields

As can be seen from the above, although there's no footways along Round Close Road, this is lightly trafficked with good visibility, enhancing safety for pedestrians.

Walking Routes to Employment Opportunities

This section will consider the walking routes to the Twyford Mill Estate as this is the main employment area close to the Appeal Site. This route is also shown on **Plan 8**.

Table 7 shows the walking route to Twyford Mill Estate.

Walking Route to Twyford Mill Estate		Footway	Lit	Surface
1	From within the site, walk in a south eastern direction towards Berry Hill Road	2m	Y	Tarmac
2	Turn left onto Berry Hill Road and continue along the proposed footways in an eastbound direction for approximately 100m	1.5m	Y	Tarmac
3	Turn left onto Oxford Road and continue in a north bound direction for around 70m	1.5	Partially	Tarmac
4	Cross Oxford Road using the proposed refuge crossing and continue to walk northbound along Oxford Road	1.5m	Partially	Tarmac
5	Continue walking in a northbound direction, using the footways on the eastern side of Oxford Road for approximately 330m	1.5m	Partially	Tarmac
6	Turn right into the Twyford Mill Estate, 20m.	-	Partially	Shared Surface
7	Arrive at Twyford Mill Estate.	-	Y	Tarmac
-	Total Distance – 680m	-	-	-

Table 7 – Walking Route to Twyford Mill Estate.

Route Conditions and Attractiveness

The walking route to the Twyford Mill Estate includes a walk along Oxford Road.



Photograph 7 – A section of the walking route along Oxford Road to Twyford Mill Estate

As shown above, the walking route along Oxford Road is quite pleasant for pedestrians. There is an adequate footway on the eastern side, as well as partial street lighting.

Walking Routes to Transport Nodes

The local transport nodes are located at the nearby bus stops on Horn Hill Road and Oxford Road (Proposed bus stops). These are described in the following tables and also shown on **Plan 9**.

Table 8 shows the walking route to the bus stops serving the number S4.

Walking Route to Bus Service S4		Footway	Lit	Surface
1	From within the site, walk in a south western direction towards Berry Hill Road using the pedestrian link	2m	Y	Tarmac
2	Turn right onto Berry Hill Road, using the proposed footways, continue walking in a north western direction for approximately 350 metres.	1.5m	Y	Tarmac
3	Arrive at destination	-	-	-
-	Total Distance – 480m	-	-	-

Walking Route to Bus Service S4		Footway	Lit	Surface
1	From within the site, walk in a south eastern direction towards Berry Hill Road	2m	Y	Tarmac
2	Turn left onto Berry Hill Road and continue along the proposed footways in an eastbound direction for approximately 70m	1.5m	Y	Tarmac
3	Cross Berry Hill Road via the proposed pedestrian crossing point	-	Y	Tarmac
4	Follow the new footway in a southbound direction for approximately 80m	1.5m	Y	Tarmac

5	Arrive at destination	-	-	-
-	Total Distance – 350m	-	-	-

Table 8 – Walking Route to Bus Service S4 Stops

Summary

All of the above amenities are within the 2 kilometre catchment, thus demonstrating that the site is within walking distance of a large number of key every day facilities.

It is therefore considered that the existing and proposed pedestrian infrastructure will facilitate safe and direct pedestrian linkages between the site and local destinations.



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Appendix 39

Appeal Decision – South of Milton Road, Adderbury

Appeal Decision

Inquiry held on 20 and 21 November 2013

Site visit made on 27 November 2013

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 23 January 2014

Appeal Ref: APP/C3105/A/13/2200827

OS Parcel 4100, Adjoining South of Milton Road, Adderbury, Banbury OX17 3HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Berkeley Homes (Oxford and Chiltern) Ltd against the decision of Cherwell District Council.
 - The application Ref 13/00456/OUT, dated 25 March 2013, was refused by notice dated 18 June 2013.
 - The development proposed is the erection of 65 dwellings with associated access, open space and structural landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 65 dwellings with associated access, open space and structural landscaping at OS Parcel 4100, Adjoining South of Milton Road, Adderbury, Banbury OX17 3HD in accordance with the terms of the application, Ref 13/00456/OUT, dated 25 March 2013, subject to the conditions set out in Schedule 1 of this decision.

Preliminary Matters

2. The appeal relates to an application for outline planning permission with access and layout to be determined at this stage.
3. The Inquiry was not formally closed on the final sitting day but was kept open in order to receive written comments from the main parties in relation to the then outstanding *Hunston* case. However, as part of its final comments the Council submitted their most recent Annual Monitoring Report (AMR) which was approved by the Council on 6 January 2014. The Council now adopt the Sedgefield approach to dealing with a backlog in housing supply and state that they can only demonstrate 4.7 years of housing land supply. As a result, and notwithstanding the evidence previously submitted to the Inquiry, the Council conclude that they cannot demonstrate a 5 year supply of housing land and so the requirements of paragraph 14 of the National planning Policy Framework (the Framework) apply, ie that planning permission should be granted unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole. The Council conclude that, in the circumstances, any comments on the *Hunston* case are irrelevant.

Main Issues

4. As a result of the above and the Council's acceptance that it is now common ground that they cannot show a 5 years supply of housing land, the main issues in this appeal are;
 - Whether the proposal is appropriate and sustainable, having regard to policies for residential development, the countryside and landscape
 - Whether the proposal would be premature having regard to the emerging Local Plan and the Adderbury Neighbourhood Plan.

Reasons

Whether the proposal is appropriate and sustainable, having regard to policies for residential development, the countryside and landscape

5. The appeal site is a broadly rectangular parcel of land sitting adjacent to the edge of the village, outside its current bounds. It is said that it is about 1km from the centre of the village by existing footpaths. The village of Adderbury contains a number of facilities including a shop, a post office, churches, a public house, recreation and sports grounds and primary and secondary schools are in nearby settlements. In this sense it was generally agreed that the village is a sustainable one where new development could be accommodated.
6. The Adopted Cherwell Local Plan (LP) was adopted in 1996 and had an end date of 2001. Policy H6 permits small scale low cost housing adjacent to settlements to meet identified local need; Policy H12 states that new housing in the rural areas will be permitted within existing settlements. Policy H13 identifies Adderbury as a category 1 settlement where residential development within the village will be restricted to infilling, minor development of small groups and conversions of non-residential buildings. Policy H18 restricts new housing within the open countryside to those essential for agriculture or other undertakings. Policy C8 resists sporadic development in the open countryside in order to maintain its rural character. I agree that the proposal would give rise to conflict with a number of these policies in the LP. However, as the Secretary of State concluded at a recent appeal at Bourne Lane, Hook Norton (Ref APP/C3105/A/12/2184094), these policies do not provide for an up-to-date provision of housing land and so full weight can no longer be given to these policies.
7. The Cherwell Proposed Submission Local Plan 2013 (PSLP) contains Policy Villages 1, which identifies Adderbury as a Category A settlement where minor development, infilling and conversions will be allowed. Policy Villages 2 relates to the distribution of new housing over the rural areas and states that a number of dwellings will be directed to Adderbury and 5 other settlements in the period 2011 to 2031. The PSLP has yet to be submitted to the Secretary of State and will then be the subject of examination. I note that there are objections to it, including ones to the figure given in Policy Villages 2. Taking account of the early stage in its preparation and the fact that there are outstanding objections, I attach only limited weight to the PSLP. Notwithstanding this, it is notable that within it the Council acknowledges that 55% of new homes will need to be on green-field sites, and the inclusion of Adderbury as a Category 1 village acknowledges a level of sustainability.

8. The proposal would sit adjacent to the existing housing on St Mary's Road. This existing edge of the village presents a rather harsh edge which does not blend with the adjacent countryside. The proposal would be set back from Milton Road behind the open play area, and to the west would be set behind amenity and open areas; beyond that the opportunity exists to add to the visual screening along the land boundaries. I acknowledge that there may often be some amount of harm arising from the development of land that is currently open; however, in this case, taking account of the above factors, I see this as only limited harm which is outweighed by the beneficial effects of providing a softer edge to the village which provides for a more satisfactory transition to open countryside.
9. In respect of this main issue, I consider that the proposal represents sustainable development as envisaged by the Framework. In the context of an out of date LP and the PSLP, to which I attach limited weight, the proposal accords with the provisions of the Framework.

Whether the proposal would be premature having regard to the emerging Local Plan and the Adderbury Neighbourhood Plan

10. The Council state that the approval of this proposal would be premature to the adoption of the PSLP as it would make a decision of the location and amount of development in Adderbury outside the development plan system. It also states that the proposal would prejudice the emerging Adderbury Neighbourhood Plan.
11. The Government document *The Planning System: General Principles* sets out the approach to questions of prematurity, stating that it may be justifiable to refuse planning permission where a DPD is being prepared if a proposal is so substantial or the cumulative effect would be so significant that granting planning permission would pre-determine decisions about the scale, location or phasing of new development. In this context, although the proposal is not one which I would consider to be substantial, the approval of this appeal scheme would have some effect on future decisions about the location and scale of future housing development in Adderbury. However, the adoption of the PSLP is some way off and it may well be the subject of change through the examination process. Furthermore, the small effect that I envisage is far outweighed by the assistance that the proposed development would bring to the aim of providing a suitable supply of new homes in the near future.
12. The Adderbury Neighbourhood Plan is at a very early stage in its preparation. It was stated that a sustainability appraisal/strategic environmental assessment has not yet been prepared; there has been no pre-submission consultation. Even after these processes it would need to be submitted to the district council, publicised and submitted for examination. The examiner would have to consider if it is in conformity with the strategic policies in the development plan; there is no up to date plan for the area. In these circumstances I consider that dismissal of the appeal on the grounds of prematurity in relation to either the PSLP or the Adderbury Neighbourhood Plan is not justified.

The Planning Agreement

13. A completed Agreement has been provided which overcomes the Council's concerns as set out in the relevant reason for refusal. However,

notwithstanding that they have entered into the Agreement, the appellants contest a number of the matters included in it and I shall concentrate on the contested elements below.

Admin/Monitoring

14. Costs would be involved to the Council and County Council in administration and monitoring of this agreement. However, I consider this to be one of their functions and do not consider it is necessary to make the proposed development acceptable in planning terms and I shall not take this into account.

Community Projects

15. The proposed amount is said to be for activities including a newsletter, meet and greet events and provision of general information. The appellant notes that the Council already publish a quarterly newsletter and a number of events already take place in the village. It is far from clear what the contribution would be used for and how the amount has been arrived at. Therefore, it is not related in scale and nature to the proposed development and I shall not take it into account.

Commuted Sums for Maintenance

16. Contributions are included which cover the costs of future maintenance and management of open spaces and play areas. This includes 10% of the maintenance costs as a management element. The information before me does not indicate that such an amount will necessarily be incurred by the Council. Whilst I accept that the maintenance element is justified, the management element is not taken into account in my decision.

Refuse Bin Contribution

17. I judge that it is not necessary in planning terms, for the developer to purchase refuse bins, rather than either the Council or the householder. The acceptability of the proposal does not rest on this matter; therefore, I shall not take it into account in my decision.

Adult Learning

18. The contribution is sought by the County Council to go towards improved facilities as part of a wider town centre redevelopment, as the County Council considers that the existing facilities at Grimsbury are relatively inaccessible. There is no evidence before me that indicates that the existing facilities are at capacity or would be as a result of the proposal and there is no detail of the problems of accessibility or of any proposed new scheme. In this context there can be no clear link between the proposal and the contribution. As a consequence, I shall not take it into account.

Secondary School/Sixth Form education

19. The appeal site is within the catchment area for the Warriner Secondary School. Figures supplied by the County Council state that 38.4% of pupils at the school live outside the catchment; they also confirm that Warriner School is at or very close to capacity and that there are spare places at Banbury secondary schools. It is suggested that the proposed development would be likely to give rise to 15 secondary school age people and 2 sixth form aged

people. I consider that the fact that such a large percentage of pupils at the local school are from outside the catchment is significant. In this context, I consider that it would be unreasonable to require the developers of this scheme to contribute towards secondary education. I do not consider that the likely gradual effects of the proposed development on pupil numbers would be likely to lead to an unacceptable displacement of pupils from the local school. Therefore, I shall not take account of this contribution.

Library Contribution

20. The library which serves the area is that at Banbury. The County Council states that the library is currently significantly under-sized in relation to the population that it serves, when compared to their standard of floor-space per person. The contribution sought seeks an amount per projected head of new population likely to be generated by the development. I consider that this fairly reflects the cost of providing for the additional population which cannot be satisfactorily accommodated within the existing library. Therefore, this contribution satisfies the requirements of Regulation 122 of the CIL Regs and I shall take it into account in my decision.

Elderly Day-Care

21. It appears that the contribution would be, at least partly, for a provision that has already been made at Stanbridge Hall. Therefore, the level of the contribution is unclear and the need questionable. As a consequence, I shall not take account of this in my decision.

Waste Recycling

22. The County Council state that the contribution is to be applied to the existing Alkerton site which, it states, has limited capacity and its planning permission is due to expire in 2014. However, the cost relates to the provision of a new site. I consider that, in the absence of a clear cost for a specific project, the scale of the proposed contribution cannot be said to be clearly related to the proposed development. Therefore, this does not meet the relevant tests and I shall not take it into account. The amount was subsequently reduced by the County Council to about one third of the previous request, however there is no indication of how this is arrived at and so I cannot take it into account.

The other provisions

23. On the basis of the evidence before me I am satisfied that the other provisions contained in the Agreement satisfy the tests in Regulation 122 of the CIL Regs and I shall take them into account in arriving at a decision.

Conditions

24. I have considered the conditions suggested by the parties having regard to the advice in Circular 11/95 '*The Use of Conditions in Planning Permissions*'. I shall include the standard conditions in relation to the submission of reserved matters and the commencement of development but agree that shortened time-scales are appropriate in this case in order to promote speedy delivery. In order that access and parking is provided in a safe and timely manner it is necessary to include conditions relating to traffic calming measures, visibility splays, the timing of the provision of the access and the provision of a suitable amount of car parking.

25. So that the appeal site is adequately drained I shall include conditions relating to the provision of agreed means to dispose of surface and foul drainage. For the sake of biodiversity it is necessary to prevent any removal of hedges, trees or shrubs within the nesting season of birds and also to agree the implementation of a plan for enhancing biodiversity.
26. In order to comply with the provisions of Policy C28 of the Local Plan a condition requiring public art is acceptable. In order to give an acceptable appearance to the development when seen from Milton Road I agree that a restriction on means of enclosure of those properties facing Milton Road is necessary; I do not consider it necessary to widen the extent of this restriction. In order to ensure a sustainable form of construction and development I shall include a condition requiring achievement of Level 4 of the Code For Sustainable Homes.
27. So that any garages and car ports are retained for use as described a condition preventing their use or conversion to living space is included. A construction and traffic management plan is necessary to make sure that the construction does not have an unacceptable impact on the locality. A right-of-way crosses part of the site and I agree that a condition preventing this from being blocked or otherwise affected during construction works is necessary. For the sake of proper planning and for the avoidance of doubt, a condition requiring construction in accordance with the submitted plans is included.
28. Conditions relating to landscaping, including a Landscape and Ecology Management Plan, the use of native species and the design of the open space areas, are more appropriately matters for inclusion in a reserved matters approval (if found necessary) and not at this stage.

Conclusion

29. In the absence of a demonstrable 5 years housing land supply, significant weight is attached to the contribution that the proposal would make in this respect. The appeal site is in a relatively sustainable location where residents would have access to shops, services and employment opportunities. I have found that dismissal of the appeal on prematurity grounds in relation to the PSLP or the Adderbury Neighbourhood Plan is not justified. I find that the benefits of the scheme are not outweighed by any other matters; as a consequence, the appeal is allowed.

S T Wood

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

G Lewis of Counsel

He called

C Wood

Senior Planning Appeals Officer, West
Oxfordshire District Council (acting for Cherwell
District Council)

FOR THE APPELLANT:

N Cameron QC

He called

A Bateman

S Sensecall

Managing Director Pegasus Planning Group Ltd
Partner, Kemp and Kemp Property Consultants

INTERESTED PERSONS:

N Randell

T Gill

Ward Member

Adderbury Parish Council

DOCUMENTS

- 1 Signed Statement of Common Ground
- 2 Statement of T Gill
- 3 Saving Direction for Cherwell Local Plan
- 4 Completed Planning Agreement
- 5 Council's comments relating to the Planning Agreement
- 6 Revised appendix SJS 22
- 7 Copy of judgement North Wiltshire District Council v SoS for the Environment and Clover
- 8 Further submissions of the Council
- 9 Revised further submissions on behalf of the appellant

SCHEDULE 1, Conditions (19 in number)

- 1) Details of the appearance, landscaping and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than one year from the date of this permission.
- 3) The development hereby permitted shall begin not later than one year from the date of approval of the last of the reserved matters to be approved.
- 4) Except where otherwise stipulated by conditions attached to this permission or submissions required thereto, the development hereby permitted shall be carried out in accordance with the following approved plans: 2587.106 Rev D; 2587.102; MRA 2.
- 5) No other part of the development shall take place until the proposed means of access, including vision splays onto Milton Road and any ancillary works have been formed, laid out and constructed in accordance with specifications which have firstly been submitted to and approved in writing by the local planning authority.
- 6) The agreed vision splays shall not be obstructed by any object, structure or planting of a height greater than 0.6 metres.
- 7) Prior to work starting on the site a traffic calming scheme shall be submitted to the Local Planning Authority for written approval.
- 8) Prior to the first occupation of any part of the development, the approved traffic calming scheme shall be constructed in accordance with the agreed details and thereafter retained.
- 9) Before any of the dwellings are first occupied, the proposed vehicular accesses, driveways, turning areas and footpaths that serve those dwellings shall be constructed, laid out, surfaced, drained and lit, in accordance with the specification details to be submitted to and approved in writing by the local planning authority prior to the commencement of the development.
- 10) Prior to the commencement of development details of the proposed car parking provision including surfacing and drainage shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and shall be retained in that form and the car parking spaces shall be used for no other purpose.
- 11) No development shall take place, including any works of demolition, until a Construction Method and Traffic Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i) phasing of the development
 - ii) an agreed route for construction and delivery vehicles to the site

- iii) the parking of vehicles of site operatives and visitors
 - iv) loading and unloading of plant and materials
 - v) storage of plant and materials used in constructing the development
 - vi) wheel washing facilities
 - vii) measures to control the emission of dust and dirt during construction
 - viii) a scheme for recycling/disposing of waste resulting from demolition and construction works.
- 12) The garage/car ports shall be retained as such and shall not be adapted for living accommodation unless otherwise agreed in writing by the local planning authority.
- 13) No materials, plant, temporary structures or excavations shall be placed/undertaken on or immediately adjacent to the Public Right of Way that may obstruct or prejudice its use by the public, while the development takes place.
- 14) No development shall take place until detailed schemes, including a timetable for their implementation, for surface water and foul drainage of the development has been submitted to and approved in writing by the local planning authority. The development shall be undertaken in accordance with the approved details and thereafter retained in the agreed form. The surface water drainage scheme shall be based on the agreed Flood Risk Assessment entitled *Land South of Milton Road, Adderbury, site Specific Flood Risk Assessment, X-213089/TB/SK/BEM/March 2013, Revision C*.
- 15) No removal of hedgerows, trees or shrubs shall take place between 1 March and 31 August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by an ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on site.
- 16) Prior to the commencement of development, including works of ground preparation, a plan for enhancing biodiversity on the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the agreed enhancement measures shall be carried out in accordance with an agreed timetable, and retained in the agreed form.
- 17) No development shall take place until details of the public art scheme, including siting, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained in that form.
- 18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no fences, gates or walls shall be erected within the curtilage of any dwellinghouse forward of any wall of that dwellinghouse. This shall only relate to those dwellings which face directly towards Milton Road.
- 19) The dwellings shall achieve Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.

Appendix 40

Distance to junction

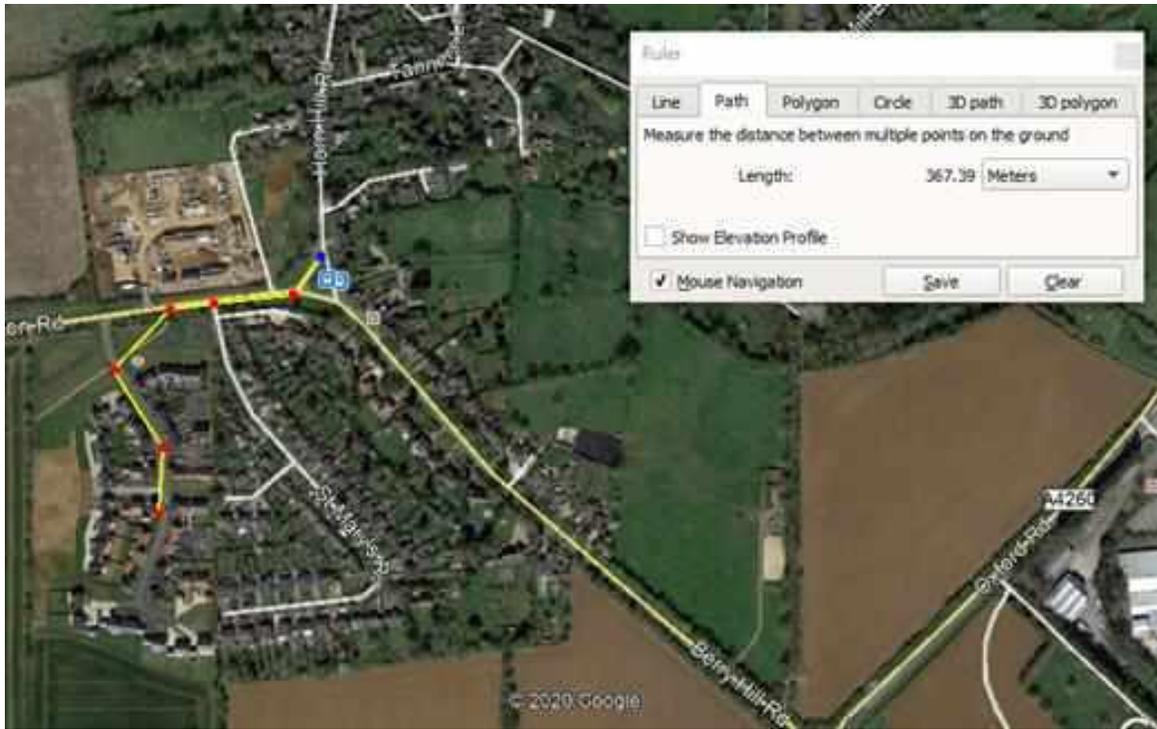


Image 1: Distance from centre of site south of Milton Road to junction

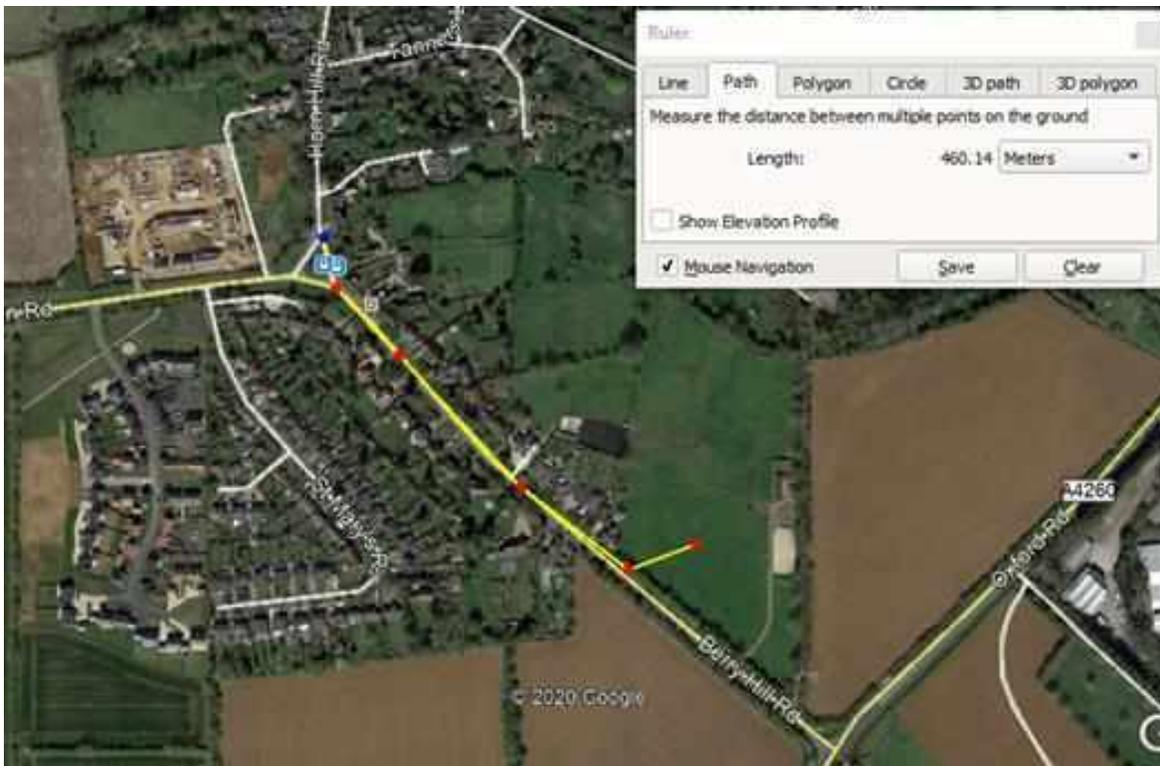


Image 2: Distance from centre of developable area to junction

Appendix 41

Committee Report 18/00220/F

Applicant:	Adderbury Parish Council		
Proposal:	Change of use of agricultural land to sport/recreation and community use		
Ward:	Adderbury, Bloxham And Bodicote		
Councillors:	Cllr Mike Bishop Cllr Chris Heath Cllr Andrew Mchugh		
Reason for Referral:	Major Application – site area over 1ha		
Expiry Date:	22 June 2018	Committee Date:	23 August 2018
Recommendation:	Approval		

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

The application is reported to the Planning Committee, as it is a major application.

Proposal

Planning permission is sought to change the use of the agricultural land to sport/recreation and community use. The land is to the North of Milton Road, Adderbury. The proposals include the access to the site from the Milton Road, the provision of parking and landscaping and the general layout of the site.

Consultations

The following consultees have raised no objections to the application (subject to the imposition of conditions to address some outstanding concerns):

- Adderbury Parish Council
- CDC – Recreation and Leisure, Landscape, Environmental Protection, Planning Policy, Ecology, Conservation
- OCC – Transport, Drainage, Archaeology, Minerals and Waste
- Sport England
- Oxfordshire Playing Fields Association

28 letters have been received, 17 in support, 7 in objection and 4 raising comments

Planning Policy

The application site is located outside the Adderbury Settlement Boundary but it is allocated for the proposed use. The site has some naturally occurring contamination, is within a minerals consultation area and there are records of notable and protected species within vicinity of the site. The site is close to the edge of the Adderbury Conservation Area and it has potential for archaeology on site. The land slopes from south west to north east.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Conclusion

The key issues arising from the application details are:

- Principle of development
- Landscape impact and site layout
- Neighbouring amenity
- Transport
- Drainage and Flood Risk
- Ecology
- Heritage

The report looks into the key planning issues in detail, and officers conclude that the proposal is acceptable against the relevant policies for the following reasons:

1. The site is allocated for sports and community uses by Policy AD18 of the Adderbury Neighbourhood Plan subject to a number of criteria
2. The proposal can be accommodated without causing undue harm to the landscape and the development proposed can be accommodated on the site with any refinements secured by condition
3. The proposal can be accommodated without causing serious harm to the amenity of residential properties nearby.
4. The site is within a sustainable location in transport terms. It can be appropriately accessed and there is sufficient space to provide onsite transport infrastructure including parking and connections can be provided to the rest of the village to encourage the use of sustainable modes of transport to access the site.
5. The development would be at low risk from flooding and there are opportunities for surface water management that would ensure that surface water is appropriately dealt with.
6. It is possible to secure a net biodiversity gain providing a calculation accompanies future detailed landscape proposals.
7. There would be no unacceptable impacts upon the setting of the Adderbury Conservation area and impacts upon potential archaeological interest can be further assessed via the provision of information to satisfy planning conditions.

RECOMMENDATION - GRANT PERMISSION SUBJECT TO CONDITIONS

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

Main Report

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site sits to the west of Adderbury and to the north of the Milton Road. The land is currently agricultural surrounded by field hedgerows and is accessed by a field gate to the western side of the southern boundary. To the east of the site is a residential site, currently under construction by Nicholas King Homes, to the west is Ball Colegrave, a horticultural business, to the north is open countryside and to the south is open countryside and a new residential development.
- 1.2. The land gently slopes down from south to north with a maximum drop of approximately 5m across the site. Third party representations have identified that the site is used informally by local residents. In terms of recorded site constraints,

the land is close to the Adderbury Conservation Area boundary, there is potential for archaeology, there are some records of biodiversity in the local area and naturally occurring contaminants are also recorded. The land is also identified within the Adderbury Neighbourhood Plan.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks full planning permission to change the use of the current agricultural land for sport/ recreation and community use. Following the receipt and validation of the application, additional information has been submitted on two occasions including a site location plan, a Transport Statement, a Travel Plan Statement and a Flood Risk Assessment. As an application for full planning permission, proposals for the site in terms of how it is to be used are required to be considered and in this regard, a plan has been provided to demonstrate a proposed site layout. This demonstrates the site can provide space for sports pitches (two adult football pitches, one of which could be used as two smaller pitches), a MUGA, landscaping and parking (for up to 141 car spaces). Space is also demonstrated for a building (potential for a new village hall/ pavilion type accommodation) that is not part of the current application but the future intention is likely to include a building on the land and so it is important to understand whether sufficient room is available for this for the future.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
10/00508/F	Change of use from agricultural use to recreational use.	Application Permitted
18/00015/SO	Screening Opinion to 18/00220/F - Change of use of agricultural land to sport/recreation and community use	Screening Opinion not requesting EIA

4. PRE-APPLICATION DISCUSSIONS

- 4.1. Some informal discussions were undertaken with the Parish Council prior to the submission of the application which was generally supportive of the principle of the development.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 06.08.2018, although comments received after this date and before finalising this report have also been taken into account.
- 5.2. 28 third party comments have been received all from the village to three consultations that have been undertaken (some of which are therefore from the same individuals). 17 comments are in support, 4 raise comments and 7 object (including two letters from four Parish Council Members). The comments raised by third parties are summarised as follows:

- The land was secured for the benefit of the whole village. To maximise its potential as a location for amenities for the village, the proposal is supported.
- Adderbury needs these facilities – the village is expanding but the current amenities are poor. Adderbury Park football club will be able to accommodate a fuller range of teams and training facilities.
- The current facilities cause dangerous parking situations on narrow residential roads. There is no meeting place for large groups and this proposal is long overdue and will provide much needed facilities.
- The proposed site will have good access for vehicles and for pedestrians and cyclists.
- The recent referendum in the village was supported by the majority.
- The proposal should just be for change of use at this stage because the village is being consulted on what facilities they wish to see on the land and the eventual layout and details are to be agreed.
- The lack of detail and transparency makes it hard to assess the implications of the proposal. It appears to cater solely for sport and therefore takes no account of those who wish to have a recreation area but who would not use football pitches. Its potential would therefore not be maximised for all in the community.
- It appears that the land would be used by a third party denying the wider public its use.
- The application is not supported sufficiently by detail as to how the scheme will be delivered and funded.
- The site could have potential for archaeology and this has not been adequately assessed. There were records found on land adjoining the site.
- An impact assessment of land drainage proposals on surrounding properties at risk of being flooded should be required. Field drains are referred to but there is no detail.
- Any levelling of the site is also important to be considered and the Parish Council have received assessments suggesting that a comprehensive earthworks operation would be required.
- Concern regarding the detail and amount of parking.
- Concern regarding noise impacts to the nearby residential dwellings on match days. There are now close by residential properties and noise and nuisance will be an issue for local residents. There are a number of properties that are not yet occupied and they may have concerns. The travel statement suggests the land could be used in the evenings until 11pm – this could have a significant impact.
- There are already sports facilities at the Lucy Placket fields and these are centrally located so accessible by all. The site should not be restricted to pitches alone
- Other uses for the site could include a small country park or a burial ground.

- Some concerns with how the proposals are being approached by the Parish Council. It would appear the application has been applied for without addressing all of the issues. Is sufficient parking provided?
- Floodlighting could damage the rural nature of the conservation area and could encourage use of the site until late in the evening disturbing residents.
- No traffic survey data has been provided. The Milton Road is busy and there should be provision for traffic calming and a pedestrian crossing.
- The travel statement now provided has increased concerns about the safety of road users and pedestrians.
- Residents currently use the land and it is of concern that public access will not be allowed for two years after the grass is seeded. Access should continue to be provided.
- The hall is not part of the application and this was seen as desirable. The hall would need to include changing facilities.
- Concern that there is no proven demand for the facilities.
- The construction of the development will cause noise, traffic inconvenience and pollution.
- The Working for Adderbury Community group has progressed work and a vision has been established and provided.
- There should be consideration as to limiting or maintaining the height of any new trees planted, in particular those close to the new neighbouring properties in Henge Close to prevent loss of light and views.
- What is the plan for boundary fencing to neighbouring properties?
- Concern regarding light pollution and the impact this could have on plants growing in the nurseries at Ball Colegrave. Concerns also regarding the impact of straying balls onto their site. The plan submitted is concerning with the proximity of the development and impacts upon security, stray balls and light pollution.
- Ball Colegrave also wish to retain use of the access track and field gate alongside their boundary which is used on a one off annual basis. Ball Colegrave has requested to APC that a secure fence is provided, along with additional planting to screen the fence.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

6.2. ADDERBURY PARISH COUNCIL: **supports** the application. This follows a number of consultations and conforms to policy AD18 of the Adderbury Neighbourhood Plan

as well as providing new leisure facilities for the village. In their second and third responses Adderbury Parish Council continues to express their support.

- 6.3. CDC RECREATION AND LEISURE: the team fully **support** the application.
- 6.4. CDC LANDSCAPE TEAM: **No Objection** to the change of use of the land on landscape and visual impact grounds. However, concerns are raised with regard to the layout and the lack of a clear development process. Care needs to be taken to retain existing boundary vegetation, consideration of links to the adjacent housing development, to design the car parking with planting and the position of the building to relate to the sports uses proposed. Resolution of the site layout is important before undertaking any work so that piecemeal development is avoided. In respect of the plan submitted, the advice is that it is poor and lacking in detail and that the parking arrangement can only be indicative. No information about retention of existing vegetation – can the roadside hedge be retained and provide sufficient visibility? No surfaces are shown. There are concerns about proximity of overflow parking adjacent to the hedge due to compaction of roots. There is not much space for a swale. No lighting is indicated and there may need to be some.
- 6.5. CDC ENVIRONMENTAL PROTECTION: **No comments or objections.**
- 6.6. CDC PLANNING POLICY: **No objection** to the use of the land for playing fields, however there is insufficient information to determine whether the full range of proposed uses could be appropriately provided.
- 6.7. CDC ECOLOGY: **No objections** to the change of use on ecological grounds. If the change in the existing access position is part of the application, then any works to the vegetated boundary to the South should take place outside of the bird nesting season and remove as little vegetation as possible. There is also the potential for badgers to use vegetated areas. No further comments were made in respect of the amended documents.
- 6.8. CDC CONSERVATION: The application site lies a short distance to the west of the conservation area. The impact on setting is likely to be minimal providing parking and any buildings are located along the Milton Road. No need for further input at this stage based on the proposed layout plan submitted.
- 6.9. OCC TRANSPORT: Initially provided an **objection** due to the lack of details of the layout and facilities of the site including access and parking. It was confirmed that there was **no objection** to the principle of the change of use but detail is needed to ensure that communal functions can only take place with appropriate access, car parking and footways being available. A full application needs to also include an FRA, a Transport Statement and a Travel Plan Statement. In a second response OCC Transport made the same comments. In a third response OCC have withdrawn their objection advising that the transport statement is comprehensive and is based on detailed assumptions which are robust. 141 parking spaces are shown as being able to be accommodated along with a 2m wide footway link to the footways into the village and an informal crossing point on Milton Road is required to improve connectivity from the site to the south.
- 6.10. In terms of DRAINAGE: OCC advised that the drainage arrangements include SUDs proposals. The drainage design details are at an outline stage of detail with no detailed design proposals submitted. A condition regarding surface water is required. Only a single test pit has been provided, OCC would expect additional test pits to confirm the potential and to inform detailed design. No indication has been provided as to the seasonal high ground water level at the site. It would appear that no design has been undertaken for the car parking areas and the design should

ensure that sufficient subbase for storage of run off is provided so no flooding occurs. A SUDs management and maintenance plan must also be provided. There should also be a qualitative examination of what would happen if any part of the drainage/ SUDs system fails, to demonstrate that floor water will have flow routes through the site without endangering property and where possible maintaining emergency access/ egress routes which should be supported by a flood exceedance plan.

- 6.11. OCC ARCHAEOLOGY: **No objection** subject to the imposition of planning conditions because the site is located in an area of archaeological potential. The plans submitted do not provide detail on the level of ground disturbance involved (i.e. from drainage works) and therefore this development could encounter further aspects of archaeological features recorded on the site immediately east. In a second response, OCC Archaeology made the same comments.
- 6.12. In a third response OCC ARCHAEOLOGY have noted the geophysical survey report that has been submitted with the application which highlights a number of possible archaeological features across the site. These cannot be dated from geophysical survey alone and may be related to the adjacent site. It is also possible that further archaeological features not identified from the geophysical survey could survive on the site. The proposed works, including the drainage scheme, may impact on these features and a programme of archaeological evaluation and mitigation will be required ahead of the commencement of the development. Conditions are required to be imposed and are recommended.
- 6.13. OCC MINERALS AND WASTE: **No comments** as the development would not adversely affect significant mineral resources and there would be no strategic waste planning implications.
- 6.14. SPORT ENGLAND: initially submitted a **holding objection** due to insufficient information being provided. In a second response, Sport England confirmed that they offered their **support** to the application as it is considered to provide new opportunities for sport to meet the needs of current and future generations. Sport England advised that the layout has some built in flexibility for pitch movement to avoid heavy wear and tear on the pitches. This response was provided after some direct contact with the Parish Council regarding their plans around pitch preparation and drainage. In a third response, Sport England continued to express their **support**.
- 6.15. OXFORDSHIRE PLAYING FIELDS ASSOCIATION: **supports** this application for change of use to sports/ recreation and community use.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. Adderbury has a Neighbourhood Plan and this is also part of the Development Plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC12 – Indoor Sport, Recreation and Community Facilities
- ESD13 – Local Landscape Protection and Enhancement
- ESD15 – The Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- Policy Villages 4 – Meeting the need for open space, sport and recreation

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development

Adderbury Neighbourhood Plan 2014-2031

- AD1 – Adderbury Settlement Boundary
- AD2 – Green Infrastructure
- AD3 – Local Green Spaces
- AD4 – Local Open Spaces
- AD18 – New Community Facilities

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of development
- Landscape impact and site layout
- Neighbouring amenity
- Transport
- Drainage and Flood Risk
- Ecology
- Heritage

Principle of the development

- 8.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 8.3. The Development Plan for Cherwell includes the Cherwell Local Plan Part 1 2011-2031, the saved policies of the Cherwell Local Plan 1996 and any Neighbourhood Plans which have been adopted. Adderbury has a Neighbourhood Plan – 2014 – 2031 and it was adopted on the 16 July 2018 so it forms part of the development plan and it is material to the consideration of this application.
- 8.4. Whilst the land is not allocated for development by the Cherwell Local Plan Part 1, and it sits outside the settlement boundary identified by Policy AD1 of the Neighbourhood Plan, Policy AD18 of the Adderbury Neighbourhood Plan allocates

land off Milton Road, West Adderbury (this site) for sports and community uses. There are a number of criteria to be met in assessing proposals for the land in order for development to be supported and these will be discussed later in this appraisal.

- 8.5. The land itself was transferred to the Parish Council's ownership for the purpose of sports and community uses for the benefit of the local community through a S106 agreement relating to the completed development site at Aynho Road, Adderbury. In addition, S106 agreements from other sites in the locality have sought contributions towards the provision and enhancement of local outdoor sport facilities.
- 8.6. It is also relevant to note that planning permission has previously been granted for the use of the land for recreational use (10/00508/F). The plans accompanying that permission identified a slightly larger area of land because an area of land on the adjacent housing site (currently under construction by Nicholas King Homes) was secured for transfer to the Parish Council. In 2017 planning permission was granted for additional housing on this small area of land, with a contribution secured towards the provision of sports and community facilities specifically on the land subject to the current planning application. That proposal was supported by the Parish Council. That application plan identified the use of the current application site for the provision of two full size football pitches, with the land on the Nicholas King site (now housing), proposed to accommodate a sports pavilion and car parking as well as a landscape buffer.
- 8.7. In addition to the above, the Cherwell Local Plan, in particular Policy BSC10 supports the provision of sufficient quantity and quality of, and convenient access to open space, sport and recreation provision. This includes addressing existing deficiencies in provision through qualitative enhancement of existing provision, improving access to existing facilities or securing new provision. Policy ESD17 also seeks to maintain and enhance the district's green infrastructure network. Policy Villages 4 advises that the Playing Pitch and Green Space Strategy estimated that additional provision is required in the Rural North of the District (which includes Adderbury), including junior pitches, cricket pitches and other amenity/ open space to address existing deficiencies and future predicted shortfalls.
- 8.8. The Adderbury Neighbourhood Plan Policies also defines the green infrastructure network around and within the village (AD2) and it confirms that any development proposals on land within or immediately adjoining the defined network must demonstrate how they maintain or enhance its integrity and green infrastructure value. It also defines local green spaces (AD3) and local open spaces (AD4), which includes the current development site.
- 8.9. Given the above, the general principle of the development in terms of the use of the land for sport/ recreation and community use is considered to be acceptable. The details of the scheme and how the proposal meets the criteria of Policy AD18 of the Adderbury Neighbourhood Plan are therefore important to be considered.
- 8.10. The Parish Council have explained that their intention for the delivery of the site is to prepare the field for sports use by seeding during 2018 so that the pitches will have two or more years to establish before being played on. A project to involve residents is then intended to continue to establish exactly what facilities are required and supported and for detailed plans to be submitted, potentially in the form of a new planning application but for this work to continue whilst the site preparation (including the provision of drainage) is being undertaken. Ongoing management would be required for the first two years of growth and during this time, no public access in using the site for the purposes proposed would be allowed. Contractors would use the existing field gate.

Landscape impact and site layout

- 8.11. Policy ESD13 of the Cherwell Local Plan advises that development will be expected to respect and enhance local landscape character and a number of criteria are highlighted including that development is expected not to cause visual intrusion into the open countryside, must be consistent with local character and must not harm the setting of settlements, buildings or structures. Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context. The Adderbury Settlement Boundary defined by Policy AD1 aims to avoid harm to local landscape character. In the policy wording for the site (AD18), the countryside location of the site is recognised by requiring that buildings are ancillary to the use of the site and designed to have regard to their location. In addition, it requires that the layout and any lighting has regard to the proximity of the adjoining residential and employment uses.
- 8.12. The site is located on the edge of the village and it is an existing agricultural field surrounded by field hedgerows. The development of the site will change the setting of the village and the street scene, by virtue of the provision of a vehicular access and the proposed development on site; however the land is between a new residential site and Ball Colegrave therefore within this context the impact is unlikely to be significant. In terms of access arrangements, Policy AD18 requires vehicular access from the Milton Road, with minimum losses of the boundary hedgerow therefore the provision of an access from this boundary has been accepted in principle. The proposed means of access has been proposed at 6m width with a section of hedgerow loss that accommodates this, the required footpath link to the village and some verge space to create an appropriate access point. The hedge line is relatively dense in this location, but the principle of the access is accepted.
- 8.13. Otherwise, the proposed development includes sports pitches (one of which is sized to be used as two pitches), a cricket pitch, a MUGA and associated parking (including overflow) and turning space as well as landscaping. It is understood that the future plan is to provide a building/ pavilion on the site so space has been identified for where such a building could be accommodated (and as this is not part of the current application, it is not necessary to consider this point of Policy AD18 further in terms of impact upon the countryside location of the site).
- 8.14. The arrangement of the pitches to the north of the site, with other supporting facilities such as the MUGA (and its associated fencing etc), car parking and the building close to the southern boundary of the site, therefore in proximity to the access point and landscaping is acceptable as it ensures that built development has a closer relationship with the village and the new development adjacent to it. The position of the MUGA and a future building to the eastern side of the site is also likely to be the most appropriate location for those features so that they do not appear isolated being close to other built development and for the ease of use of villagers walking/ cycling to the site. However, it is clear that the Parish Council wish to refine their proposals with community input through the period whilst the land is being prepared and in this regard, a planning condition is recommended to secure details of the final layout of the site for the development demonstrated now. No other development is approved and in this regard, a condition is recommended to restrict all other engineering operations/ physical development including a building.
- 8.15. The proposal does not provide details of landscaping, other than the suggestion of new tree planting to part of the eastern boundary. There are however opportunities to provide landscaping as part of the site layout and these can be sought via condition (and this is necessary in order to demonstrate net gains for biodiversity as will be discussed later).

- 8.16. Policy AD18 states that the landscape scheme should contribute to the delivery of Policy AD2 by making provision for ecological connectivity from Milton Road to the proposed local green space off Horn Hill Road in Policy AD3. The Policies map indicates a potential route along the eastern site boundary, which could extend beyond the site boundary to continue offsite to the Local Green Space. Whilst the proposal does not provide for a formal route, the land would be open and there would be opportunities to provide access from the site to the north to allow the link to be provided along the northern boundary. The position of a swale in the north eastern corner is also identified on the proposed plan (albeit the FRA suggests an alternative feature) and the drainage scheme is not yet fully concluded. The proposed change of use of the site for the type of development proposed could accommodate a link to the north in compliance with Policy AD18.
- 8.17. Overall, the proposal as it stands is considered to be acceptable as there would be no significant impact upon visual amenity. In terms of site layout, the development proposed now can be accommodated and any refinements to the positioning can be secured via condition. The proposal complies with the Policies outlined above.

Neighbouring amenity

- 8.18. Policy ESD15 advises of the need for new development to consider the amenity of both existing and future development. The NPPF advises that places should be created that have a high standard of amenity for existing and future users.
- 8.19. The site is allocated for use for sport/ recreation and community use and therefore the principle of the development is acceptable adjacent to the surrounding uses and it was secured for this purpose. Policy AD18 of the Adderbury Neighbourhood Plan requires that the layout and any lighting have regard to the proximity of the adjoining residential and employment uses. No lighting is proposed as part of the current application, however the layout can be considered now. Generally, it reflects what would be expected, with the pitches arranged at the north of the site, with built infrastructure (including parking, a future building and the MUGA) arranged to the south. This ensures that these elements relate to the village and are accessible. Officers have some concerns regarding the position of the MUGA having visited the site and assessing the proximity to the adjacent properties on the Nicholas King Homes site (these have gardens of approximately 12-14m). Additional planting is shown as being proposed (although no detail is provided of what this could be and this would need to be secured via condition), however to avoid concerns regarding noise and nuisance, a condition is recommended to reconsider the location of the MUGA. There appears to be sufficient space for this to be moved to continue to achieve the same aims for the site. Based on this, it is considered that the proposal can be accommodated without causing serious harm to the amenity of residential properties nearby.
- 8.20. In terms of the neighbour to the west, Ball Colegrave, some concerns have been raised regarding the impact of the use upon their business activities. Concern is raised with regard to lighting, however this does not form part of the current application and its impacts could be considered in the future if this forms part of the plan in the future. Concern is also raised with regard to stray balls – the plan demonstrates that there could be some distance between the features on the site and the boundary and in addition, the boundary itself is a well-established dense treeline that would assist in protecting the site. A condition is however recommended to secure details of boundary fencing, should this form part of the Parish Council's plan in the future (on any area of the site). The continued use of an access track could be discussed with the Parish Council however this is a land ownership issue rather than something needing to be secured through the planning application.

Transport

- 8.21. The application is accompanied by a Transport Statement. In terms of traffic impact, this has tested two scenarios which are based on assumptions regarding how the site could be used (one at its maximum and a second at a more realistic level). In addition, trip rates are added for a building on the site, however this is not part of the current proposal, therefore the impacts are worse case and likely to be less for the current proposal. This does however mean the results are robust. This has demonstrated that the proposed uses on the site would not have a severe impact on the highway.
- 8.22. Vehicular access is proposed from the Milton Road, 50m west from the edge of the site. In addition, a pedestrian link to the village is required – a pedestrian link is already secured between the existing footway network and the entrance to the adjacent residential development. An extension to this would be required to link to the site access to give access to the site from the village for pedestrians and this is proposed to be 2m wide and to be accommodated on the highway. A drawing of the access arrangement has been provided and tracking has been undertaken to demonstrate that this is suitable.
- 8.23. The application documentation demonstrates that up to 141 parking spaces can be provided (including some within an overflow area and a proportion for disabled users), as well as spaces for minibuses, motorcycles and bicycles. This level of parking has been proposed based upon the potential user demand assumed from the maximum use scenario tested with 53 of these provided less formally as overflow parking. This would ensure no overspill outside of the site.
- 8.24. The application is also accompanied by a Travel Plan, which provides some information regarding how sustainable transport would be encouraged. The measures suggested, including the promotion of sustainable options via the Parish website and by notices at the site seem sensible and proportionate to the development proposed.
- 8.25. Oxfordshire County Council as Highway Authority has confirmed that they have no objections in principle to the change of the use of the site. In terms of the transport statement, it has been confirmed that this is comprehensive and is based on detailed assumptions which are robust. Reference is made to the onsite and offsite infrastructure including the parking, footway link and to the need for an informal crossing point on the Milton Road to improve connectivity from the site to St Mary's Road (in the form of dropped kerbs and tactile paving). This could be picked up through the S278 process, which is also required for the junction and any other required changes on the highway, including a gateway feature and speed limit signs.
- 8.26. Overall, it is considered that the site is within a sustainable location in transport terms. It can be appropriately accessed and there is sufficient space to provide onsite transport infrastructure including parking and connections can be provided to the rest of the village to encourage the use of sustainable modes of transport to access the site.

Drainage and Flood Risk

- 8.27. A flood risk assessment and drainage management strategy is submitted with the application in line with the requirements of Policy ESD6 of the Local Plan and the Framework, given the site extends to over 1ha in area and is predominantly in Flood Zone 1. Policy ESD7 of the Local Plan requires the use of Sustainable Urban Drainage Systems to manage surface water drainage systems. This is all with the aim to manage and reduce flood risk in the District. A number of comments have

been provided raising concerns that there have been flooding issues in the vicinity in the past. It is important that the proposal provides for an adequate drainage arrangement that does not increase flood risk off site.

- 8.28. The flood risk assessment finds that the site is within flood zone 1 and that the development proposed is classified as water compatible development. The site is at low risk of fluvial flooding from main rivers and from other potential forms of flooding. The FRA has anticipated the total impermeable area proposed (including a building which is not proposed as part of this application) and has found that approximately 3% of the total site would be impermeable. The SUDs techniques proposed include permeable hardstanding and to maximise soft permeable landscaped areas as well as soakaways and pervious paving to manage surface water runoff from roofs and roads at their source. The assessment considers the potential size for a soakaway for a building on the site as well as for any impermeable areas of the access road. In terms of the pitch land, the proposal is for perforated pipe land drainage below ground to maintain a useable pitch surface all year round. Alongside this, an infiltration strip should be provided along the northern boundary. The SUDs proposed have been sized to cope with the 1 in 100 year flood event plus a 40% allowance for climate change. In addition, the proposals result in some betterment of the existing situation as less water would be discharged to the existing drainage ditches and main rivers which would result in a reduction in flood risk overall.
- 8.29. Overall and based upon the assessment submitted, the development would be at low risk from flooding and there are opportunities for surface water management that would result in improvements over the existing green field run off rate. The Drainage Authority has confirmed that the drainage design details are at an outline stage of detail and no detailed designs have been provided. A condition is recommended to request further detail following the grant of planning permission as outlined above. Officers are considering the condition and whether there can be a staged approach to the provision of information to enable the Parish Council to complete elements of the work they wish to early (supported by sufficient information) with other elements following later.

Ecology

- 8.30. The Framework sets out that Planning should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and provide net gains in biodiversity where possible. Policy ESD10 reflects the requirements of the Framework to ensure protection and enhancement of biodiversity. Policy AD18 of the Adderbury Neighbourhood Plan seeks to secure a net biodiversity gain. The Authority also has a legal duty set out at Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) which states that “every public authority must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity”.
- 8.31. No ecological assessment has been submitted with the application, however given the nature of the proposal this was not required. The Council’s Ecologist has not objected to the application providing the works to create the access are undertaken outside of the bird nesting season. A net gain calculation has not been provided and therefore it is difficult to judge, at this stage, whether a net biodiversity gain can be achieved in accordance with Policy AD18 of the Adderbury Neighbourhood Plan. The proposal does however involve landscaping and these details have not, at this stage been submitted. As such and in the circumstances of this case whereby the land remains generally open and therefore it is possible to ensure that a net biodiversity gain is achieved, it is considered that a condition can be imposed to secure, alongside a landscaping scheme, a calculation to demonstrate that a net

biodiversity gain will be achieved. This can ensure that the biodiversity elements of Policy AD18 can be achieved.

Heritage

- 8.32. The site sits close to the Adderbury conservation area boundary. The land is allocated for the proposed use and the development proposed at this stage in terms of changing the use of the land, the provision of an access and the layout of the site would unlikely be harmful to the character and significance of the conservation area in the view of Officers. The Conservation Team have confirmed that providing parking and any buildings are located along the Milton Road, which they are, that there are only likely be minimal impacts therefore the proposal is considered to be acceptable in terms of the impact upon the setting of the conservation area.
- 8.33. The application site has also been identified as being important for archaeology by the OCC Archaeology team. Their advice is that the site is located in an area of archaeological potential 300m to the south east of a possible Roman building. It is noted that a programme of archaeological investigation has recently been undertaken immediately east of the proposed site, which recorded a number of possible prehistoric features including a possible henge site and a Bronze age posthole structure. The post excavation analysis of this site is still underway, but initial results would suggest that these features are of some significance. A geophysical survey has been submitted with the application, and this identified the possibility for archaeological features, including the possibility of the continuation of features found on the site to the east.
- 8.34. In response to the Archaeological survey, OCC have advised that the proposed works, including the drainage scheme, may impact on the potential archaeological features identified (and potentially other features that have not been identified). A programme of archaeological evaluation and mitigation is recommended ahead of the commencement of the development and conditions are therefore recommended. The conditions as worded are recommended and these being imposed should ensure that the importance of these archaeological matters are understood and mitigated for.

Planning Conditions

- 8.35. Given the intentions of the Parish Council as have been explained earlier in this report, the trigger for compliance with the planning conditions have been considered. Officers have been mindful that pre-commencement conditions can cause delays and therefore should be minimised unless absolutely necessary. As such the timing for the compliance of conditions has been considered, with most proposed to be 'prior to the first use by the public...' or 'Prior to the laying out of the site for pitches...' Only where absolutely necessary have pre-commencement conditions been recommended.

Other matters

- 8.36. A number of comments have been made raising concerns about the current proposal. The proposal does not include a proposal for flood lights or for a building and a condition is recommended to restrict these features so that they would be subject to a new planning application. A full assessment of these proposals would be undertaken at that time. Concern is also raised in relation to the hours of use of the site. The application does not provide this detail, although the transport statement does test a scenario with potential use until 11pm. This is for the purpose of testing a robust, worst case scenario and is not necessarily what is proposed. A condition to seek a management plan, to include details of hours of use of the site is

recommended. In terms of the use of the site, it is considered that public use of the development proposed should not occur until the required access and footways to it have been provided so as to ensure that the land can be safely accessed and that it does not cause problems (for example parking) elsewhere off site. A condition is recommended to ensure that the use applied for is not commenced until the site has been provided with its access and parking arrangements. Comments have also been raised that the proposal does not reflect what the community wants. The role of the Planning Authority is to consider the proposal put to it.

- 8.37. There is reference within the comments and between correspondence between the Parish Council and Sport England to potential minor re-levelling. No information is provided regarding the work involved and so a condition is recommended to secure information about the extent of levelling if this is required (and this matter will be discussed with the Parish Council in advance of the Committee meeting). The site only has a minor slope and so it is not expected that any such levelling would be significant but the detail of any such work should be understood. In terms of landscaping, it is noted that proposals could be within proximity to neighbouring properties and therefore a management plan would be helpful to understand how this would be maintained.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. As discussed, the principle of the change of use is considered to be acceptable in accordance with Policy AD18 of the Adderbury Neighbourhood Plan, which effectively allocates the land for sports and community uses. There are a number of criteria to consider such a proposal against and these have been assessed through this appraisal. It is considered that the proposal meets the requirements, or information to be sought via planning condition can secure additional detail to ensure that the proposal is accommodated appropriately. Overall, the proposal is considered to be sustainable and can meet the economic, social and environmental roles of sustainable development.

10. RECOMMENDATION

That permission is granted, subject to conditions:

The exact conditions and the wording of those conditions are delegated to the Assistant Director for Planning Policy and Development, the conditions will cover:

1. Time limit – to commence within 3 years
2. Compliance with the approved plans
3. Notwithstanding the submitted layout plan, a plan to be sought with the final layout proposed including a reconsideration of the position of the MUGA and the demonstration of links to the local green space off Horn Hill Road
4. Details of Landscaping, a biodiversity calculation to demonstrate a net gain and a management plan for it
5. Retention of the approved landscape scheme
6. Details of any proposed boundary treatments
7. Details of any proposed change in levels
8. A scheme for surface water drainage to be submitted
9. Full details of the means of access
10. The restriction of the provision of any other means of access and closure of the existing field entrance
11. The protection of vision splays at the entrance
12. Details of the turning area and car parking
13. The provision of the new footpath linking the site to the village prior to the first public use of the site

14. Details of covered cycle parking facilities
15. The requirement for an archaeological written scheme of investigation
16. A staged programme of archaeological evaluation and mitigation
17. Hedgerow works outside of the bird nesting season
18. No public use of the site for the use approved until the site is laid out.
19. A management plan for the site including hours of use
20. A condition to restrict any flood lighting on the site
21. A condition to restrict the provision of a building on the site

Planning note

1. The applicant's attention to the need for a S278 agreement to be highlighted

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Appendix 42

Cherwell District Council Housing Strategy 2019-2024

Cherwell District Council Housing Strategy 2019-2024

‘Cherwell - A Place to Prosper’



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Foreword

A safe and secure home that is suitable for our family is something we all have a right to. A home is essential and provides the foundation for everything we do – work, play, raising children, forming and maintaining relationships, participating in our community and building a good quality of life. Some of us will spend most of our time in our home as we get older and our health and care needs change. All the more reason for our home to be a place of refuge and relaxation.

This is the point of the Housing Strategy – to address the current and anticipated housing needs of people in our district and set out our priorities for improving access to affordable and suitable housing and for building healthy communities.

In the strategy we are focussing on people but also recognising the importance of place. Housing exists in the context of places that people want to live in and we need to consider the wider infrastructure when developing, improving and allocating housing. This includes access to jobs, transport, shops, community facilities, green spaces and play parks. It means designing in opportunities for walking and cycling and for engagement with neighbours. It means living in a place that promotes good health, where the air is clean and where the housing is good quality and energy efficient.

We want to enable and deliver new affordable housing but also address issues in the existing stock. The majority of homes in the district are in good condition but there is a significant number that are below acceptable standard, both private rented sector homes and owner occupied. We want to tackle this issue robustly by identifying the minority of bad landlords who take advantage of their tenants and against whom enforcement action is necessary.

Much of what is in the strategy is aspirational and can only be delivered with our partners and with investment. Cherwell District Council aims to be forward thinking and is well placed to deliver given the track record of affordable housing development, the willingness to innovate and the strong partnership working. Access to affordable housing is the second top priority for people in our district. We also have over a thousand low income households waiting for affordable housing. These facts together point to how proactive and relentless we need to be in the pursuit of new housing solutions. Housing is also at the top of the national agenda. At county level we are a lead authority in the delivery of housing through Oxfordshire Growth Deal. This sets a positive context for driving our ambitions forward and demonstrates the commitment we have to always doing the best for our communities.

We look forward to working with partners and communities to deliver on our commitments and to making sure Cherwell is a place where people can prosper.

Councillor John Donaldson, Lead Member Housing

Introduction

This Housing Strategy sets out Cherwell District Council's plans for the housing service for the period 2019-2024. The previous Housing Strategy was a combined Housing and Homelessness Strategy that covered the period 2012-2017. This is a standalone Housing Strategy as we published a new Homelessness Strategy in July 2018, in recognition of the significant shift in homelessness legislation with the implementation of the Homelessness Reduction Act 2017 (HRAct).

Our 2019-2024 strategy has been shaped by national policy and local context and is informed by data and information about our local housing market. A strong evidence base is essential to ensure that key strategic priorities and action plans are intelligence led. A key source of evidence for this housing strategy is Cherwell District Council's "State of the District's Housing Report 2018". This strategy should be read in conjunction with this report. Other evidence for the strategy includes Oxfordshire Strategic Housing Market Assessment (SHMA) 2014, data from our internal housing register/housing advice and private sector housing databases and the Cherwell Local Plan 2015.

In July 2017 we became a shared housing service with South Northamptonshire Council. However, local government reorganisation in Northamptonshire has prompted a termination in the partnership between Cherwell District Council and South Northamptonshire Council. There is currently a programme of work taking place that will culminate in the separation of the 2 councils. This programme is expected to be completed in mid-2019. We have also formed a new partnership with Oxfordshire County Council and with effect from 1 October 2018 we have a shared Chief Executive with the county council. From January 2019 we have a shared Assistant Director for Housing and Social Care Commissioning. This arrangement is new and the strategy recognises that the relationship between the two organisations will grow and develop. There will be lots of opportunities to work together over the lifetime of the strategy to join up pathways and improve housing solutions for our residents.

The Housing Strategy has three strategic priorities, these are:

- Increase the supply and diversity of affordable housing to ensure the right types of housing are available in the right places
- Improve the quality and sustainability of our homes and build thriving, healthy communities.
- Enhance opportunities for people to access suitable homes and have housing choices

Taking into account the level of change anticipated in national policy, the housing market, the local government sector and our communities we felt the housing strategy needed a degree of flexibility. The structure of the strategy is unlikely to change over the course of its life and will remain focused on the 3 key themes. But we will review regularly with the aim of producing an annual action plan which will enable us to respond to the changing environment. The action plan 2019-20 sets out year 1 delivery.

Key Achievements

Our key housing achievements over the course of our 2012-2017 strategy include:

- Between April 2012 and March 2018 over 1,500 new affordable homes were provided in the district. Each year since 2014/15 we exceeded our target of enabling 150 new affordable homes to be built per year; in 2017/18 this rose to 443.
- We secured the Graven Hill Military Base site which will eventually provide up to 1,900 homes. 72 units were completed by July 2018 of which 36 were self-build, 11 were custom build and 25 were affordable housing.
- Build!® have produced a total of 258 affordable homes including 65 self-build/custom build or self-finish units and working with a developer to convert office space in Banbury into affordable rented accommodation for singles and couples.
- We helped more than 640 disabled residents with Disabled Facilities Grants (DFGs) and a further 18 households via discretionary grants through our Home Improvement Agency.
- We provided direct practical help to over 2,200 residents through our Small Repairs Service
- We helped 1,058 vulnerable and older people with home improvements through discretionary grant funding
- We concluded 708 statutory interventions including improvement notices (both formal and informal) and prohibition orders, and resolved serious health hazards in 581 homes.
- We have inspected 438 houses in multiple occupation (HMOs) to ensure appropriate standards are achieved and maintained.
- 77 home improvement grants were issued to bring private rented sector properties up to decent standard and these were then let to local households in housing need at an affordable rent.
- We worked with regional partners to secure total funding of £412k from the Department of Energy and Climate Change (DECC); and were able to use £58k of this to improve 28 homes in the district.
- We conducted a review and produced a new homelessness strategy and action plan for the period 2018-2020: [<https://www.cherwell.gov.uk/info/55/strategy-policy-and-development/544/homelessness-review-and-strategy>]. This will be actively monitored through the period.

A full list of our achievements over the period 2012-2017 can be found on the council website.

Strategic Context

Legislation and policies at a national, regional and local level have an impact on the content and delivery of the housing strategy. There have been considerable changes to the national policy framework for both housing and planning since the last housing strategy document was produced in 2012. The key legislation and policies that relate to the housing strategy are listed below:

National	
	Welfare Reform Act 2012
	The Care Act 2014
	Housing and Planning Act 2016
	Welfare Reform Act 2016
	The Housing White Paper 2017 "Fixing our broken housing market"
	The Homelessness Reduction Act 2017
	The National Planning Policy Framework 2018
	The Social Housing Green Paper 2018
	The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018
Regional	
	Oxfordshire Health and Wellbeing Strategy 2015-2019
	Oxfordshire Housing and Growth Deal 2018
Local	
	Cherwell District Council Business Plan 2018-2019
	Homelessness Strategy 2018-2020
	Cherwell District Council's Tenancy Strategy 2017
	Cherwell District Council's Housing Allocations Scheme 2018
	Cherwell Local Plan 2011-2031

A summary of the key legislation and policies outlined is available on the council website.

Cherwell – People & Place

Cherwell district lies at the north-western edge of Oxfordshire. It covers an area of 277 square miles and includes the towns of Banbury and Bicester, Kidlington (a large village) and 72 smaller villages. The M40 passes through the district and there are good rail connections to London and Birmingham. Cherwell also has a close relationship with the world class university city of Oxford. The city's successful economy built around the universities and high tech industries and businesses combined with the attractiveness of the surrounding countryside make the county a highly desirable place to live which influences the housing market.

Cherwell has an estimated population of 147,602 (2017). Over 60% of residents live in one of the districts main urban centres, Banbury (32%), Bicester (21%) and Kidlington (9%), with the remainder living in the rural areas (38%). The population is growing, it increased by 0.7% in the last year, this is above the UK growth rate and the rate of population growth in Oxfordshire as a whole. International migration does contribute to the increase in the population locally, however a key driver of population growth is in-migration from Oxford probably related to acute housing affordability issues in the City. Cherwell is expected to continue to grow with the population forecast to be 203,900 in district by 2031.

The district has a total of 66,693 dwellings, of which 66% are owner occupied, 22% private rented and 12% social housing. The levels of home ownership and private renting in Cherwell are now ahead of national levels and the amount of social housing falling behind. The number of detached and semi-detached properties in the district is ahead of national averages whilst the number of terraced properties and flats is below.

Although the majority of homes in the district are warm and safe a significant minority (11%) have serious hazards including risk of falls and being cold. 3% suffer from more general disrepair. There is also double the proportion of homes with an 'excess cold' hazard than in England as a whole (6% compared to 3%).

The life expectancy of people in Cherwell is higher than the national average and the district is expected to see a substantial increase in the older person population. The age group that that will see the greatest increase is people over 85, with an increase of 142% resulting in a significant increase in the demand for accommodation that is suited to an older population and the need for associated care and support services. The majority of our residents are in good health while 14.1% have a long term limiting health problem or disability (17.6% nationally).

Housing Strategy Priorities

Priority 1:

Increase the supply and diversity of affordable housing to ensure the right types of housing are available in the right places

Our objectives are to:

- 1.1 Understand the need for the full range of affordable and specialist housing in the district, including type, tenure and location
- 1.2 Deliver a range of affordable homes that meet the needs of local residents and workers
- 1.3 Work in partnership with private developers, registered providers and local landowners to gain greater control over the delivery of housing, including new affordable housing
- 1.4 Maximise and make best use of financial assets and resources, including those of the Council, Registered Providers and Homes England, to deliver affordable housing in the district

Why is this important?

- We need 1,140 new homes in Cherwell per year until 2031 with 35% of this being affordable
- We need to respond to diverse needs ranging from smaller homes for young people and people looking to downsize through to larger family homes
- We have a growing population of older people whose housing needs need to be anticipated and planned for
- Home ownership is out of reach for households on low and average incomes
- Social rent is the only truly affordable housing option for many people and there is a lack of supply in this area
- Cherwell has a strong track record of housing delivery and has exceeded new build targets. But the market on its own does not deliver the volume and range of affordable products that our communities need
- New build housing has been concentrated in the main towns of Banbury and Bicester and there is a need to increase delivery of affordable housing in rural areas of the district
- We have also committed to helping Oxford city meet its need for 1,400 new homes per year

What we plan to do

1.1 Understand the need for the full range of affordable and specialist housing in the district, including type, tenure and location

- Improve our understanding of specific housing needs by drawing on our own internal data and intelligence and that of our partners
- Work with parish councils, community groups and residents in rural parts of the district to identify and respond to housing needs in the villages
- Join up with Oxfordshire County Council and health partners to understand and respond to the current and future housing needs of older people and other vulnerable groups that require specialist housing e.g. people with learning disabilities
- Ensure that the development of new housing contributes to vibrant and sustainable town centres
- Ensure that we listen to the people whose housing needs we are trying to meet by consulting and checking back that we are delivering the right types of housing

1.2 Deliver a range of affordable homes that meet the needs of local residents and workers

- Explore the viability of delivering homes for social rent within new developments
- Increase the supply and uptake of affordable housing for keyworkers
- Diversify the provision of affordable housing through innovation and partnership working i.e. shared ownership, self-build, custom build and community-led schemes
- Ensure that the delivery of new housing is supported by and integrated with community facilities, businesses and employment, schools, transport and health and other services
- Work alongside landowners and house builders, including the University of Oxford, to develop affordable housing on allocated sites for households and key workers from Oxford with unmet housing need
- Contribute to the Oxfordshire Growth Deal programme to ensure affordable housing targets are met
- Work with existing Cherwell residents and partners to ensure the housing needs of expanding communities are met as well as the needs of Oxford residents
- Work within Local Plan parameters to increase the delivery of affordable housing within rural areas where unaffordability and the constraints on development are often a challenge

1.3 Work in partnership with private developers, registered providers, landowners and local communities to gain greater control over the delivery of housing, including new affordable housing

- Continue to seek the maximum amount of affordable housing when negotiating with developers on new schemes¹
- Take a more proactive approach to working with registered providers to encourage them to come forward with land-led development proposals
- Work closely with Homes England and other partners to pursue and bring forward public sector land for development
- Explore the potential for the council to take a lead role in land assembly
- Undertake social value assessments to enable decisions to be made about whether council land should be disposed of at or below market value – for the development of housing including affordable housing

1.4 Maximise and make best use of financial assets and resources, including those of the Council, Registered Providers and Homes England, to deliver affordable housing in the district

- Work with Build!², registered providers and community led developers to maximise grant funding that can be used for affordable housing development, including homes for social rent
- Raise the profile of our affordable housing needs and ambitions with Homes England in order to maximise the amount of funding we can access from the Shared Ownership and Affordable Homes Programme 2016-21
- Identify land in our ownership that can be considered for affordable housing development
- Lever Oxfordshire Growth Deal funding to support housing delivery in Cherwell
- Review our internal resources and structures to ensure we have the expertise and capacity in place to deliver on our affordable housing ambitions

¹ Local Plan affordable housing requirements are 30% in Banbury and Bicester and 35% in the rest of the district

² Build! is Cherwell District Council's in-house housing development and management company

Priority 2:

Improve the quality and sustainability of our homes and build thriving, healthy communities

Our objectives are to:

- 2.1 Improve the energy efficiency of the housing stock and reduce fuel poverty for low income and vulnerable households
- 2.2 Support residents to have a suitable home where they can live independently
- 2.3 Ensure the efficient use of the housing stock and maximise opportunities to meet housing needs
- 2.4 Improve the quality of new homes and the existing housing stock
- 2.5 Ensure effective enforcement action is taken to improve unsatisfactory rented accommodation
- 2.6 Demonstrate a corporate commitment to sustainable, healthy and thriving communities

Why is this important?

- An estimated 6,638 (11%) owner occupied and private rented homes have a serious health hazard as defined by the Housing Health and Safety Rating System
- Our owner occupied and private rented dwellings have a lower energy efficiency rating than the national average
- Just over 900 (6.2%) private rented dwellings in the district are estimated to have an Energy Performance Certificate rating below band E. This is below the rating now required, for a landlord to grant a new tenancy to new or existing tenants
- It is estimated that 8% of all households (over 3,000 owner-occupied households and 1,777 private rented households) experience fuel poverty, although this is lower than the national average of 11% of households. The highest concentrations of fuel poverty are in the rural areas of our district
- As of March 2018 there were 495 properties that had been empty for more than six months
- Due to new licensing requirements the number of licensable HMOs has increased from 84 to an estimated 431
- Oxfordshire is expected to see a substantial increase in the population of older people with the total number of people aged 55 and over expected to increase by 49% over 20 years
- Older people are more likely to live in owner-occupied and social rented accommodation than the private rented sector
- 22% of households in Cherwell include someone with a long term health problem or disability

- There is a correlation between age and long term health conditions or disability with 83% of persons aged 85 or older having a disability
- There is an evidenced need for a diverse range of supported housing including learning disabilities, people with physical disabilities and vulnerable young people including young parents
- The district is going through a period of high growth, with this rate of increase we must ensure the community infrastructure is in place to support sustainable communities
- Where we have achieved impact with our existing programmes we have the opportunity to expand on this good practice e.g. Graven Hill, Bicester Healthy New Town and Bicester Eco Town
- There is growing evidence that significant benefits for local people can be achieved by joining up the planning of housing, infrastructure and the economy with planning for residents' health and wellbeing

What we plan to do

2.1 Improve the energy efficiency of the housing stock and reduce fuel poverty for low income and vulnerable households

- Increase awareness of council services and initiatives in relation to warm homes, energy efficiency and retro-fit technologies
- Work in a coordinated way with local health partners to ensure residents in most need receive support to make their homes warmer (making every contact count)

2.2 Support residents to have a suitable home where they can live independently

- Continue to support and meet the demand for adaptations to assist older and disabled people to remain living independently in their own homes
- Support the delivery of new build adapted properties
- Provide supported housing as identified through Oxfordshire County Council's commissioning plans for Adult's and Children's Services
- Promote use of technology to enable disabled and older people to live independently
- Deliver the Government's Vulnerable Persons Relocation Scheme in Cherwell

2.3 Ensure the efficient use of the housing stock and maximise opportunities to meet housing needs

- Reduce the number of empty properties in the district, including refurbishment of flats above shops and conversion of commercial space to residential.

2.4 Improve the quality of new homes and the existing housing stock

- Improve conditions in the private rented sector by implementing actions arising from HMO licencing responsibilities, our formal and informal enforcement interventions and our grant and loan work

Increase our enforcement profile and interventions so that non-compliant landlords do not profit from providing poor quality accommodation

- Take a leadership role to influence developers and demonstrate that increased standards in new build housing are deliverable

2.5 Demonstrate a corporate commitment to sustainable, healthy and thriving communities

- Identify key partnerships that require housing representation and influence to deliver healthy communities, including establishment of a Cherwell Housing Board
- Increase corporate coordination in relation to housing activities across the council
- Implement a framework of engagement with RP partners to deliver thriving, healthy communities
- Adopt a corporate approach to commissioning services to support sustainable communities
- Use the learning from Bicester Healthy New Town to roll out new approaches to promoting health and wellbeing and tackling deprivation in other parts of the district

Priority 3: Enhance opportunities for residents to access suitable homes and have housing choices

Our objectives are to:

- 3.1 Provide an enhanced housing options service
- 3.2 Keep the Allocations Scheme under review to ensure it meets housing needs
- 3.3 Increase opportunities for people to access low cost home ownership and good quality private rented accommodation

Why is this important?

- Cherwell is a high growth area and the demand for housing is unlikely to subside in the foreseeable future
- Our customer base is expanding with more households, including working households, needing advice and help to access housing. This is because household income has not kept up with house prices and market rents in the private rented sector
- Housing Options services have traditionally worked with vulnerable people and those threatened with homelessness. As more households experience affordability issues with housing we need to offer advice to a wider group of people
- Housing needs outweigh supply of social and affordable rented housing so we need to widen the housing options on offer, this could include self-build opportunities at Graven Hill, shared ownership, rooms in shared houses and private rented sector properties
- The need for keyworker housing is high across the county, particularly for those working in Oxford city, and the Housing Options service needs to reflect this

What we plan to do

3.1 Provide an enhanced Housing Options service

- Provide a Housing Options service that responds to the diversity of need
- Promote a personalised approach which helps customers identify housing solutions that will meet their needs and aspirations
- Support customers to make positive and realistic choices about the type of housing they want to live in
- Ensure staff have the skills and training to offer good quality advice

- Ensure that good quality information on the housing opportunities in the district is made available across a range of media including comprehensive information on the web
- Increase opportunities to work with partner organisations to ensure residents get good quality housing advice when they need it

3.2 Keep the Allocations Scheme under review to ensure it meets housing needs

- Review our Allocations Scheme to ensure it continues to meet the needs of our communities

3.3 Increase opportunities for people to access low cost home ownership and good quality private rented accommodation

- Improve our relationships with the local private rented sector to increase innovation and support development of the market
- Work with Graven Hill to review the self-build mortgage pilot and establish how this and other council-led initiatives can help local people choose self and custom build to meet their housing needs
- Broaden the housing choices for older people including co-housing, shared ownership and smaller homes for open market sale³

³ In line with the Older People's Strategy 'Living Longer, Living Better' – Oxfordshire Health and Wellbeing Board

Resources

The resources available to deliver the housing strategy in Cherwell are as follows:

Council Resources

Staff Resources - The main staff resource is the Housing Team which consists of:

- The Housing Development and Strategy Team
- The Housing Options Service – focused on homelessness, providing general housing advice and maintaining the Council's housing register
- The Private Sector Housing Team

We will draw on officer time and expertise from other teams within the council as well including Build!, the Bicester Team, Planning Policy and Development Management, Transformation Team, Property and Investment Team and Communities Team. We will also consider the potential for council-owned land and other assets to be used to help meet local housing needs.

We are also sharing resource with Oxfordshire County Council at Assistant Director level to enable us to deliver our joint housing priorities and deliver better housing outcomes for older people, disabled people and other vulnerable groups.

Commuted Sums - Off-site contributions in lieu of affordable housing are provided by developers in exceptional circumstances where affordable housing is not provided on site. In these circumstances developers are required to pay a commuted sum which can then be used as an additional source of funding for affordable housing delivery.

New Homes Bonus - New Homes Bonus (NHB) is a grant paid by Central Government to local authorities to incentivise housing growth in their areas. Under the scheme Central Government matches the council tax raised on new build homes, conversions and long term empty homes brought back into use. The development of each additional affordable home attracts an enhancement of £350 per annum (over the period which the NHB is payable). Local authorities are not obliged to use the funding for housing purposes but we have set the enhanced payments (£350 per property per annum) aside to fund new affordable homes or services.

Private Sector Housing Grants and Loans

The Council received Disabled Facilities Grant funding of £1.012 million from the Better Care Fund (a programme seeking to join up health and care services) for 2018-19 and expects a similar or increased level of funding in future years. Alongside this there is a proposed budget of £150,000 in 2019-20 for discretionary private sector housing grants (including essential repairs, energy efficiency and landlord home improvement grants). We also have access to loan funding for improvements to private sector housing as we are members of Flexible Home Improvement Loans Limited.

Partners' Resources

In order to enable the delivery of new affordable housing we work in partnership with Registered Providers, who use their staff time to facilitate new development and invest their own financial resources to fund new build affordable housing. They also provide resources such as staff time to manage housing stock in our district and staff time and financial investment in community development activities.

Growth Deal

In March 2018 the Oxfordshire Authorities were successful in securing Housing and Growth Deal funding of up to £215 million from the Government to support the delivery of around 100,000 new homes across Oxfordshire between 2011 and 2031. This includes £60 million to deliver additional affordable housing and £150 million to deliver the infrastructure needed to accelerate the delivery of 100,000 homes across the County by 2031, both market and affordable. We wish to maximise the amount of funding from this source into the district. Currently £3,250,000 is allocated for 106 affordable housing units to be provided in Cherwell.

Homes England Funding

In April 2016 bidding was opened to the Homes England Shared Ownership and Affordable Homes Programme (SOAHP) 2016 to 2021. Initial allocations of capital grant for new affordable housing schemes were announced in January 2017 but this did not allocate the total budget, with £1.3 billion remaining available. This is being allocated through Continuous Market Engagement together with a share of the £1.4 billion announced in the Autumn Statement for new affordable homes outside London. In addition, in June 2018, an addendum to the SOAHP prospectus was published. This addendum invited bids against the available funding for a range of housing tenures, including social rent, which had previously not been funded.

Other Funding

There are additional sources of funding allocated to the council specifically for homeless work. These include:

Homelessness Prevention Grant - Central Government gives local housing authorities funding for homelessness prevention work (Homelessness Prevention Grant) within the council's wider local government settlement. This funding has been used by the Housing Team to support a range of community and voluntary sector groups to provide services within the district that are focused on supporting the prevention of homelessness. For example, the provision of drop in centres for people who are homeless or unsuitably housed, outreach and verification for rough sleepers and outreach for low to medium level victims of domestic abuse. The Homelessness Prevention Grant allocation for Cherwell District Council is as follows:

Homelessness Prevention Grant		
2017/18	2018/19	2019/20
£99,869	£100,211	£100,712

Flexible Homelessness Support Grant - The Ministry of Housing, Communities and Local Government (MHCLG) also provides Flexible Homelessness Support Grant (FHSG) to local housing authorities. FHSG is paid to local housing authorities as a grant and can be used in any way a local authority sees fit, to better manage temporary accommodation pressures. The grant is ring-fenced for activities to prevent and deal with homelessness.

Flexible Homelessness Support Grant Allocation		
2017/18	2018/19	2019/20
£178,538	£205,425	£265,225

Homelessness Reduction Act: New Burdens Funding - The government is providing funding to local authorities to help meet the new burdens costs associated with the additional duties contained within the Homelessness Reduction Act 2017. The local authority allocations cover: 2017/18; 2018/19; and 2019/20 and Cherwell District Council will receive the following:

Homelessness Reduction Act: New Burdens Funding			
2017/18	2018/19	2019/20	Total Allocation
£47,246	£43,277	£45,747	£136,270

In addition, to the above, all local housing authorities were allocated £9,200 as a one-off payment towards new ICT costs in relation to the new legislation. We used this money to pay for new homelessness ICT software.

Consultation

We consulted on the draft strategy for 7 weeks from December 2018 – January 2019.

We held a consultation event with Elected Members and our Portfolio Holder in October 2018, and have consulted widely with the public, internal stakeholders, public and voluntary sector partners and registered providers on the production of this revised version.

We consulted with partners as the strategy was being developed. Specific partners have also contributed data and verified findings as relevant.

Comments

We welcome any comments or queries about this strategy. Please send them to:

Housing Strategy and Development Team
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

Email: housing@cherwell-dc.gov.uk

Appendix 43

HSL Track Record

Hollins Strategic Land – Delivery Track Record

August 2019

The table below shows HSL sites with outline consent which are completed or under construction:

SITE	HOUSEBUILDER	STATUS	OUTLINE CONSENT	RM APP SUBMITTED	BUILD START
Oxford Road, Calne, Wiltshire (83 units)	David Wilson Homes	Under construction	04/7/16	8/7/17	JUNE 18
Hill Lane, Blackrod, Bolton (110 units)	Rowland Homes	Under construction	26/4/16	19/12/16	NOV 17
The Street, Bramley, Hampshire (65 units)	Taylor Wimpey	Under construction	25/5/16	05/02/18	SEP 18
Southwell Road, Farnsfield (48 units)	Bellway	Under construction	12/4/16	24/2/17	DEC 17
Hoyles Lane, Preston (48 units)	Jones Homes	Under construction	02/10/15	03/01/17	OCT 17
Chester Road, Whitchurch (57 units)	Hollins Homes	Under construction	17/12/14	10/12/15	APR 18
Kepple Lane, Garstang (130 units)	Barratt	Under construction	11/12/14	11/08/15	DEC 16
Hathern Road, Shepshed (270 units)	Persimmon	Under construction	07/11/14	12/04/17	OCT 17
Cookes Lane, Northwich (74 units)	Stewart Milne	Completed	23/10/13	03/11/14	NOV 17
Forest Grove, Barton, Preston (65 units)	Rowland Homes	Completed	13/7/13	05/12/13	OCT 14
North of Eastway, Preston (140 units)	Barratt	Completed	13/03/14	10/06/16	JUL 17
Eastway, Fulwood, Preston (22 units)	Hollins Homes	Completed	5/12/13	29/10/14	JAN 16
Lightfoot Lane, Preston (70 units)	Persimmon (Charles Church)	Completed	27/10/11	06/07/12	APR 14
Crewe Road, Alsager, Cheshire (65 units)	Miller Homes	Completed	18/01/13	28/3/13	MAY 15
Wheelock, Sandbach (41 units)	Taylor Wimpey	Completed	-	-	-
Hesketh Bank, Lancashire (35 units)	Rowland Homes	Completed	-	-	-
Grove Farm, Chorley (75 units)	Bellway	Completed	-	-	-

It takes on average around 12 months to submit a reserved matters (RM) application from outline consent, but in some instances only 2 or 5 months. On average, more recently, building is starting within 2 years from outline consent.

In addition, HSL can contractually oblige housebuilders to submit RM much quicker than would normally be the case if the housebuilder gained the outline consent themselves. This can be for several reasons: open marketing is a much more competitive process, with various housebuilders trying to outbid each other, as well as landowner seeking a return sooner. It is in HSL's interest to have reserved matters submitted as quickly as possible, either ourselves through our sister company Hollins Homes or a contractual arrangement to the housebuilder. HSL will also oversee and input our expertise into any RM application so the process is smoother and faster.

Appendix 44A

AMR Table 40 Assessment Table

Site no.	Location	Site	Site status	Application No. / Appeal Ref.	Dwellings with PP	Housing mix				
							1-bed	2-bed	3-bed	4-bed
1	Adderbury	East of Deene Close, Aynho Road, Adderbury	Complete	13/01768/F	60	No. of dwellings	2	14	8	36
						Percentage	3%	23%	13%	60%
2	Adderbury	Land north of Milton Road, Adderbury	Under Construction	14/00250/F & 17/00813/F	36	No. of dwellings	2	7	6 & 2	16 & 3
						Percentage	5%	19%	22%	51%
3	Adderbury	Land north of Banbury Road, Adderbury	Under Construction	13/00996/F Appeal Ref: 2213263	25	No. of dwellings	2	6	6	11
						Percentage	8%	24%	24%	44%
4	Ambrosden	Ambrosden Court, Merton Road, Ambrosden	Complete	13/00621/OUT Appeal Ref: 2206998 15/00480/REM	45	No. of dwellings	0	12	16	17
						Percentage	0%	27%	36%	38%
5	Ambrosden	Church Leys Field, Blackthorn Road, Ambrosden	Under Construction	16/02370/F	85	No. of dwellings	5	15	24	41
						Percentage	6%	18%	28%	48%
6	Bletchington	Land north of Station Road, Bletchington	Under Construction	13/00004/OUT 14/01141/REM	58	No. of dwellings	2	19	18	19
						Percentage	3%	33%	31%	33%
7	Bodicote	Cotefield Farm, Bodicote	Complete	16/01599/F	4	No. of dwellings	0	0	0	4
						Percentage	0%	0%	0%	100%
8	Bodicote	Cotefield Farm, Bodicote Phase 2, Bodicote	Under Construction	14/02156/OUT 18/00193/REM 18/01309/REM	95	No. of dwellings	4	25	30	36
						Percentage	4%	26%	32%	38%
9	Chesterton	The Paddocks, Chesterton	Under Construction	14/01737/OUT 16/00219/REM	45	No. of dwellings	4	11	12	18
						Percentage	9%	24%	27%	40%
10	Hook Norton	Land north of Hook Norton Primary School and south of Redland Farm, Sibford Road, Hook Norton	Under Construction	14/00844/OUT 17/00950/REM	54	No. of dwellings	4	12	16	22
						Percentage	7%	22%	30%	41%

11	Kidlington	4 The Rookery, Kidlington	Complete		20 (31 approved)	No. of dwellings	14	17	0	0
						Percentage	45%	55%	0%	0%
12	Kidlington	Co Op, 26 High Street, Kidlington	Under Construction		52	No. of dwellings	0	52	0	0
						Percentage	0%	100%	0%	0%
TOTALS					590	No. of dwellings	39	190	138	223
						Percentage	7%	32%	23%	38%
SUB TOTALS – ADDERBURY					122	No. of dwellings	6	27	24	66
						Percentage	5%	22%	20%	54%
SHMA Table (policy BSC4)						Percentage	15%	30%	40%	15%

Note: 4-bed figures also include 5-bedroomed dwellings

Note: Site 4 provides 44 dwellings (RM for 45 and demolition of existing dwelling (existing dwelling size unknown))

Note: AMR states site 6 provides 61 dwellings but RM approval for 58

Note: Site 11 is McCarthy and Stone scheme (AMR states 20 dwellings, RM approval secures 30 net)

Note: total figure of 593 does not match with 39 + 190 + 138 + 223 – to be checked # (Now checked and sorted)

Extract from site 4 off report –

The development proposes a range of 2, 3, 4 and 5 bedroom dwellings which in officers' view constitutes a suitable mix. Whilst the scheme features a relatively high proportion of 3 bedroom dwellings, the Oxfordshire SHMA concluded that Cherwell District had a greater proportionate need for 3 bedroom dwellings than the rest of the county and so officers consider the mix and type of housing provided to be appropriate and in general accordance with the requirements of Policy BSC4.

Appendix 44B

AMR Table 41 Assessment Table

Site no.	Location	Site	Application / Appeal no.	Dwellings with PP	Permitted dwellings not started with a 10% non-implementation rate	Dwellings without PP	Outline PP or Full/RM	If outline: housing mix condition imposed?	If Full/RM approval: housing mix				
										1-bed	2-bed	3-bed	4-bed
1	Ambrosden	Land at Merton Road, Ambrosden	18/02056/OUT 3228169	84	76	0	Outline	No					
2	Arcott	Land at Arcott Hill Farm, Buchanan Road, Arcott	-	-	-	17	-	-					
3	Bodicote	Land at Tappers Farm, Oxford Road, Bodicote	17/00792/OUT 3222428	46	41	0	Outline	No					
4	Deddington	Stone Pits, Hempton Road, Deddington	-	0	-	21	-	-					
5	Kidlington	2 – 4 High Street, Kidlington	18/00809/056	16	14	0	Full	-	No. of dwellings	14 (incl. 4No. studio flats)	2	0	0
									Percentage	88%	12%	0%	0%
6	Kidlington	British Waterways Site, Langford Lane, Kidlington	17/01556/F	10	9	0			No. of dwellings	0	0	6	4
									Percentage	0%	0%	60%	40%
7	Kidlington	Kings Two Wheel Centre, 139 Oxford Road, Kidlington	18/01388/F	10	9	0	Full		No. of dwellings	2	8	0	0
									Percentage	20%	80%	0%	0%
8	Kidlington	Taylor Livock Cowan, Suite F, Kidlington Centre, High Street, Kidlington	18/00587/F	10	9	0	Full		No. of dwellings	8	2	0	0
									Percentage	80%	20%	0%	0%
9	Launton	South east of Launton Road and North East of Sewage Works, Blackthorn Road, Launton	17/01173/OUT 19/02419/REM	66*	59	0	Outline/RM	No	No. of dwellings	6	16	25	19
									Percentage	9%	24%	38%	29%
10	Milcombe	Land north of The Green and adj. Oak Farm Drive, Milcombe	19/00045/OUT 19/00046/REM	40	36	0	Outline/RM	No	No. of dwellings	5	14	14	7
									Percentage	13%	35%	35%	18%
11	Sibford Ferris	Land north of Shortlands and south of High Rock, Hook Norton Road, Sibford Ferris	18/01894/OUT Appeal 3229631	25	23	0	Outline	No					
12	Weston on the Green	Land north of Oak View, Weston on the Green	13/01796/OUT 16/00574/REM	20	18	0	Outline/RM	No	No. of dwellings	0	7	1	12

									Percentage	0%	35%	5%	60%
TOTALS			327	294	38	-	-	-	-	-	-	-	-
TOTALS where housing mix not secured on outline consent			155	140	-	-	-	-	-	-	-	-	-
TOTALS where housing mix approved			172	154	-	-	-	No. of dwellings	35	49	46	42	
								Percentage	20%	28%	27%	24%	
SHMA Table (policy BSC4)			-	-	-	-	-	Percentage	15%	30%	40%	15%	

*AMR states PP for 72 with non-implementation to 65 but RM approval is for 66

Note: Table does not confirm 5+ beds, covered by 4-bed figure

Appendix 45

State of District Housing

Cherwell



DISTRICT COUNCIL
NORTH OXFORDSHIRE

Cherwell District Council

State of the District's Housing 2018

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1. Introduction

Cherwell district lies in the South East of England at the north-eastern edge of Oxfordshire. The district is predominantly rural in character covering an area of 227 square miles. There are two major towns, Banbury and Bicester, Kidlington (a large village) and 72 smaller villages.

This State of the District's Housing Report provides an evidence base regarding housing issues across the district. It outlines some of the key findings about housing needs in the district and informs our new Housing Strategy.

The report covers the main aspects of the local housing market, including housing need and demand, the condition of the housing stock and affordability issues. It sets out the housing challenges, threats and opportunities for the district. The report presents various data sets and provides a commentary to illustrate what the data means in terms of future planning and housing delivery.

This report does not include detailed homelessness data as this area was covered in a comprehensive review of homelessness undertaken between December 2017 and April 2018. This homelessness review informed our new Homelessness Strategy 2018-2020 and can be found at <https://www.cherwell.gov.uk/info/55/strategy-policy-and-development/544/homelessness-review-and-strategy>

For any further information, please contact the council's Housing Strategy and Partnerships Team via the details below:

Housing Strategy and Partnerships Team

Cherwell District Council

Bodicote House

Bodicote

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2. People: our population, housing demand and local housing need

2.1 Population and migration

Changes in population can occur either naturally (births and deaths) or through migration into and out of the area. Population growth and composition are important as they influence the amount, type and tenure of housing required in an area. This section uses data from the Office for National Statistics (ONS) mid-year population estimates 2017 (unless stated otherwise).

2.1.1 National Context

Before considering local data for Cherwell it is useful to look at the national trends, which can provide a useful baseline and additional context.

- The population of the UK at 30 June 2017 exceeded 66 million people (66,040,229), an increase of 392,000 people since mid-2016. This represents a growth rate of 0.6% per year, the lowest since mid-2004. The trend of decreasing national growth is expected to continue, as household size and fertility rates are expected to reduce over time. However, the population will continue to grow as life expectancy increases.
- 41% of the population growth occurred from natural change (births minus deaths) and 59% through net internal migration¹.

2.1.2 Local Context – Population Change

The current population of Cherwell district is estimated at 147,602. Since last year it is estimated that the population of Cherwell district increased by 967 (0.7% - this is above the 0.6% UK growth rate) from 146,635 to 147,602. By comparison the population growth for Oxfordshire over the last year was 0.6% (Oxfordshire's population is now 682,444). In the last year:

- There were 1,768 births and 1,256 deaths in Cherwell. This makes natural change (the difference between births and deaths) 512.
- There were 8,681 internal in-migrants and 8,397 internal out-migrants. This makes net internal migration 284.
- There were 1,054 international in-migrants and 936 international out-migrants. This makes net international migration 118.
- Changes to special populations (home armed forces, foreign armed forces and the prison population) increased the population of Cherwell by 59.
- 38% of the population of Cherwell live in the rural areas

For the first time since 2004 Cherwell has seen a net gain (+284) in the number of internal migrants (people moving from other districts within the UK). According to the ONS data, the majority of internal migrants in 2015/16 moved from Oxford. As Oxford is experiencing extremely high levels of housing unaffordability (among the highest in the country), this could be a significant driver.

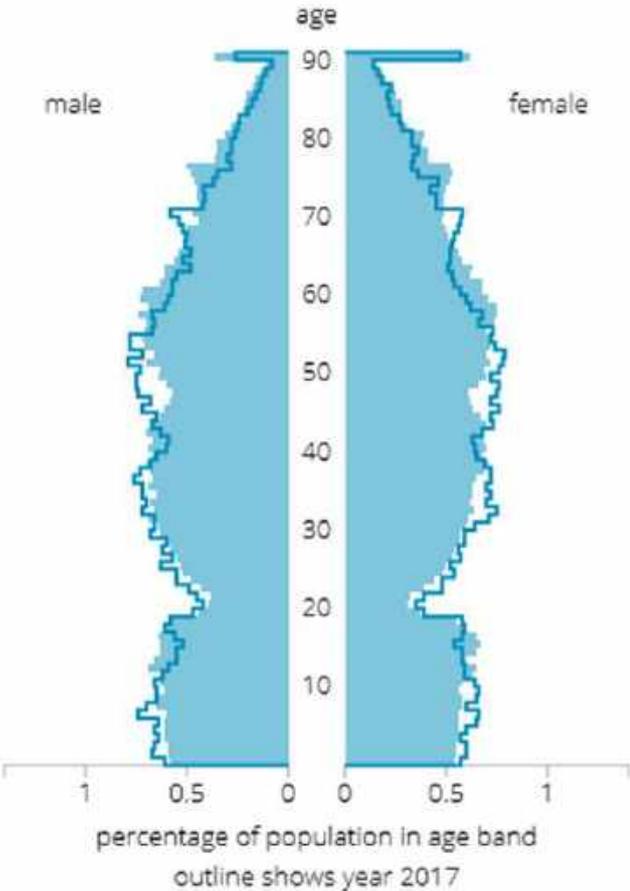
Net international migration is also a significant driver of population growth in Cherwell, and for 2017 it has been at its lowest levels (+118) since the ONS started publishing this statistic (2001-02). Nationally there has been a reduction in net international migration too. This is the first year where we have seen the potential effects of the Brexit vote in both local and national population statistics.

¹ *Internal migration definition* - Migration within the UK - Residential moves between different geographic areas within the UK sourced from the NHS Patient Register, the NHS Central Register (NHSCR) and the Higher Education Statistics Agency (HESA).

There are some notable changes relating to surrounding districts. Cherwell has a close economic relationship with Oxford City, so it is interesting to note that the population of Oxford has decreased by 710 (less than -0.5%). This is largely due to high levels of internal and international out migration from younger age groups (less than 30 years old).

2.1.3 Local Context - Population Age Profile - Population pyramids are an easy and simple way of viewing the internal distributions of gender and age characteristics within an area.

Population age structure by single year of age and sex for Cherwell, mid-2017 to mid-2023.
Source: Subnational population projections for England: (2016-based)



Cherwell’s population pyramid has some interesting features. In the higher age bands, there is a noticeable larger proportion of females than males. This is largely due to differences in life expectancy. However over time the ratio of males to females is expected to increase, reflecting a fall in the proportion of males who smoke or hold a higher risk occupation. There is also a significant (although historically consistent) decrease in the number of younger people aged 18-23. This is mainly due to further education students moving to university towns.

The 2017 median age of the population of Cherwell was 40.9 years compared to a national median of 39.8.

2.1.4 Population distribution - the population of Cherwell of 147,602, is located across the district as follows:

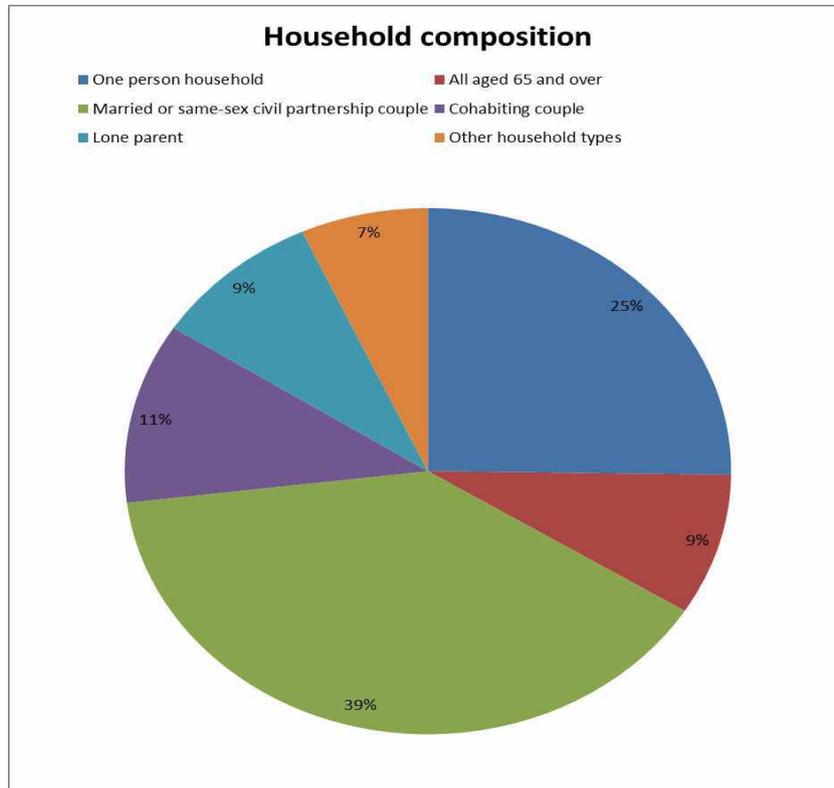
- Banbury: 47,710 (32%)
- Bicester: 30,910 (21%)
- Kidlington: 13,790 (9%)

- Other rural settlements: 55,192 (38%)

The population for Bicester has not fallen since the Census 2011 as the figure above suggests. The increase in housebuilding on the perimeter of Bicester is not included within the Census boundary definition, hence the apparent reduction in population.

2.1.5 Resident Population - Household Composition

The household composition of the district's population (Census 2011) is outlined below:

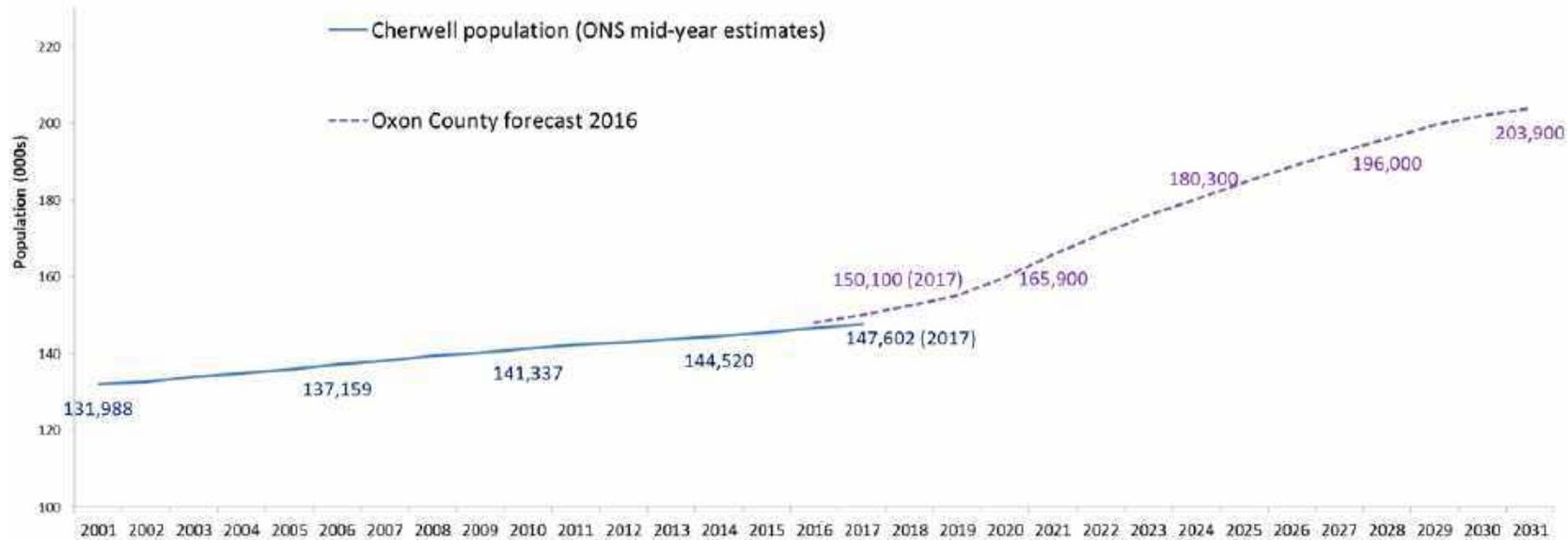


Half of the population are either married or co-habiting households under 65 years of age, and 25% (14,307 households) of the population are single person households under 65 years of age. The remaining 25% comprise lone parents (4,930 households), persons over 65 years of age (5,122 households) and other household types (3,858). Approximately half of married couples in the district have dependent children.

2.1.6 Future trends – Population and migration

There are different data sources we can refer to in relation to population forecasts: ONS mid-year population estimates; and Oxfordshire County Council figures. Both of these data sources predict that the population will grow but they differ in terms of the amount of population growth expected (see graph below).

Population time series - Cherwell population: estimates and forecast



Sources used:

Oxfordshire County Council Forecasts - <http://insight.oxfordshire.gov.uk/cms/population-0> - This forecast comes from Oxfordshire County Council's Research and Intelligence Unit. Unlike the SHMA figures, these include the population effects of the reallocation of Oxford City's unmet housing need. This incorporation makes the figures vary from the SHMA population forecast which were undertaken prior to work around the unmet housing need.

ONS Mid year estimates - The mid-year estimates use the 2011 Census for the population base and the ONS then apply a method which incorporates natural change (births and deaths), net international migration and net internal migration, and other adjustments (for example, changes in armed forces numbers) to produce the annual estimates.

Oxfordshire County Council forecasts a population of 203,900 in Cherwell by 2031, an increase of 38%. These population forecasts take into account the ambitious homebuilding outlined in the Local Plan for the council, which is the main driver for the forecast increase in population.

The Office for National Statistics (ONS) population projections which are entirely based on trend data and do not take into consideration the housebuilding of local authorities, predicts growth for the next 25 years will be approximately 8.7%. This means the population would be 160,443 in 2043.

2.1.7 Indices of Multiple Deprivation

Cherwell is a relatively affluent district which ranks positively for many socio-economic measures, for instance unemployment, life expectancy, and homelessness. However, these district wide statistics often stand in contrast with pockets of deprivation found within Cherwell; these geographical areas of inequality are highlighted by the Indices of Multiple Deprivation 2015², with the highest areas of deprivation particularly focused in the Banbury area. Banbury contains 4 Local Super Output Areas (LSOAs) in the highest quintile (20%) of deprivation nationally. These LSOAs are clustered within the “Brighter Futures in Banbury” wards of Ruscote, Neithrop and Grimsbury & Castle.

Bicester also contains areas of deprivation; however these LSOAs are not as concentrated as in Banbury, making a directed ward-centric approach to address the deprivation (similar to that of “Brighter Futures in Banbury”) more difficult.

2.2 Local Housing Demand and Need

2.2.1 Demand

Historically there has been strong demand for housing in Cherwell district. The growing population and decreasing household sizes is set to increase demand further.

2.2.2 Need for affordable housing

The main source for identifying housing demand and need in Cherwell district is the Oxfordshire Strategic Housing Market Assessment. This provides projected annual need for market and affordable housing in the area.

In the urban areas (mainly Banbury and Bicester) this, together with housing register data (house type/size requirements for a specific area) is generally sufficient as a guide to housing need.

In the rural areas a variety of sources will be considered to determine an appropriate affordable need/housing mix. This includes looking at:

- The existing affordable homes stock profile
- The housing register
- Neighbourhood plans
- Parish level housing need surveys

Currently, parish level housing need surveys are usually parish/developer led, that is they are carried out by the council on request, rather than the council initiating the work. This happens

² The English Indices of Deprivation 2015 is the most recent official measure of relative deprivation across small areas of England (LSOAs are used). A higher score indicates that an area is experiencing high levels of deprivation. It is important to note that the IMD is primarily designed to compare rankings between LSOAs, and as such there are some limitations when using it to measure deprivation. An area may have become less deprived in absolute terms, but more deprived relative to other areas in England so may show as being more deprived in the IMD scores.

to either support or refute a perceived need for affordable housing in the local community and are a material consideration in determining the outcome of planning applications.

2.2.3 Strategic Housing Market Assessment

The Oxfordshire Strategic Housing Market Assessment (SHMA) is a crucial part of the evidence base that informs policy and helps strategic thinking in housing and planning. The SHMA provides an assessment of the future need for housing based on facts and unbiased evidence. The latest version was published in 2014 and identified a need for between 93,560 and 106,560 additional homes across Oxfordshire over the period 2011–2031. This overall need for new homes has been broken down at a local authority level.

Housing Needed per Year (2011-31)	Housing Need per year (net)	Midpoint of Range
Cherwell	1090-1190	1140
Oxford	1200-1600	1400
South Oxfordshire	725-825	775
Vale of White Horse	1028	1028
West Oxfordshire	635-685	660
Oxfordshire	4678-5328	5003

As well as considering the overall need for housing, the SHMA considers what mix of housing is needed. It assesses the need for different types of affordable housing, for different sizes of homes (both market and affordable) and the needs of specific groups in the population, including older people.

The SHMA indicates a need to deliver 2,370 affordable homes a year across Oxfordshire on the basis that all households who cannot meet their needs in the housing market are allocated an affordable home (assuming that households will spend up to 35% of their gross income on housing costs). At a district level the amount of affordable housing necessary to meet the affordable housing need identified is 407 units per annum (this equates to 35% of overall delivery).

The assessment also indicates that the mix of affordable housing sought on development sites should be 25% intermediate housing³ and 75% rented. The rented affordable housing should be focused slightly more towards social rent than affordable rent. However, the assessment highlights that in setting policies and negotiating affordable housing provision on development sites the council needs to consider development viability, national affordable housing policy and funding availability. The Council therefore requires that 30% of the affordable housing on development sites should be for intermediate housing and 70% should be for rented.

As well as the type of housing required, the assessment concludes that the following size of homes across the housing market area is appropriate:

	1 bed	2 bed	3 bed	4 bed
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All dwellings	15%	30%	40%	15%

³ The term 'intermediate housing' describes a range of homes for sale and rent provided at a cost above social rent, but below market levels subject to the criteria in the National Planning Policy Framework's affordable housing definition. These can include shared equity (shared ownership and equity loans), and intermediate rent. Homes that do not meet the National Planning Policy Framework definition of affordable housing such as 'low cost market' housing, may not be considered as affordable housing for planning purposes.

At an individual local authority level, there is a greater need for three bedroom properties in Cherwell. The assessment emphasises that it is expected that developers will deliver a balanced profile of market homes of different sizes including two and three bedroom homes for younger households and those looking to downsize, alongside larger family homes. It also highlights that affordable housing negotiations should be informed by the findings of the SHMA together with other evidence.

Unmet housing need – Following publication of the SHMA, Oxfordshire councils have collectively accepted that Oxford City cannot fully meet its own future housing needs. The other district councils in Oxfordshire (West Oxfordshire, South Oxfordshire, Vale of the White Horse and Cherwell) have committed to discussions on how that need might be sustainably met in their districts. This means that Cherwell district has to plan for its own housing need as well as a proportion of Oxford City’s housing need of 1400 dwellings per year.

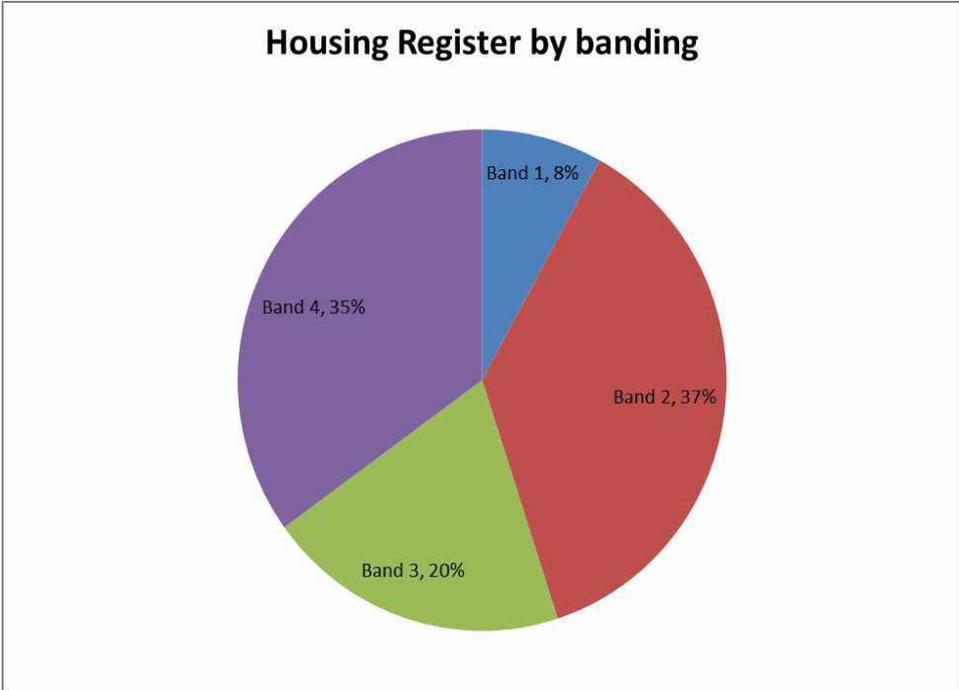
2.2.4 Housing Register

The number of active applications on the housing register fluctuates at around 1,000. This is a consistent trend that reflects how the housing register is replenished with new applications as applicants are rehoused. As at April 2018 there were 1,044 active housing register applications.

Applicants fall into one of four housing needs categories:

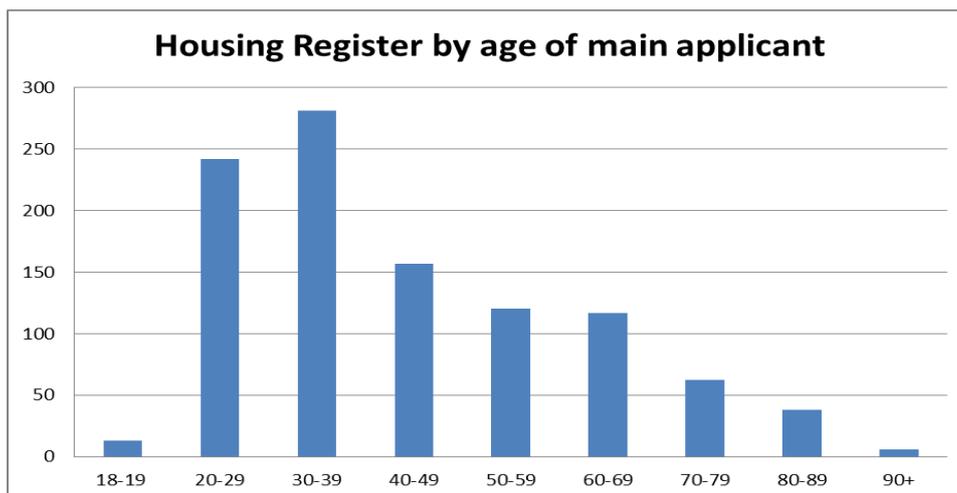
- Band 1 (Urgent need)
- Band 2 (Significant need)
- Band 3 (Moderate need)
- Band 4 (Low housing need)

Banding - all applicants accepted onto the housing register are assigned one of the four bands available, based upon an applicant’s housing and other relevant circumstances. The breakdown of applicants by banding is shown below:



The majority of applicants (65%) are in Bands 1 to 3. These are households assessed as being in priority housing need. The remainder (35%) are in band 4 (low housing need). These are households assessed as being adequately housed but are on a low income and would find it difficult to meet their needs on the open market.

Age - The age profile of lead applicants on the housing register is shown below:



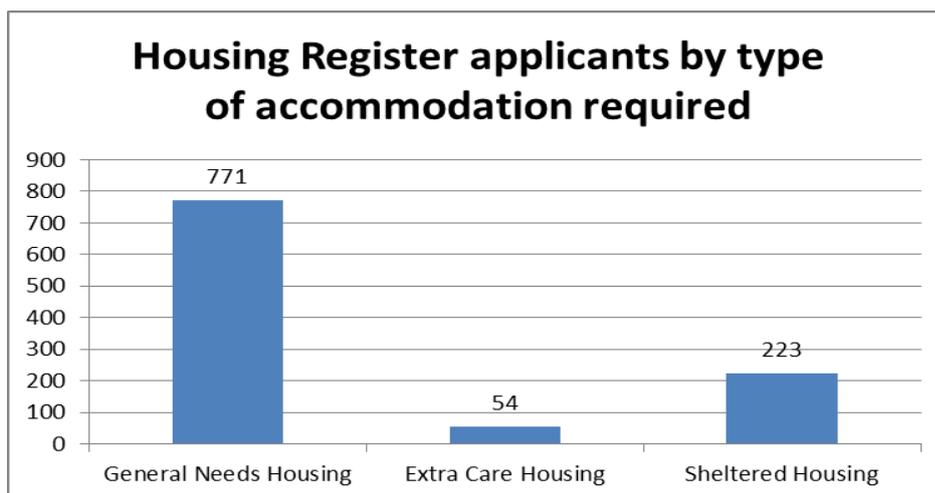
As at April 2018, there were relatively few lead/main applicants on the register under 20 years of age. There are significant numbers of applicants between the ages of 20-39. Beyond 40 years of age the number of applicants falls progressively with age.

Size & Type of housing need - The type of households on the housing register and the size of properties they require are as follows:

Household Type	Current Bedroom Need				Grand Total
	1	2	3	4	
Couple	36	3	0	0	39
Disabled	22	5	6	2	35
Family	6	332	142	37	517
Older Persons	243	12	4	0	259
Single	188	6	0	0	194
Grand Total	495	358	152	39	1044

The predominant households on the housing register are families (requiring two and/or three bedroom properties) and older people (requiring one bedroom properties). Over 80% of the properties needed by applicants are one or two bedroom.

The majority of housing register applicants (74%) require 'general needs' housing, but there is also significant need for supported housing with 26% of applicants needing either sheltered or extra care housing. Further information on the needs and availability of accommodation for older people is included later in this section.



Where do applicants want to live? – housing register applicants are able to specify as many areas as they wish for potential re-housing and there is no limit to the number of locations that they can select. The current system does not allow applicants to select a preferred village for re-housing. Therefore the ability to use the housing register to inform affordable housing location requirements on new developments is limited.

The most requested places to be re-housed are Banbury, Bicester and Kidlington. The village locations in the district which are most requested are:

- Adderbury
- Ambrosden
- Arncott
- Bloxham
- Bodicote
- Deddington
- Drayton
- Launton
- Upper Heyford
- Yarnton

2.2.5 Requirement for Intermediate Housing

Shared ownership is the predominant intermediate product in the district. Shared ownership is available to people who cannot afford to buy a home on the open market and can help to make home ownership affordable for people on lower incomes. Purchasers buy a share of between 25-75% of a property with the opportunity to purchase further shares over time, known as 'staircasing' (restricted to 80% share in some rural areas). The remaining share is owned by a housing association (Registered Provider) and a subsidised rent is charged on the retained share of the property.

A register of people interested in shared ownership and other intermediate products is held by the "Help to Buy" agent for the South of England Region. There are currently 982 registered applicants for shared ownership properties in Cherwell district.

2.2.6 Self Build Register

The Self-Build and Custom Housebuilding Act 2015 places a duty on local councils in England to keep a register of people who are interested in self-build or custom-build projects in their area. This register will help us to understand the level of demand for self-build and custom-build plots in the district and enable us to develop a strategy for delivering serviced plots for self-build and custom-build projects. The register is split into two parts; Part 1 and Part 2.

Part 1 of the register is the number of suitable serviced plots that we must grant development permission for. As of October 2018 there are 18 households registered on Part 1 of our register.

Part 2 does not count towards demand for the purpose of the 2015 Act (as amended) but we must have regard to these entries when carrying out their planning, housing, land disposal and regeneration functions. There are 549 households registered on Part 2 of our register.

2.3 Housing Needs of Specific Groups in the Population

2.3.1 Older People

The SHMA considers the housing needs of specific groups within the population whose needs may differ from those of the wider population. This section uses data in the SHMA 2014 unless stated otherwise. When looking at the needs of older people the SHMA focuses on age groups from 55 upwards. Although in reality those aged 55 might not be considered 'old' the SHMA started the analysis from this age group due to the fact that some housing developments are specifically targeted at the over 55 age group.

Oxfordshire is expected to see a substantial increase in the population of older people with the total number of people aged 55 and over expected to increase by 49% over 20 years. A particularly high increase is expected in Cherwell. This to some degree is related to the higher overall population growth projected for the district. All areas of the county including Cherwell are expected to see the number of people over 85 increase significantly by 2031.

Projected Change in Population of Older People (2011 to 2031)

Age group	Cherwell	Oxfordshire
Under 55	21.2%	28.7%
55-64	32.4%	25.5%
65-74	61.6%	49.7%
75-84	76.7%	66.4%
85+	142.8%	126.8%
Total	31.1%	34.3%
Total 55+	58.0%	49.3%

Source:Oxfordshire SHMA 2014

The SHMA looks at the tenure of older person households. In Cherwell pensioner households are more likely to live in owner-occupied accommodation (71.5%). They are also more likely than other households to be in the social rented sector. The proportion of pensioner households living in the private rented sector is relatively low. Across all tenures older persons are more likely to under-occupy homes.

There are higher levels of disability and health problems amongst older people. The Joint Strategic Needs Assessment 2018 (JSNA) for Oxfordshire states that 83% of persons aged 85 or over have a disability and the highest rate in Oxfordshire is in Kidlington North. Attendance Allowance is a good indicator of disability and/or mobility problems. The JSNA highlights that in May 2017 38% of Cherwell residents aged 85 and over were receiving Attendance Allowance. The growing older population and the fact that these residents have higher levels of disability and health problems is likely to lead to an increased requirement for specialist housing options.

The SHMA analysis indicates a potential need for between 280-450 additional housing units of specialist accommodation across Oxfordshire each year to meet the needs of the older person population through to 2031.

The council's housing register also provides information on the level of need for specialist housing options. 21% of households on the housing register need sheltered accommodation, of which 94% require one bedroom properties. There is also a very small

need (5%) amongst households on the housing register for Extra Care accommodation. The level of support in Extra Care accommodation is greater than that for sheltered accommodation and the eligibility criteria includes passing a three way assessment process including the council's Housing Options Team, Social Care and the individual scheme manager. The low level of need for Extra Care retirement housing is surprising given the ageing population, but could be a reflection of the lack of awareness of the availability of this type of accommodation and who is eligible for it.

2.3.2 Disability

Disabled people often have housing needs that differ from those of the wider population. It should be noted that an analysis of disabled people is very strongly linked with the above analysis of older people. The SHMA states that 13.7% of the population in Oxfordshire have a long-term health problem or disability. It also shows that 21.7% of households in Oxfordshire contain someone with a long-term health problem or disability. Both of these figures are below the regional and national averages.

Households and people with a long-term health problem or disability (2011)

Area	Households containing someone with a health problem		Population with a health problem	
	Number	%	Number	%
Cherwell	12,522	22.1	20,072	14.1
Oxfordshire	56,264	21.7	89,756	13.7
South East	839,086	23.6	1,356,204	15.7
England	5,659,606	25.7	9,352,586	17.6

The SHMA compared age with the prevalence of a long-term health problem or disability, and clearly showed the correlation between the two. The assessment then went on to consider age specific prevalence rates with population projections. This showed the number of people with a long-term health problem or disability will increase by 50% by 2031. The vast majority of this increase (76%) is expected to be in age groups 65 and over.

Disabled Facilities Grants and Discretionary Grants and Loans - Perfectly good homes can be quite unsuitable for occupants with mobility needs, to the extent that they can be dangerous and isolating. Adaptations are needed by many disabled people so that they can remain safe and independent.

A Disabled Facilities Grant (DFG) is a 'means-tested' financial grant that helps meet the cost of adapting a disabled person's home. An occupational therapist from the county council will usually decide what adaptations are necessary and appropriate to meet the disabled person's needs.

In 2017/18, 90 'mandatory'⁴ DFGs were completed using the in-house Home Improvement Agency, at a total cost of £771,000. Assistance was provided across a wide range of age groups, although over half (61%) of the grants provided were to those over 65 years of age:

⁴ Mandatory DFGs are those that the council are obliged to provide in accordance with the Housing Grants, Construction & Regeneration Act 1996. This is when works are judged necessary and appropriate to meet as disabled person's needs, if those works are reasonable and practicable. Grants are subject to a means-test (except in the case of children) up to a maximum of £30,000 and must be approved within set timescales.

Mandatory DFG recipients by age 2017/18

Age	Number
18 and under	7
19 - 65	28
66 - 79	28
80 and above	27
Total	

The type of adaptation carried out varies. The cost of each adaptation can also vary significantly depending on the nature of the property and the person's needs. The table below provides a summary of the works completed for 2017/18 and the typical amount of grant paid per adaptation. Grants are capped at a maximum of £30,000 and so a financial contribution is required from the applicant in some cases where the cost of works exceed this amount.

Type of work	Number*	Typical grant contribution
Level access showers	48	£4,500
Internal/external access (including ramps)	22	£5,000
Straight stairlift	14	£2,000
Major adaptations (including 1 through floor lift)	10	£30,000
Curved stairlift	6	£4,000
Specialist WCs	2	£4,000
Cubical shower	2	£7,000
Adapted kitchen	2	£8,000
Over bath showers	1	£1,000
Ground floor WC	1	£3,000
Shower pressure	1	£1,000

*the number of individual works is likely to exceed the total number of grants as each grant may contain multiple works.

Comparison of timescales to complete different works can be difficult. There can be a number of factors which might cause delay that are outside the control of the local authority and/or Home Improvement Agency. Multiple adaptations can also be installed which affects timescales. However, where single adaptations were installed during 2017/18, the time taken from application to completion was generally under two months for level access showers and stair lifts. Adaptations relating to access, including ramps, were generally quicker and usually took less than one month from application to completion.

Discretionary Grants and Loans – As well as mandatory DFGs the council also provides discretionary DFGs. These are primarily provided in urgent, end-of-life cases or relocations where the mandatory DFG system would not meet the applicant's needs. In 2017/18 the council completed 18 discretionary DFGs at a total cost of £73,000.

2.3.3 Supported Housing Requirements

Cherwell has a diverse range of supported accommodation for different client groups. The breakdown of accommodation by client group (not including older persons housing) is as follows:

Client group	Number of units in District	Percentage of supported housing stock	Comments
Learning Disability	82	29%	Commissioned provision
Single Homeless People	13 plus 11 additional units in Oxford City	10%	These are district local units. Additional units commissioned for Cherwell residents are situated in Oxford City
People with mental health issues	31	13%	These are beds within the mental health transitional pathway
People with physical disabilities	33	13%	Schemes with on-site support
People with drug and alcohol needs	14	6%	Although this is situated in Cherwell it takes referrals from all over the country
Vulnerable young people including young parents	61	24%	Young people's pathway
Domestic Abuse (Refuge)	12	5%	Commissioned provision
Total Provision	257		

Supported housing for people with Learning Disabilities - Housing for people with learning disabilities is commissioned by the county council and mostly provided by registered providers. It is the primary responsibility of the Adult Services Team but they work closely with the Children's Services Team to plan for children with a learning disability as they reach 18. There is a need for a diverse range of accommodation, including provision for complex needs and autism and accommodation for people with lower support needs. There is a move away from the shared house arrangement to clusters of self-contained housing which enables greater independence and efficiencies in the way care is delivered. This means that there is a need to recommission a number of units as well as provide for new needs:

	Total	18/19	19/20	20/21
Current provision	82			
Re-provision requirements	26	12	12	12
New requirements	4	4	0	0
Total requirements	30	16	12	12
Pipeline	6	16	0	0
Current shortfall	24	0	12	12

Single Homeless Provision - The pathway now consists of 11 beds in an Oxford hostel for people with complex needs and 13 beds situated within Cherwell for people ready to move-on but which includes one bed for emergency assessment for people who have been verified as rough sleeping.

In 2020 the funding for this current pathway comes to an end and work is on-going to consider how the service can be funded moving forwards.

There remains a small but entrenched group of rough sleepers who are not engaging with services.

Supported housing for people with Mental Health issues - There is a clear link between mental health issues and poor housing provision. Research has shown that those who are homeless, or at risk of homelessness, are much more likely to experience mental distress. Provision of the right housing with the right support can help to reduce homelessness. Mental ill health is different for each individual, and problems can occur at any point in our lives. As a consequence of these diverse needs, housing solutions must be equally diverse. This requires taking into account the different types of support that people need and how that changes over time.

Most mental health services are delivered outside of a supported housing setting. However some people need supported accommodation. The district is part of a countywide mental health project. There are 31 bedspaces in Cherwell commissioned by the Oxfordshire Clinical Commissioning Group and Oxfordshire County Council. These are predominantly shared housing with more self-contained accommodation at Palm Court in Bicester. Current provision consists of the following units

Scheme	Number of places
Easington Gardens, Banbury	3
Springfield Avenue, Banbury	3
Gillet Road, Banbury	3
Whykham Place, Banbury	2
Oxford Road, Banbury	9
Palm Court, Bicester	8
Tweed Crescent, Bicester	3
TOTAL	31

These units meet a variety of needs but with a view that people will eventually move through the pathway to general needs accommodation with support as required.

There is a shortfall in mental health provision for specific groups. These include:

- people with challenging behaviour
- people with complex needs/dual diagnosis
- older people with mental health issues

The Clinical Commissioning Group and Oxfordshire County Council are currently working on a five year plan looking at the future requirements of mental health services.

Supported housing for people with Physical Disabilities - the majority of people with a physical disability can be housed in general needs accommodation with appropriate adaptations and accessibility standards. However there is a need for provision for people with greater care and support needs. The district currently benefits from the following provision:

- Agnes Court, Banbury (23 units)
- Hanwell Chase, Banbury (5 units)
- Old Place Yard, Banbury (5 units)

The current provision for people with physical disabilities is now adequate but we will continue to work with the county council on emerging new needs.

Provision for those with drug and alcohol issues - In general, admissions to hospital for alcohol related issues are below the national average.

General support services for residents with drug and alcohol issues are provided through Turning Point hub in Banbury.

There is a therapeutic community situated within Cherwell called The Ley Community. This takes residents from across the county and beyond and is not specific provision for Cherwell residents.

Supported housing for Vulnerable Young People - Cherwell provides three pathways with accommodation in the district:

- Young parents
- Single young people
- Young people with more complex needs

Young people are encouraged to remain at home and therefore the pathway caters for those who are most need in terms of their needs and housing situation. The current provision is as follows:

	Young Parents	Single Young People (shared accommodation)	Young people with complex needs
Rachel House, Banbury	11 rooms		
Lucan House, Bicester	3 flats		
Dashwood House, Banbury (Step down from Rachel House)	9 units		
The Foyer, Banbury		26 units (shared)	
Oxford House, Bicester		9 units (shared)	
Key 2 units, Banbury			3 units (self-contained)

In general the provision is adequate to meet the need, however some residents currently become stuck in accommodation that they no longer need due to lack of suitable move-on provision. Oxfordshire County Council are currently working on a strategy in conjunction with the district councils to improve housing for young people. This should identify any gaps for vulnerable young people.

Refuge provision for domestic abuse services - In 2015/16 11% of people seeking housing advice in Cherwell had experienced domestic abuse. Following a review of the domestic abuse service in Oxfordshire services have been recommissioned with a total of 21 bed spaces being required including five dispersed units. At present Cherwell has 12 units within a refuge. Work needs to continue to identify the required accommodation provision for the service.

Gypsies & travellers - a joint accommodation assessment for gypsies, travellers and travelling show people was undertaken in June 2017 across all the district councils in Oxfordshire. This took account of a change in the planning definition (PPTS 2015) which no longer includes people who have ceased to travel permanently. The results of the needs assessment were recorded in the Annual Monitoring Report for 2016/17.

There are currently 57 Gypsy and Traveller pitches in the district, with a requirement for 29 additional pitches to be delivered from 2017 to 2031. Sites will be identified as part of Local Plan Part 2. Five additional pitches already have planning permission and a further two applications for eight pitches at Chesterton and for six pitches at Piddington are awaiting determination.

There are currently 14 plots for travelling show people, with a further 19 plots required between 2017 and 2031. There are no new plots currently identified and this work will need to be carried out as part of Local Plan Part 2.

Key Workers - The need for key worker housing is high across the county, particularly in Oxford City. There is a particular need for workers in Health & Adult Social Care. A survey was carried out in 2017 which found that 79% of the workforce in these areas is female and 53% are in the 35-54 age group, 40% of Health Staff and 30% of staff in Adult Social Care stated that they needed to move house within the next 2 years, of these 39% wanted a 2 bedroom property and 32% wanted a 3 bedroom property. The survey also found that 60% of respondents were interested in home ownership but in reality only 13% would be able to afford the monthly mortgage payments.

The existing and emerging Local Plans across Oxfordshire do not include a definition of key worker and rely on Housing policy documents. Cherwell's Housing Allocations Scheme has a definition and allocates 1% of housing to this group on an annual basis.

Given the different stages of Local Plans and the adopted allocations schemes in each of the Oxfordshire authorities it is not possible to achieve an Oxfordshire-wide standard definition of key workers. However the housing that is required to meet Oxford's unmet need will be expected to include specific provision for key workers using Oxford City's definition.

3 Place: Our housing stock and housing supply

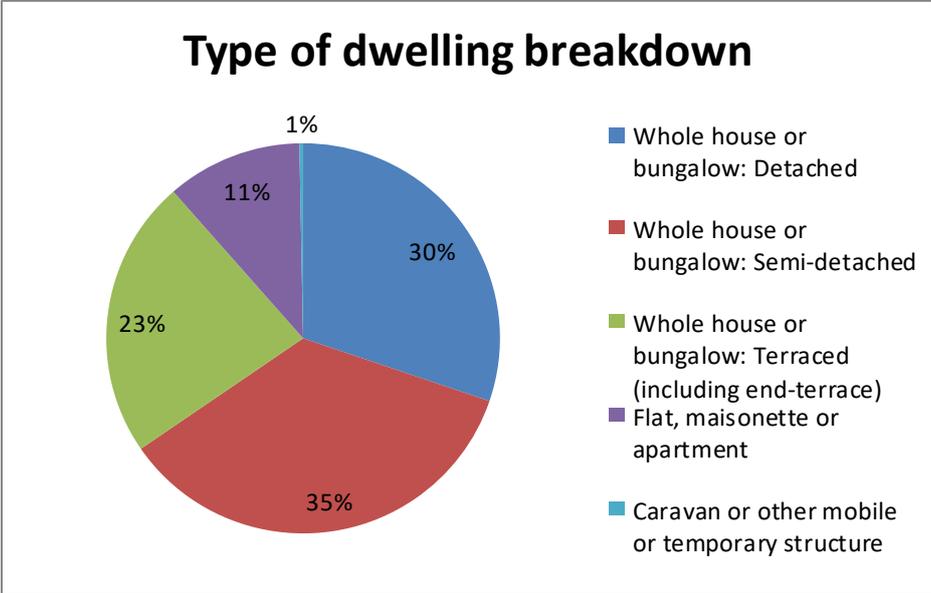
3.1 Existing Housing Stock

In 2017 Cherwell District Council commissioned the Building Research Establishment (BRE) to complete a stock modelling survey and this was published in March 2018. This section refers to the findings of the survey unless stated otherwise.

3.1.1 General characteristics of the existing housing stock

The total number of dwellings in Cherwell is 66,693. The tenure of these dwellings is 66% owner occupied, 22% private rented and 12% social rented. This compares to 63% owner occupied, 20% private rented and 17% social rented at a national level (English Housing Survey 2016-17).

The Census 2011 provides data on house types. The most common dwelling type in Cherwell district is semi-detached houses, followed by terraced houses and then detached houses. Flats account for (15%) of the total stock.



Source: Census 2011

3.1.2 House prices and affordability

Affordability is an issue across many parts of the country, particularly the south of England. The latest English Housing Survey states that in 2016/17 the average age of a first time buyer was 33 years. The average deposit for a first time buyer was £48,591 and 35% of first time buyers funded their deposit from financial help from friends and family.

The attractiveness of Cherwell district as a location means that house prices are high and affordability of housing is a key issue. The housing market in Oxford has a significant impact on Cherwell’s housing market with housing being less affordable in the south of the district (parts of the district closest to Oxford e.g. Kidlington).

Average House Prices		
Year	Average House Price	% increase from previous year
2014	£236,590	6.00%
2015	£261,262	10.43%
2016	£285,349	9.22%

2017	£287,476	0.75%
2018 (as at December)	£288,573	0.38%

Source: HM Land Registry

The average house price in Cherwell as at December 2018 was £288,573. The average house price has increased steadily during the past five years and by 22% since 2014. Some local people experience significant affordability issues as a result. One of the key issues affecting affordability of housing is the gap between household incomes and house prices. The table below shows the lower quartile average house prices for the district. Lower quartile house prices are a good measure of affordability as they indicate the price of an entry level property into the housing market (the type that young people may purchase as their first property).

Lower Quartile Average House Prices		
Year	Lower Quartile Average House Price	% increase from previous year
2013	£181,829	2.16%
2014	£192,500	5.87%
2015	£207,493	7.79%
2016	£230,052	10.87%
2017	£248,379	7.97%

Source: ONS

An accepted measure of affordability is to observe the relationship between the house prices and income. The median house price in Cherwell in 2016 was £292,250 (HM Land Registry). In 2016 the median gross annual workplace based earning for Cherwell residents was £31,599 (Nomis Annual Survey of Hours and Earnings, Office for National Statistics 2016). Therefore, the ratio of median house price to median gross annual workplace based earnings is 9.25. Another measure of affordability is access to mortgage finance, the industry standard is that lender will provide up to 3.5 times a household income as a mortgage. Based on the average earnings outlined above, a single person household would only be able to raise £110,597 mortgage finance which would mean without assistance homeownership is unattainable. A double income household on average earnings (i.e. 2 x £31,599) would still only be able to raise £221,193 mortgage finance which would mean accessing homeownership even for properties at the lower end of the market would be challenging. Over recent years, a lack of availability of mortgages and the high levels of deposits required has further hampered first time buyers. Although lenders now appear more willing to provide access to finance purchasing a house is still beyond the reach of many people in the district.

3.1.3 Stock Condition and Housing Standards

Health and Safety Hazards - The council has a statutory duty to take action in response to a range of hazards identified as 'Category 1 hazards' by means of the Housing Health and Safety Rating System (HHSRS). Category 1 hazards are considered to be serious health hazards. The Council has also determined that it will use its discretionary powers to take action in relation to certain Category 2 hazards as well. The Private Sector Housing (PSH) Team undertakes both pro-active and reactive work and hazards are addressed using both enforcement powers and by provision of grants and loans in some cases.

The BRE reported in March 2018 that in Cherwell an estimated 6,638 dwellings in the private sector (owner occupied and private rent) have a Category 1 hazard, this equates to 11% of all private sector properties in the district. 1,347 dwellings in the private rented sector are estimated to have a Category 1 hazard, this equates to 9% of properties in the private rented

sector. The highest concentrations of all HHSRS hazards in the private sector are found in the wards of:

- Cropedy, Sibford and Wroxton
- Deddington
- Launton and Otmoor

In 2017/18 the Private Sector Housing Team resolved serious health hazards (Category 1 hazards) in 49 homes. In 27 of these cases the team took enforcement action to resolve the hazards and the other 22 hazards were resolved by means of various grants such as the 'Cherwell Energy Efficiency Project' grant and 'Landlord Home Improvement' grant. 14 homes with other hazards (Category 2) were also resolved.

Hazard resolution delivers measurable financial savings to both the NHS and society as a whole by reducing the need for acute health services that result from poor housing conditions. These savings can be quantified using the Housing Health Cost Calculator software produced by BRE.

In 2016/17 the PSH Team resolved 78 Category 1 hazards and 16 Category 2 hazards. This equates to annual cost savings of £116,000 to the NHS and £1,987,000 to society more generally.

Energy Efficiency – The Government's Standard Assessment Procedure (SAP) is used to monitor the energy efficiency of homes. It is an index based on calculating annual space and water heating costs for a standard heating regime and is expressed on a scale of 1 (highly inefficient) to 100 (highly efficient with 100 representing zero energy costs).

The average SAP rating for all private sector dwellings in Cherwell is estimated to be 59 which is worse than the average SAP rating of 62 for English dwellings (English Housing Survey 2016/17). In Cherwell the estimated average rating for owner occupied stock is 57 and for private rented stock 62. The average rating for all private sector dwellings in Cherwell district is 59 which equates to an Energy Performance Certificate (EPC) rating of D.

The EPC rating is another measure of a property's energy efficiency. An EPC is needed whenever a property is built, sold or rented. The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 establish a minimum level of energy efficiency for privately rented property in England and Wales. This means that, from April 2018, landlords of private rented domestic properties in England and Wales must ensure that their properties reach at least an EPC rating of E before granting a new tenancy to new or existing tenants. These requirements will then apply to all private rented properties in England and Wales even where there has been no change in tenancy arrangements from 1 April 2020. 9.5% (5,547) of all private sector dwellings and 6.2% (904) of private rented dwellings in Cherwell are estimated to have an EPC rating below band E (BRE stock modelling report 2018).

Loft and cavity wall insulation – Cherwell's private sector housing stock has an estimated 13,547 dwellings with un-insulated cavity walls and 8,565 dwellings with less than 100mm of loft insulation (BRE stock modelling report 2018).

As well as using enforcement powers, Cherwell's Private Sector Housing Team has other initiatives to help improve the energy efficiency of homes. During 2017/18 the council provided 15 Cherwell Energy Efficiency Project (CHEEP) grants to landlords at a cost of £8,000 to improve the energy efficiency of private rented accommodation. These grants usually contribute 25% (up to an agreed maximum) towards the cost of energy efficiency improvements such as upgrading heating systems, windows and insulation. In all cases where grant funding is agreed, adequate loft and cavity-wall insulation must be installed (unless certain exceptions apply).

In 2017/18 the council also contributed £7,000 towards joint funding the Oxfordshire Affordable Warmth Network (shared by all Oxfordshire authorities). This project provided telephone and email advice to 111 Cherwell residents (478 for the whole county) to help reduce their energy bills, improve the energy performance of their homes and discuss any financial help that may be available. In addition, 91 'interventions' took place including more in depth support and assistance or the provision of basic energy efficiency measures. £63,000 of funding for Cherwell residents was levered in through the network by signposting and direct referrals to a host of suitable grants and financial assistance schemes.

Fuel poverty - Since 2011 the 'Low Income High Costs' definition of fuel poverty has been used. This means that a household is considered to be in fuel poverty if they have to incur fuel costs that are above the national median level, which would leave them with a residual income below the official poverty line. The figures used to calculate fuel poverty take into account low income, high fuel prices, poor energy efficiency and under occupancy.

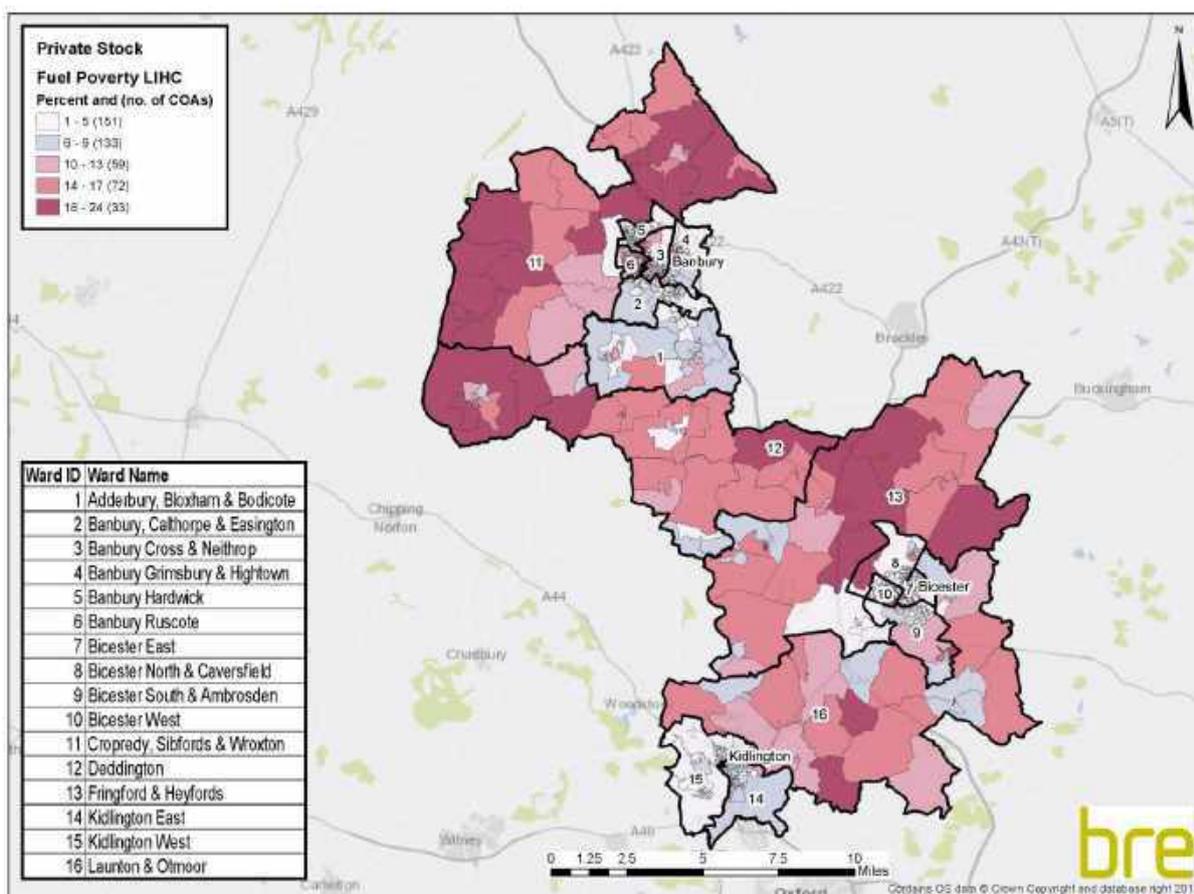
National data is produced by the Department for Business, Energy and Industrial Strategy (DBEIS), but fuel poverty is difficult for local authorities to determine at a local level because of practical problems of obtaining fuel use, fuel cost and income data. The latest fuel poverty statistics report from DBEIS published in 2018 refers to data from 2016. Headline figures include that:

- The average fuel poverty gap (the amount needed to meet the fuel poverty threshold) in England was estimated at £326.
- The proportion of households in England in fuel poverty was estimated to have increased by 0.1% from 2015 to 11.1% in 2016.
- Households with insulated cavity walls are least likely to be in fuel poverty.
- Older dwellings tend to have a higher proportion of households in fuel poverty.
- The level of fuel poverty is highest in the private rented sector.
- Those living in 'multi-person (adult) households' are deepest in fuel poverty with an average fuel poverty gap of £413 compared to a single person under 60 (£208).
- However, the highest prevalence of fuel poverty is seen for lone parents with dependent child(ren) (26.4%).

The BRE stock modelling survey 2018 estimates that 8% of all households are experiencing fuel poverty in the Cherwell district. This is less than the reported average of 11% for England as a whole. The estimates by tenure are presented in the table below. Whilst the private rented tenure shows the highest levels of fuel poverty (12% of all private rented households), because of the far greater number of owner-occupied dwellings overall (43,737) there are more owner-occupier households estimated to be in fuel poverty:

	Private sector stock				Social stock	
	Owner occupied		Private rented		No.	%
	No.	%	No.	%		
No. of dwellings	43,737	-	14,663	-	8,293	-
Fuel Poverty (Low Income High Cost)	3,162	7%	1,777	12%	631	8%

As shown on the map below, the highest concentrations of fuel poverty in the private sector are reported to be in the rural areas of Cropedy, Sibfords & Wroxton, Fringford & Heyfords and Deddington.



(BRE stock condition report 2018)

The source of heating can contribute towards fuel poverty. Whilst Banbury, Bicester and the area closest to Oxford have connections to mains gas, significant parts of the rural areas of district are not on the mains gas network. This means they have to rely on more expensive types of fuel such as oil, liquid petroleum gas (LPG) or electricity.

The typically lower energy efficiency ratings of private sector dwellings in some of the urban areas also further contributes to the higher levels of fuel poverty (BRE).

3.1.4 Empty homes

As of March 2018 there were 495 'long-term' empty homes in the Cherwell district. These are homes that had been vacant for more than 6 months, as presented in the table below:

Time empty	No.
> 10 years	3
5-10 years	37
2-5 years	49
1-2 years	225
6-12 months	180
Up to 6 months	693
Total empty	1187
Total long-term (>6m)	495

The majority of empty homes (approaching 60% in Cherwell) are brought back into use before they have been empty for six months, which means they are not considered to be 'long-term' empty properties. The work of the council's Empty Property Officer (a shared post with South Northamptonshire District Council) is focussed on these long-term empty

properties, which includes those that have been empty for a considerable time or have become problematic.

The table below details how many empty properties were brought back into use as a result of direct intervention by the council. These figures only include those cases where the council has provided specific help and assistance, undertaken enforcement, or has engaged with the owners over a period of time that has resulted in action:

	2016-17	2017-18	Total
Long-term empties returned to use	12	7	19

There are a variety of reasons why homes become empty, including death, inheritance, abandonment, relationship breakdown and/or lack of resources to tackle major repairs. The council has a range of financial measures to support owners, including Landlord Grants, Flexible Empty Homes Loans and a Leasing Scheme (in partnership with registered providers).

Many 'long-term' empty properties are returned to use through negotiation and persuasion; the key to this being establishing how the property became empty and determining what the barriers are to bringing it back into occupation. In some cases, enforcement action (including Empty Dwelling Management Orders) can also be considered, targeting properties causing most concern to neighbours and in areas of housing need.

3.1.5 Houses in Multiple Occupation (HMO)

The 2018 BRE stock modelling survey estimates there are 1,994 HMOs in Cherwell and 431 of these will now fall under the mandatory licensing requirements. On 1 October 2018 mandatory HMO licensing requirements widened to include all HMOs let to five or more occupants who form two or more households. Previously, these HMOs would only require a licence where the property was three or more storeys high (an estimated 84 properties). The number of storeys is no longer relevant in determining whether a licence is required.

In order to obtain an HMO licence the council must first be satisfied that the management arrangements for the HMO are suitable and the property meets the required health and safety standards. Failure to licence a licensable HMO is an offence and the council has a range of enforcement powers.

3.1.6 Discretionary grants and loans

The council offers a number of discretionary grants and loans to assist householders to improve the condition of their property. Details of the different grants and loans and usage of these in 2017/18 is outlined below:

Landlord Home Improvement Grants – grants of up to £15,000 are provided to contribute to a wide range of repairs and improvements, in return for the council receiving nomination rights to the properties. In 2018/19, 11 properties were improved at a cost of £83,000. As well as improving the housing stock these grants help provide suitable housing for statutory homeless households or those threatened with homelessness.

Flexible Home Improvement Loans (FHIL) – These loans are available to homeowners aged 60 or over to be used for a wide range of eligible improvements such as essential repairs and maintenance, central heating, replacement bathroom suites and kitchens, rewiring, burglar alarms and home security.

The loans are flexible because they can be repaid at any point, without penalty, with either regular or occasional payments. But they do not have to be repaid until the home is sold or

the owner ceases to occupy it. A low rate of interest is charged, linked to the Bank of England rate. The minimum interest rate is 3.5 percent and the maximum 7 percent.

In 2018/19, six homes were improved through FHIL at a cost of £53,000. This capital is not provided by the council but by FHIL which is a separate company of which the council is a member.

Small Repairs Service – Our small repairs service is available to owner-occupiers and tenants who are aged 60 or more, are registered disabled, or are suffering from long-term ill-health. We can help with a wide variety of small general repairs, such as fitting shelves, smoke detectors, key safes, grab rails or security locks. Or we can carry out minor electrical or plumbing work. Only small repairs up to two hours work can be completed and the cost of the service is £20 per hour, plus the cost of any materials.

In 2017/18, 247 households were assisted by the Small Repairs Service, with 130 key-safe jobs saving the NHS an estimated 910 bed-days to a value of £364,000.

3.1.7 Enforcement activity and complaints about landlords

During 2017/18 the Private Sector Housing Team:

- Received 423 enquiries which were responded to and/or referred to other sources. These enquiries were variable in nature, but typically included emails and phone calls seeking information about tenancy rights, property standards and grant availability.
- Dealt with 410 service requests that including ongoing case work and investigation. These are typically complaints about property hazards or disrepair, HMO standards, or issues relating to tenancy rights such as unlawful eviction.
- Carried out 84 HMO inspections, issued 24 HMO licences and accepted 34 landlord self-certified HMO reviews.
- Issued 66 formal or informal enforcement notices in relation to inadequate property standards.
- Undertook work-in-default in three cases.

3.2 Housing Supply

The district is currently going through a period of high growth, with a large number of strategic sites now under construction.

3.2.1 Overall numbers of housing completions

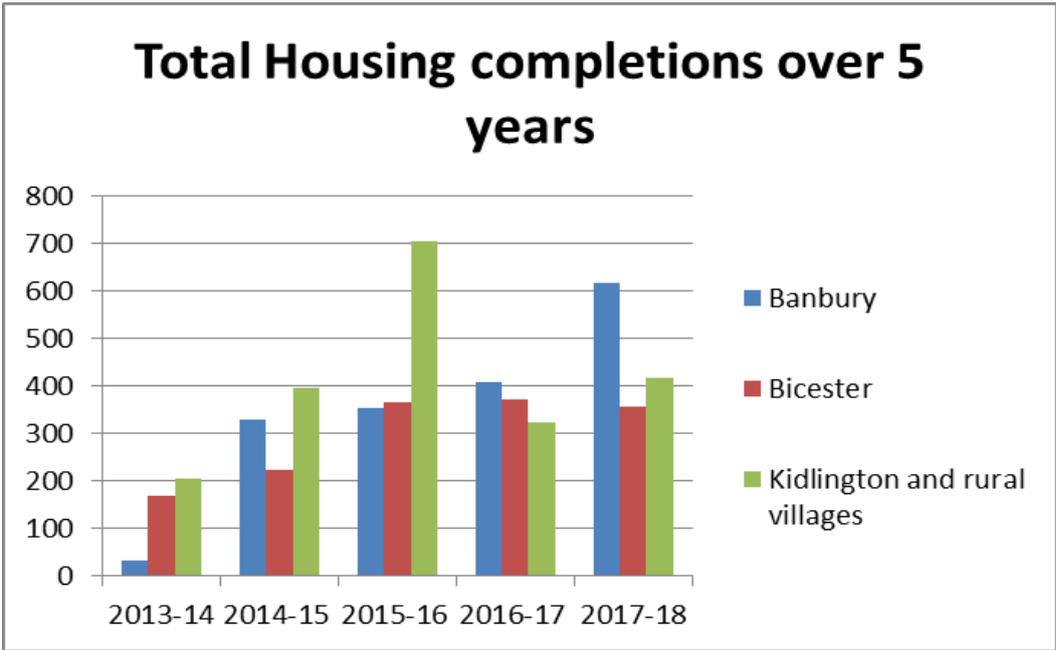
The table below shows the number of market and affordable dwellings that have been completed in the last five years (all figures are gross ie: do not take account of demolitions and sales disposals). As outlined earlier, the SHMA states the target for additional new homes in Cherwell per year is 1140, of this 407 should be affordable homes.

	2013/14	2014/15	2015/16	2016/17	2017/18	TOTAL
All dwellings	410	946	1425	1102	1387	4223
Affordable Housing	145	195	322	312	443	1417
% of affordable to market	35%	21%	22.2%	28.3%	32%	33%

The delivery of affordable housing has been strong and the number of additional new affordable homes built has increased year on year. Virtually all sites have delivered the full policy requirement of 30% affordable housing on sites of 11 homes or more in Banbury and Bicester and 35% affordable housing in the rest of the district. The high levels of delivery are due to the fact that affordable housing continues to be viable on S106 sites and most of the delivery takes place on larger sites where the provision of affordable housing is a policy requirement.

3.2.2 Location of housing completions

The majority of recent delivery has been on larger sites allocated within the local plan located in Banbury and Bicester. A total of 616 new homes were completed in Banbury in 2017/18. In 2015/16 there was a spike in rural delivery with 700 new homes completed in Kidlington and other villages in rural parts of the district.



3.2.3 Type/Size of housing completions

In recent years the council has started to record the type/size of homes build in the district. The most common type of dwelling built in the district in 2017/18 was four bedroom houses. There is an emphasis on larger properties as 34% of all new homes had four bedrooms or more (contrary to the 15% target for homes with four bedrooms or more in the SHMA).

Location	Completed dwellings by bedroom size (2017/18)				Total
	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom +	
District wide SHMA target	15%	30%	40%	15%	
Banbury	66	85	113	132	396
Bicester	40	116	82	105	343
Elsewhere	40	80	79	133	332
TOTAL	146 (13%)	281 (25%)	274 (25%)	370 (34%)	1102* (3% unknown)

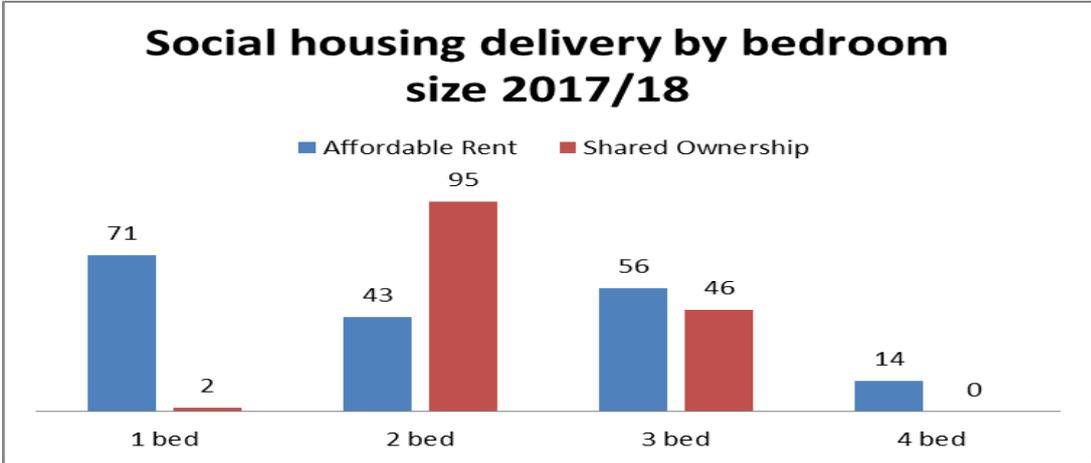
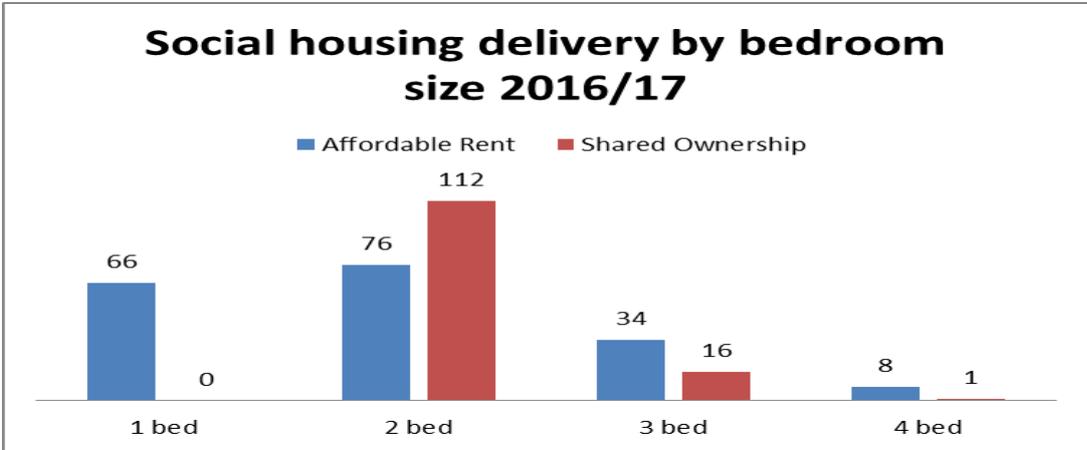
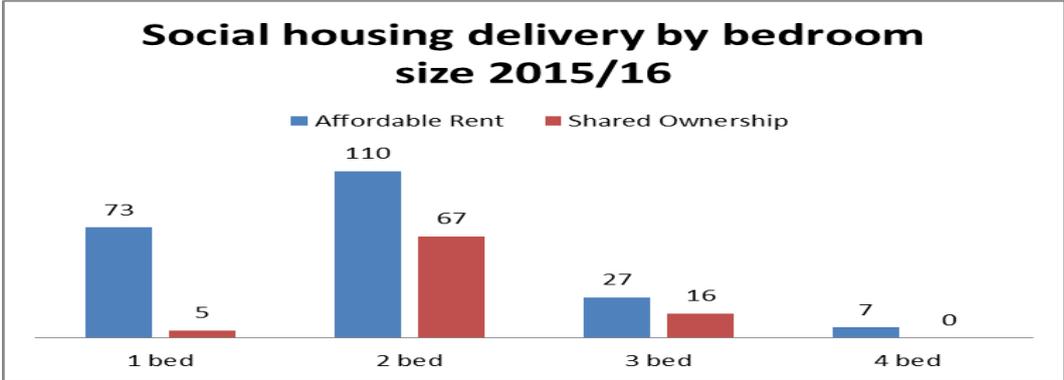
*There were 31 housing completions where the numbers of bedrooms were unknown

3.2.4 Tenure of affordable housing delivery

The council’s policy position is that new affordable housing will be 70% rented and 30% other forms of intermediate tenure. Over the past five years new delivery of affordable housing (1,417 units) has closely matched the council’s policy position with 67% of new affordable homes being affordable rent and 33% shared ownership .

3.2.5 Type/Size of affordable housing delivery

The graphs below show the type/size of new affordable housing that has been completed over the last three years (1 April 2015 to 31 March 2018). The delivery has been separated into rented and shared ownership.

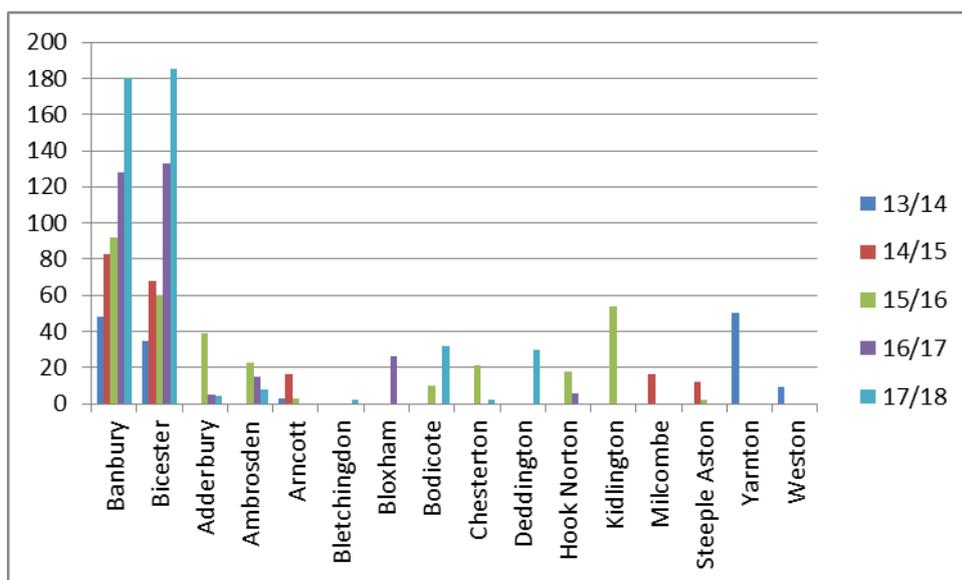


The table below summarises the delivery within Cherwell against the SHMA targets. There is some difference between the SHMA targets and delivery in Cherwell as this reflects local housing need. In particular there has been an emphasis on new provision of two bedroom homes to reflect the greatest need of those on the housing register and attempt to provide greater balance to the affordable housing stock which is predominantly three bedroom properties.

	SHMA figures	CDC provision
1 beds	25-30%	23%
2 beds	30-35%	53%
3 beds	30-35%	21%
4 beds	5-10%	3%

3.2.6 Location of affordable housing delivery

The bar chart below shows the location of affordable housing delivery over the period 2013 – 18. As expected this is predominantly in the larger areas of Banbury and Bicester. The areas of development broadly reflect the housing need hot spots identified in section 2.2.4 which suggests a direct correlation between demand and supply.



3.2.7 Affordability of shared ownership

The demand for shared ownership remains very strong, with average initial shares of 44% being purchased.

Shared Ownership sales		
Year	No of Shared Ownership sales	% share of property purchased
2014	16	47%
2015	38	54%
2016	155	49%
2017	24	50%
2018	125	44%

3.2.8 Standard of new affordable housing

The council normally requires the following standards on new developments:

- 100% of all rented units to be built to the government's Nationally Described Space Standard (Technical Housing Standards)
- 50% of the affordable rented units to meet the Building Regulations Requirement M4(2) Category 2: Accessible and Adaptable Dwellings requirement.
- 1% of new housing to be at wheelchair accessible standards (Building Regulations Part M (4)3)

3.2.9 Future housing delivery

There is a strong pipeline of housing delivery over the next few years. It is worth noting that future delivery is reliant on large strategic sites with planning permission being built out. These key strategic sites are outlined below:

Site	Total number of homes	Number of affordable homes
Heyford Park	1600	480
Kingsmere	1670	503
Southam Road East	533	173
Hanwell Fields	510	123
Warwick Road	300	90
Longford Park	1024	318
Graven Hill	1741	521

Anticipated overall housing delivery over the next three years is as follows:

	2018/19	2019/20	2020/21
Market housing	1,576	1,934	1,653
Affordable housing	585	457	478
TOTAL	2,161	2,391	2,131

It is anticipated that future new housing will be built in the following locations:

Location/Site	2018/19		2019/20		2020/21	
	Market housing	Affordable housing	Market housing	Affordable housing	Market housing	Affordable housing
Banbury	640	224	810	236	803	347
Bicester	396	188	710	87	665	54
Kidlington	13	0	40	0	0	0
Rural Areas	527	173	374	134	185	77

3.2.10 Innovation in new delivery

Build! – Build! is a team within Cherwell District Council that has registered provider status with Homes England.

Build! was created in 2012 with the aim of looking at alternative ways to deliver affordable homes for local people. To date Build! has provided over 248 homes including 146 rented and 102 shared ownership properties. Approximately 40 further homes are in the pipeline. Build! has used a variety of construction methods to achieve cost effective developments. The team has also converted a number of empty town centre properties.

Build! has a small housing management team that currently manages the rental properties, 60 of which are specialist supported housing units developed with support from Oxfordshire County Council.

Build properties currently in management

Scheme	Total units	Scheme type	Affordable Rent	Shared Ownership
Banbury	126	General Needs	85	41
Banbury	44	Supported	44	0
Bicester	62	General Needs	3	59
Bicester	11	Supported	11	0

Villages	5	General needs	3	2
TOTAL	248		146	102

Graven Hill – Graven Hill is the UK’s largest self and custom-build development and is located just south of Bicester. Over the next ten years the vision is to create a community which includes 1,900 unique homes, a primary school, pre-school and nursery, community centre and local amenities including shops, cafes and a local pub.

With over 20 households now living on the site, the Graven Hill community is starting to take shape. Over 30% of their bespoke homes are now sold or reserved on Phase 1a and they have just released 16 brand new designs for terraced and detached homes. In addition to this they have recently released one and two-bedrooms apartments which adds to the diversity of the housing provision available.

3.2.11 Affordable housing stock – General Needs

There are approximately 8,790 affordable homes owned by registered providers in Cherwell. Most of these properties (8,110 - 92%) are rented with a small proportion (680 – 8%) being shared ownership. The majority of stock in the district is owned by Sanctuary Housing, following two Large Scale Voluntary Transfers of former local authority stock in 2004 and 2005. Other large stockholders are Bromford, Paradigm, BPHA and Stonewater. The breakdown of bedroom sizes of the rental stock within the district is as follows:

Bedrooms	No of properties	% of total
1 bed	1,867	23%
2 bed	2,865	35.2%
3 bed	3,134	38.8%
4 bed	238	2.8%
5 bed	4	0.1%
6 bed	2	0.1%

The tenancy type of most of these properties is social rent (87%), with the remainder affordable rent (13%). The table below shows the location of these within the district:

Breakdown of rented properties by location		
Location	No of social rented properties	No of affordable rented properties
Banbury	3,563	335
Bicester	1,456	277
Kidlington	614	7
Rural Villages	1,435	423

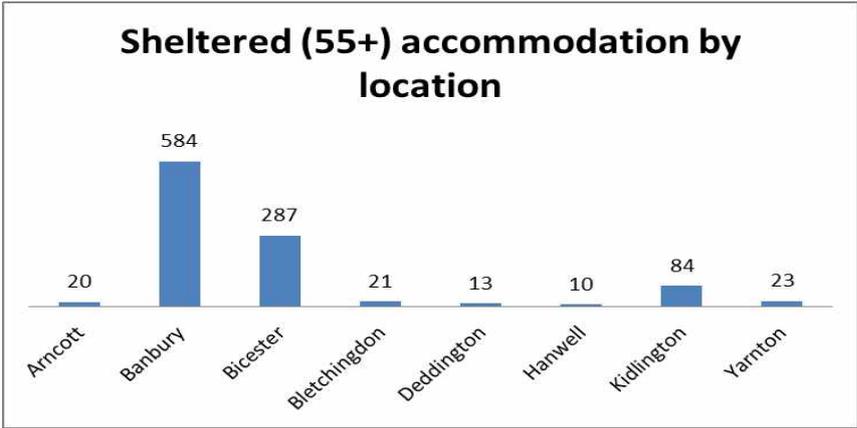
It is important to consider the affordability of rented affordable housing in the district. Rent level data has been collated for Sanctuary properties during the period April – October 2018. The average rent levels are shown in the table below:

Location	Weekly Rent Levels by Property size			
	1 bed	2 bed	3 bed	4 bed
Social Rent	£95.58	£104.65	£107.01	£127.96
Affordable Rent	£129.68	£155.49	£174.22	n/a
Percentage difference	26%	33%	39%	n/a

All of these rents are below BRMA levels, however there is a stark contrast between social and affordable rent levels, with the difference increasing with property size.

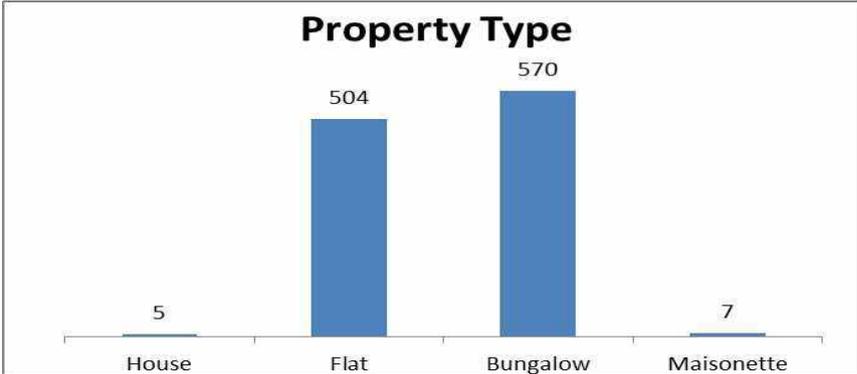
3.2.12 Affordable housing stock – sheltered and extra care housing

There are a total of 1042 units of sheltered housing accommodation across the district situated in eight locations, as shown in the chart below:



The majority (84%) of this type of accommodation is in Banbury and Bicester, with the remainder predominantly in the larger villages. It is clear that this accommodation is being provided in locations with good access to local services.

Property type/size – there are 752 one bedroom properties. These account for 72% of the total sheltered housing stock. Of the remainder, 278 (27%) are two bedroom properties and 12 (1%) are three bedroom properties. The majority are flats and/or bungalows.



Tenure – all of the sheltered accommodation is provided as social rented.

Extra Care - there are a total of 233 units of extra care accommodation in four locations across the district, as follows:

Extra Care Housing Stock	
Location	Number of units
Banbury	110
Bicester	20
Kidlington	54
Yarnton	49
Total	233

All of this accommodation is in locations with/close to local services, either Banbury/Bicester (55%) or Kidlington/Yarnton (outskirts of Oxford) (45%).

Property type/size – the Extra Care housing stock comprises 95 one bedroom flats and 138 two bedroom flats.

Tenure – the tenure of the Extra Care stock is as follows:

Tenure	Number of units
Affordable Rent	104
Social Rent	59
Shared Ownership	70
Total	233

3.2.13 Right to Buy

In 2012 the government introduced changes to the Right to Buy policy to encourage more tenants into home ownership, which included raising the discount cap to £75,000. The average number of these sales over the past five years is 13. During 2004 the council undertook a Large Scale Voluntary Transfer and therefore a number of Sanctuary's tenants have the Preserved Right to Buy. There is a contractual obligation that whenever Sanctuary sells a property under the Preserved Right To Buy, the council will be entitled to a proportion of the value of the sold property.

These funds that the council receives count as capital receipts and go on to fund many of the council's capital programme investments.

Further detail is provided in the table below:

Right to Buy sales				
Year	No of RTB sales		Property Type	Receipt
2012-13	10	10	3 bed house	£490,703.91
2013-14	15	2	2 bed house	£781,515.49
		12	3 bed house	
		1	4 bed house	
2014-15	8	1	2 bed house	£554,876.62
		7	3 bed house	
2015-16	8	2	2 bed house	£508,971.85
		6	3 bed house	
2016-17	15	1	1 bed house	£1,381,989.69
		2	2 bed house	
		12	3 bed house	
Grand Total	56			£3,718,057.40

A total of 56 properties have been lost from the affordable housing stock due to Right to Buy over the last five years. These were predominantly larger family homes, with three and four bedroom properties accounting for 86% of sales. The breakdown by property size was as follows:

- 1 x 1 bed house
- 7 x 2 bed houses
- 47 x 3 bed houses
- 1 x 4 bed house

Whilst it is beneficial for individual tenants who have purchased their properties, the impact of losing affordable housing stock should not be underestimated. It is critical that new delivery of affordable housing is maintained to offset these losses.

3.2.14 Nominations and Lettings – General Needs

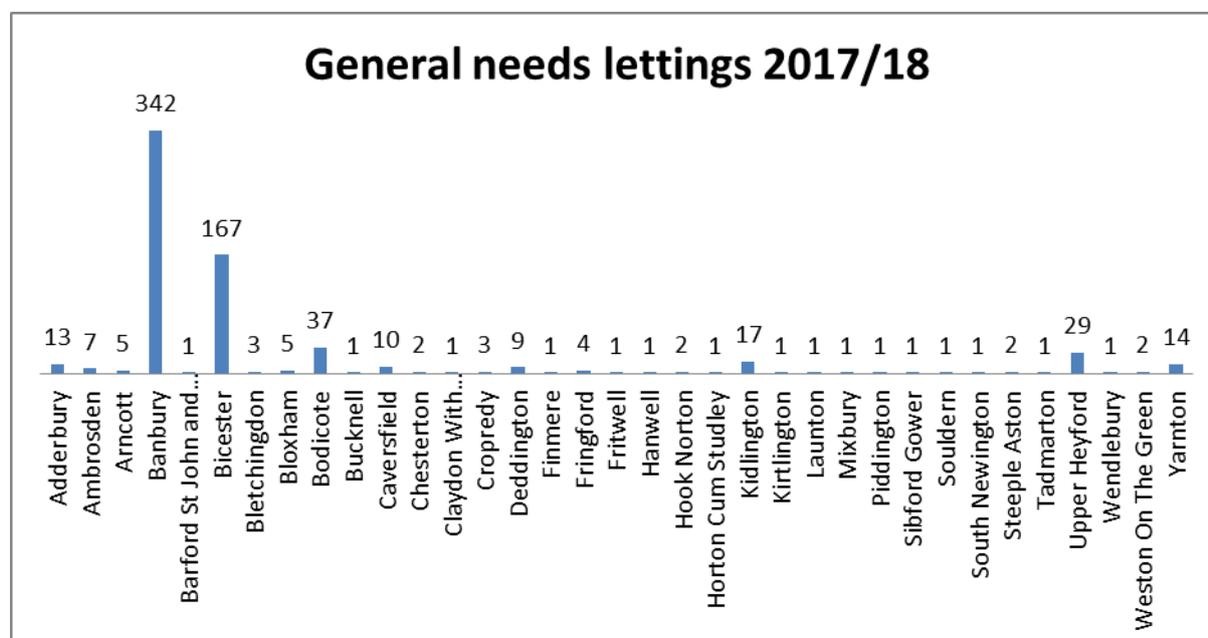
As well as new build affordable housing, an important way of meeting housing need is through re-lets within the social housing stock. The council’s lettings software was upgraded in December 2013, so only the past three years records are available. The number of nominations over recent years has been fairly consistent, the details are as follows:

Year	Nominations
2014/15	748
2015/16	775
2016/17	782
2017/18	689

Of the 689 nominations made in 2017/18, 454 (66%) were re-lets whereas only 235 (34%) were new build properties. The 689 nominations were made to 649 (94%) general needs, 11 (2%) sheltered and 29 (4%) Extra Care.

It is useful to consider the location of lets of social housing that took place in 2017/18.

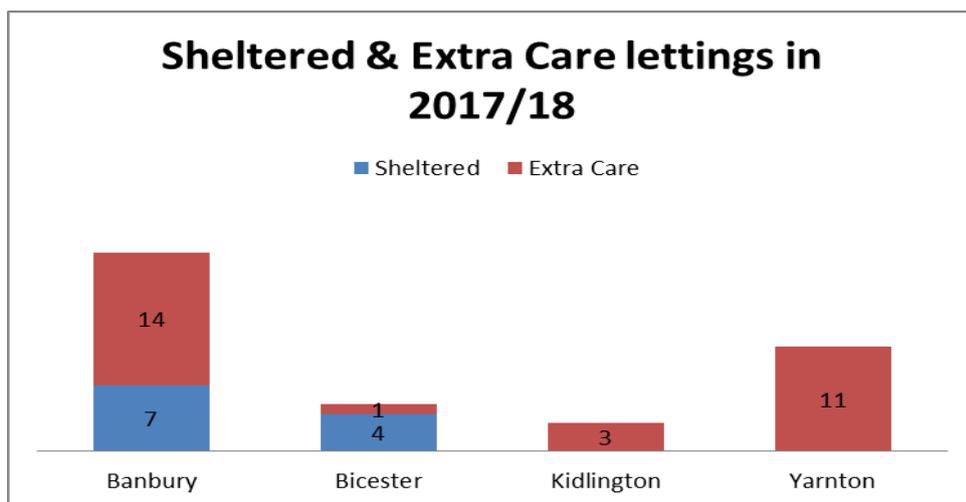
The location of the re-lets of general needs social housing were in the following locations



The majority of general need lets (74%) took place in Banbury and Bicester, with the remainder in the villages.

3.2.15 Nominations and Lettings – Sheltered and Extra Care Housing

The location of the re-lets of sheltered and extra care housing were in the following locations



The majority of extra care lettings took place in Banbury and Yarnton, whilst the majority of sheltered lettings were in Banbury.

3.2.16 Private rented sector

The private rented sector can be a realistic housing option for households in housing need. Private rented properties are generally more expensive and offer shorter tenancies than the social sector, but can respond more quickly to need and provide more flexibility. However, for those on lower incomes, the choice of suitable private rented accommodation can be limited.

The tables below outline the average private rent levels compared with the maximum local housing allowance available.

Rent levels in the private rented sector in Banbury

	Property Size			
	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Average Rent per month	£568	£813	£984	£1,162
LHA Rate	£565.14	£705.19	£816.34	1,079.14
Difference between average rent level and LHA rate	£2.86	£107.81	167.66	£82.86
Rent as % of average income	20%	31%	37%	44%

Source: Zoopla

Rent levels in the private rented sector in Bicester

	Property Size			
	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Average Rent per month	£734	£1,103	£1,223	£1,798
LHA Rate	£565.14	£705.19	£816.34	£1,079.14
Difference between average rent level and LHA rate	£168.86	£397.81	£406.66	£718.86
Rent as % of average income	28%	42%	46%	68%

Source: Zoopla

Rent levels in the private rented sector in Kidlington

	Property Size			
	1 bedroom	2 bedroom	3 bedroom	4 bedroom
Average Rent per month	£835	£1,161	£1,307	£1,769
LHA Rate	£690.46	£836.37	£1,000.01	£1,300.01
Difference between average rent level and LHA rate	£144.54	£324.63	£306.99	£468.99
Rent as % of average income	32%	44%	50%	67%

Source: Zoopla

The tables clearly show that affordability in Cherwell is a major issue, with the average rent exceeding the LHA rate at every single bedroom size in every location in the district. Additionally, if using a 35% guide of rent as a proportion of total income, then only one bed and two beds in Banbury, one beds in Bicester and one beds in Kidlington would be affordable in Cherwell.

Another reason that private rented housing can be unaffordable is that many letting agents require a deposit of 1.5 times the monthly rent and an administration charge of between £50 and £200, in addition to the first month's rent in advance. These upfront charges make it difficult for households on low incomes to access private sector rental accommodation.

4. Conclusion

By considering the current housing situation in Cherwell District, the evidence leads us to consider a number of approaches and recommendations to ensure future housing supply can meet the strategic needs of the district.

Intelligence through evidence gathering and interaction with market stakeholders is important to understand the local housing market and to support the continuation and implementation of new initiatives to ensure the housing service provided remains robust and receptive to changes to the housing market .

The evidence within the report will help formulate actions to be incorporated into the council's latest Housing and Homelessness strategy.

Appendix 1: 2017/18 Lettings by location and property size

Area	1 Bed	2 Bed	3 Bed	4 Bed
Adderbury	2	9	2	0
Ambrosden	0	4	3	0
Arncott	0	4	1	0
Banbury	82	99	72	5
Barford St John and St Michael	0	0	1	0
Bicester	43	89	29	6
Bletchington	0	3	0	0
Bloxham	1	1	3	0
Bodicote	11	9	14	3
Bucknell	0	1	0	0
Caversfield	2	5	3	0
Chesterton	1	1	0	0
Claydon With Clattercote	0	0	1	0
Cropredy	2	1	0	0
Deddington	2	7	0	0
Finmere	0	1	0	0
Fringford	0	3	1	0
Fritwell	0	0	1	0
Hanwell	1	0	0	0
Hook Norton	0	0	2	0
Horton Cum Studley	1	0	0	0
Kidlington, any area	5	7	5	0
Kirtlington	0	1	0	0
Launton	0	1	0	0
Mixbury	0	1	0	0
Piddington	0	0	1	0
Sibford Gower	0	1	0	0
Souldern	0	1	0	0
South Newington	0	0	1	0
Steeple Aston	0	1	0	1
Tadmarton	0	0	1	0
Town Centre (Banbury)	36	37	8	3
Upper Heyford	0	16	11	2
Wendlebury	0	0	1	0
Weston On The Green	0	2	0	0
Yarnton	2	11	0	1

Appendix 46

Email from HO confirming housing register

From: Natalie Harvey <Natalie.Harvey@cherwell-dc.gov.uk>
Sent: 15 May 2020 4:34 PM
To: Christian Orr
Subject: RE: 19/00963/OUT - Berry Hill Road Adderbury

Hi Christian

Good to talk to you earlier.

I've put the answers to your questions below in blue. As I said when we spoke, we have no influence over the LPA in regard to permissions, but are happy to advise what our (hypothetical) Affordable requirements are.

Kind regards,

Natalie

From: Christian Orr <christian.orr@hsland.co.uk>
Sent: 13 May 2020 12:58
To: Paul France <Paul.France@Cherwell-DC.gov.uk>
Subject: 19/00963/OUT - Berry Hill Road Adderbury

Hi Paul

I'm writing to you as you are the Housing Strategy Officer for Cherwell and you responded to our application back in October (see attached). I welcome your comments which we are reviewing. In light of your response, and our desire to work with you flexibly and agree the absolute best housing mix and tenure split for this location for current needs, I have a few questions that I hope you will be able to help with to better understand the local circumstances.

1. Do you know how many people are currently on the housing register in Cherwell and how many of those people chose Adderbury as a preferred location to live?

The number currently on the housing register is 1303. However, Cherwell covers 3 main areas - Banbury, Bicester and Kidlington so this information may not be relevant to you for a site in Adderbury. We generally look at people with a village connection – on the Register (and this is a snapshot for this point in time) we have 17 applicants who have a local connection to Adderbury. Their needs are:

7 need 1-bed
6 need 2-beds
3 need 3-beds and
1 needs a 4-bed property.

2. In terms of percent, what is the demand for each number of bedrooms in Cherwell for affordable properties (e.g. x% of people require 1-bed, y% of people require 2-beds, etc)? It would be of interest to see has this changed since the SHMA.

The percentage demand for properties overall in the whole District is:

	1 bed	2 bed	3 bed	4 bed
--	-------	-------	-------	-------

Housing Register	50%	30%	13%	7%
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The SHMA is a county-wide document – the above is what we need in Cherwell.

3. You have said in your October response that there is a greater need for smaller accommodation as well as a need for more affordable rents, especially with 2-bed properties it seems? Are you able to quantify this at all for the district, or provide evidence, to better understand how this need has changed significantly over recent years?

The demand changes with supply. Because developments can take a few years to deliver, there is a time delay with supply catching up with need, so at any point in time we may end up with a plentiful supply of say, 3-bed houses, and an undersupply of say, 1-bed accommodation, which is what we have now, so will try to adjust.

4. Has there been a change more generally with housing needs since the SHMA (2014)? i.e. is there now a greater need for smaller homes?

As mentioned earlier, the SHMA is a county-wide document from 2014 and does not quite correspond to what Cherwell District needs in 2020. I think generally we are seeing lesser demand for larger homes, market housing included.

5. Is there any local knowledge of Adderbury or wider area that you could share in regards to the changing needs for affordable properties. Is there demand for any specific size/tenure that isn't currently being met by other developments in Cherwell?

We always ask for a mix of house types. The only way to determine exact need it to undertake a Parish Needs Survey as this may highlight people who are not on the housing register. The one thing that we do want is for properties to be built to Technical Housing Standards – NDSS. As I mentioned on the phone, unlike a lot of market housing, affordable housing is occupied to it's maximum capacity and adequately sized homes are likely to be occupied for longer, so the community is more stable.

6. We have researched what has been provided on other developments in Adderbury and other villages. There appears to have been a below-policy provision for 1, 2 and 3 beds, and an overprovision of 4 and 5 beds. Do you know why this was and do you think this has meant a greater need of smaller properties now?

For Affordable housing at the moment, there is certainly greater need for 1 & 2-bed properties over 3-bed, but there is also an acute need for some 5 & 6-bed properties which we are aware of for certain areas. 4-bed need is currently about 5% and tends to be stable around this figure. The market housing often has the larger homes but we'd prefer a mix of sizes on a site i.e. not for all the smaller properties to be Affordable, whilst the larger ones are all Market – it is hard to make developments tenure blind if this is the case.

7. Are there any registered providers that you think would be a good suit for this scheme in a village location?

We work with a number of RP's and are happy to send you contact details.

8. Do you know why there has been no delivery of social rented properties? Has this meant a greater demand for social rent?

We haven't specifically asked for it, so it has all defaulted to affordable rent. However, we are now asking for social rent as we have not had delivery of this for nearly 4 years. It needs to be incorporated into the S106.

9. Are there any other intermediate housing, instead of Shared Ownership, that may be acceptable to you, e.g. discount-market housing (Starter Homes/First Homes)?

Possibly – this is something we could discuss. Some of the RP's have suggested Rent-to-buy if they can't sell the Shared Ownership units. However, personally, I think with the end to Help-to-Buy in March 2023, people who would have previously only looked at market sale may consider Shared Ownership as an affordable alternative (albeit the Government could come up with a similar scheme to prevent a crash), so the demand for Shared Ownership could be sustained with a new type of buyer.

10. Would the development be an appropriate location for the allocation of homes for Key Workers, in your view?

There isn't anything in Adderbury village that would be an obvious fit with key workers although there is employment close-by, such as the Hospital in Banbury (but that may come under Banbury?) or the school in Bloxham (Primary & Warriner secondary)

11. In light of any information on the above and the fact we are 7 months on since your response, would you wish to update the mix you suggested in October and negotiate something more bespoke and up-to-date?

If you submit another Planning Application, we would be asked to comment on that. At the moment though, the house types/bedroom numbers would remain the same as per Paul's comments in October.

I would be grateful for your knowledge on the above queries (and anything else you think is relevant). We would like to begin discussions on defining a sensible mix for the proposal. Whilst the application is in outline, we would be keen to fix an agreed mix/tenure in a S106 Agreement to give you and the authority certainty going forward. **That would be helpful!** Perhaps we could set up a virtual meeting in due course? **Let me know if you need any further information. My number is 01295 227931.**

I look forward to hearing from you soon.

Kind regards,
Christian

Christian Orr MTCP
Land & Planning Executive



On behalf of Hollins Strategic Land | Suite 4, 1 King Street, Manchester, M2 6AW
M: 07793 068989 | www.hsland.co.uk | [LinkedIn](#)

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Appendix 47A
RP Letter of support 1

Christian Orr
Hollins Strategic Land

By email only

22 June 2020

SUBJECT TO CONTRACT

Dear Christian

Berry Hill Road, Adderbury OX17 3HF

Thank you for getting in touch with Sanctuary regarding the proposed development at Berry Hill Road in Adderbury.

Sanctuary Homes owns and manages a large portfolio of affordable housing in the Cherwell District. We are also pursuing various new opportunities for our future development programme to deliver a range of housing options including affordable rent, shared ownership and market sale.

We understand there is a continued demand for affordable housing across the District, for both rental and intermediate housing.

Sanctuary Homes would be very keen to further discuss the delivery of the site including both the open market homes as well as the affordable homes.

Yours sincerely

Sophie Bell
Senior Development Manger

Email: sophie.bell@sanctuary-housing.co.uk

Mobile: 07436269041

Appendix 47B
RP Letter of support 2

Christian Orr
Hollins Strategic Land
Suite 4, 1 King Street
Manchester
M2 6AW

christian.orr@hsland.co.uk

10 June 2020

Subject to Contract

Dear Christian,

Berry Hill Road, Adderbury, OX17 3HF

Thank you for your recent correspondence sharing your proposals for the residential development of the site known as Berry Hill Road in Adderbury.

Paradigm Housing Group own and manage a large portfolio of affordable homes in Cherwell District Council. Our homes are for rent, at a rent less than market rent, to nominations of Cherwell Council. Typically to those on the housing register who cannot afford to buy or rent a home locally. We also offer an affordable shared ownership product, where people part own their own home and pay a small rent to the housing association.

At the time of writing this letter I understand there are approximately 1,300 people on the Cherwell DC housing register in need of an affordable, good quality, home. The majority of these people require a one, or two bedroom home. A smaller number require three bedrooms.

We would be delighted to work with the local community and Hollins Strategic Land to bring forward the Berry Hill Road site for affordable housing.

Yours sincerely

Karen Hillhouse
Senior Land & New Business Manager
Karen.hillhouse@paradigmhousing.co.uk
Tel: 07598545150

Paradigm Development Services Limited

1 Glory Park Avenue, Wooburn Green, Buckinghamshire HP10 0DF Tel: 0300 303 1010 Fax: 0300 303 8041

Paradigm Development Services Limited. Registered in England. Registered company No. 6794551

Providing services to the Paradigm group of companies and strategic partners



Appendix 48
Adderbury Landscape Strategy



Landscape Strategy Drawing

Appendix 49
Economic Impact Assessment

Berry Hill Road, Adderbury Economic Impact Assessment

Assumptions Note

Hollins Strategic Land LLP

June 2020

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LICHFIELDS

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1.0 Introduction

1.1 This note has been produced by Lichfields on behalf of Hollins Strategic Land in relation to Berry Hill Road, Adderbury – a proposed residential development in Cherwell District, northern Oxfordshire.

1.2 The following paragraphs provide an overview of the methodological approach and key assumptions that underpin the economic benefits summarised in the supporting infographic. The figures are underpinned by Lichfields' eVALUATE framework. eVALUATE is regularly used by local authorities to assess the economic impact of development, as well as many of the UK's leading developers, investors and house builders.

The Proposed Development

1.3 It is understood that Hollins Strategic Land is seeking outline planning permission for up to 40 dwellings with associated landscaping, open space and vehicular access off Berry Hill Road, Adderbury. The proposed housing mix responds to affordability issues in the Borough as set out in Table 1.1, with **35% of dwellings being affordable**.

Table 1.1 Proposed Housing Mix

Residential Units	Market	Affordable
1 Bedroom	0	4
2 Bedroom	2	6
3 Bedroom	18	4
4 Bedroom	6	0
Total	26	14

Source: Hollins Strategic Land

2.0 Construction Benefits

Capital Investment

2.1 In the absence of indicative build costs provided by Hollins Strategic Land, a number of Lichfields' standard assumptions have been employed in order to estimate the capital investment supported by the construction phase of the proposed development. Applying median build cost per sqm estimates by BCIS¹ to average floorspace estimates based on research by POD Architects² is used to provide average unit costs for units of 1 to 5 bedrooms in size.

2.2 To this, a 15% uplift is applied to account for external costs, whilst a regional adjustment factor (based on BCIS³ research of 1.13) is applied to account for regional cost differences. When applied to the 40 dwellings of the proposed development, these assumptions lead to an estimated total build cost in the region of **£5.5 million**.

Direct Construction Employment

2.3 Using labour coefficients from the HCA Calculating Cost per Job Best Practice Note (2015), it is possible to calculate the number of direct construction jobs supported by the proposed development over the course of the construction phase. Taking account of the composition of

¹ BCIS 2018 (35th Edition) Section 29 page 9

² POD Architects - based on experience of unit types for 4/5 house builders

³ BCIS 2019 (36th Edition) Section 29 - Q1 2018 Estimates

the proposed development, a new housing coefficient is considered appropriate when calculating the number of direct construction jobs. This coefficient assumes that 19.9 direct FTE jobs per £1 million of construction value in 2011 prices will be supported over the course of a year.

- 2.4 To use the coefficient, the construction cost of c.£5.5 million has been deflated from 2020 to 2011 prices using the latest UK Government GDP Deflator (2019). Applying the new housing coefficient to the deflated construction cost of c.£4.7 million and then dividing the result by the length of the construction phase (18 months), leads to the proposed development supporting **62 gross direct FTE jobs** annually over the construction phase⁴.
- 2.5 Although national and regional construction firms often use their own labour on projects, it is typical that a share of the contractors employed is drawn from the local labour pool. However, it is difficult to determine the likely source of labour to fill these jobs before contracts have been let. It is reasonable to expect a proportion of the construction jobs to be taken up by local workers, particularly if measures are in place to raise local skill levels and encourage local recruitment (e.g. through apprenticeships).
- 2.6 Following the uplift in construction activity nationally in recent years, it is likely there will now be a sufficient supply of local workers with construction skills and businesses which have developed to support/supply this activity.

Indirect and Induced Employment

- 2.7 Construction also involves acquisitions from a number of suppliers, who in turn purchase from their suppliers through the supply chain. The relationship between the initial direct spending and total economic effects is known as the ‘multiplier effect’, which demonstrates that an initial investment can have much greater indirect effects as this spending is diffused through the economy.
- 2.8 In addition, local businesses would be expected to benefit to some extent from a temporary increase in expenditure from the direct and indirect employment effects of the construction phase. Although only a proportion of these benefits would be felt in the local area, it would be expected that the local economy would gain a sizeable temporary boost from the wage spending of workers in shops, bars and restaurants, and other services and facilities. Such effects are typically referred to as ‘induced effects.’
- 2.9 Research undertaken on behalf of the National Housing Federation indicates the construction industry has an indirect and induced employment multiplier of 2.51⁵. Applying this multiplier to the 62 direct construction FTE jobs p.a. indicates an **additional 94 FTE jobs** p.a. would be supported by the proposed development in sectors across the UK economy. This is in addition to the 62 direct construction FTE jobs discussed earlier.

Gross Value Added

- 2.10 GVA is a measure of the difference between what is produced as outputs (goods and services) and the inputs (raw materials, semi-finished products etc.) used in the production of those outputs. It represents the additional value that is added through economic activity.

⁴ Homes and Communities Agency (HCA), Calculating Cost per Job: Best Practice Note (2015)

⁵ CEBR report for National Housing Federation (2013)

Direct Gross Value Added

- 2.11 Through an analysis of Experian data (March 2019) it is estimated that the average FTE construction worker in the South East region generates £71,489 of GVA per annum. On the basis of the above, it is assumed that the 62 construction jobs could generate c.£4.46 million in GVA during each year of construction.

Indirect and Induced Gross Value Added

- 2.12 2013 research⁶ commissioned by the National Housing Federation concluded that the house building industry has a GVA multiplier equivalent to 2.41. This means that every £1 of direct GVA supported by the industry is worth £2.41 in total. Applying this multiplier figure to the direct GVA impacts derived above indicates that the development proposals could support c.£6.28 million of indirect GVA per annum in total.
- 2.13 This equates to around **£10.74 million direct, indirect and induced GVA** in total per annum. It should be noted that not all of this will be retained locally.

1.0 Expenditure Benefits

First Occupation Expenditure

- 2.14 It is commonly accepted that households embark on a period of increased expenditure once they move into a new property in order to put their stamp on the house and make it 'feel like home'. Recent research by OnePoll⁷ suggested that this initial injection of expenditure could average approximately £5,500 per home. Applying this to the proposed development of 40 new homes would suggest that first occupation expenditure associated with the site could be in the order of **£220,000**. It is estimated – based upon the assessment of shopping patterns in the local area outlined in the narrative below – that a proportion of this expenditure is likely to be retained locally.

Net Additional Local Expenditure

- 2.15 The ONS Family Expenditure Survey (2019 Edition) provides a breakdown of household expenditure, at the national level, for a series of Output Area Classification (OAC) supergroups – defined according to their socio-economic characteristics. The predominant OAC supergroup within the existing residential areas surrounding the proposed development site is classified as 'suburbanites'. It has therefore been assumed that the residents of the market housing would also be suburbanites. Those occupying the affordable homes on site are considered more likely to fall into the 'Hard-pressed living' category.
- 2.16 The ONS Family Expenditure Survey indicates that there is variance between the average weekly household expenditure for 'suburbanites' and 'hard-pressed living' classifications (£656.20 and £479.60 per week respectively). These figures are expressed at the national level and therefore require regional adjustments. The ONS Family Expenditure Survey indicates that the weekly expenditure of the average household in the South East region stands at 119% of the UK average. Having regard to the above, the total gross expenditure expected from new residents at Berry Hill Road is estimated to be in the region of £1.46 million per annum.

⁶ CEBR report for National Housing Federation (2013)

⁷ <https://www.barratthomes.co.uk/the-buying-process/home-buying-advice/>

- 2.17 The expenditure estimates should be presented on a net additional basis, and therefore there is a need to make suitable allowance for the fact that not all spend will be new to the area, whilst some new expenditure may not be retained within the Cherwell District Council area. Data from the DTLR's English Housing Survey-Tenure by Distance moved (2013/14) has been used to estimate the proportion of households at the site that are likely to be new to the local area. For the purposes of this analysis, this has been defined as those households moving a distance greater than 10 miles. An analysis of the Council's most recent retail study⁸ has been used to estimate the percentage of new resident spend on both convenience and comparison goods likely to be retained with the Cherwell District Council area. It is estimated that an overall expenditure retention rate of 37% would be realistic.
- 2.18 Having regard to the methodological approach outlined above, it is estimated that the net additional expenditure to be generated by the scheme could be in the order of **£372,000** per annum.

FTE Jobs Supported by Net Additional Expenditure

- 2.19 It is estimated that the total net additional expenditure per annum, combined with the first occupation expenditure, could support the creation of **4 new FTE jobs** in the local area (primarily in the retail, leisure and hospitality and catering sectors). This has been calculated having regard to ONS data sets which provide a breakdown of: the proportionate share of the average household's weekly expenditure; and 'cost per job' estimates by sector.

3.0 Local Authority Revenue Benefits

New Homes Bonus

- 3.1 From 2018/19 changes to the New Homes Bonus [NHB] meant that payments match, for a four-year period, the increase in Council Tax income from new homes or homes brought back into use⁹. Local authorities will only receive New Homes Bonus payments on any housing delivered above a baseline level of growth equivalent to 0.4% of the dwelling stock.
- 3.2 Having defined an indicative Council Tax Band profile for the site, the potential New Homes Bonus payments have been estimated using the Ministry of Housing, Communities and Local Government's [MHCLG's] New Homes Bonus Calculator. This indicates that the delivery of 40 new homes (including 35% affordable) on site could generate **c.£279,000 in New Homes Bonus payments over four years**.
- 3.3 It is recognised that payments will be profiled to reflect the build period of the development and are contingent upon Cherwell District Council delivering total housing growth in excess of the 0.4% threshold.

Council Tax

- 3.4 The proposed development would generate an increase in council tax receipts. This would provide an additional boost to the revenue base of Cherwell District Council, over and above the impact of the NHB payments in the long-term. Drawing upon the assumptions and analysis presented in relation to NHB (and having regard to levels of council tax levied by the local

⁸ Cherwell Retail Study (2012)

⁹ New Homes Bonus is calculated on the basis of national average Council Tax charges. Council Tax, however, differs from one authority to the next. In addition, New Homes Bonus provides an additional allowance for the provision of affordable housing. As such, the New Homes Bonus payments to be generated by the scheme do not correspond precisely to four times the value of projected Council Tax revenues.

authority in the 2020/21 financial year), it is estimated that the development could generate around **£74,000 per annum** in additional council tax payments in perpetuity.

Section 106 Contributions

- 3.5 It is understood that Hollins Strategic Land has agreed in principle with Cherwell District Council a series of developer contributions, to be delivered via Section 106. It should be noted that some of these figures are subject to change at the Reserved Matters stage as they will be based on the final housing mix.
- 3.6 Berry Hill Road will deliver the following (costed) Section 106 contributions:
- Open space provisions to include the laying out and regulation of such areas and arrangements for the long term management and maintenance including the provision of commuted sums towards surface water drainage features, public open space and hedgerows. Contribution of £22,328.74.
 - Contribution towards the enhancement of public transport services serving the site to pump prime bus services on the A4260. Contribution of £40,000 index (linked from January 2018).
 - Contribution towards the provision of two sets of bus stop pole and premium route standard flags and a bus shelter, plus a commuted sum for long term maintenance. Contribution of £10,000 (index linked from January 2018).
 - Contribution towards access mitigation measures on local public rights of way to the east and north of the site (Footpaths 13, 6, 5 and 24 and bridleway 9). This would fund surface improvement, signing and furniture along the routes. Contribution of £20,000 (index linked from January 2018).
 - Administration costs towards a Traffic Regulation Order to enable the relocation of the existing 30mph speed signage from its current location to a point further east close to the junction with the A4260 to bring the entire Berry Hill Road to 30mph. Contribution of £3,120 (index linked from January 2019).
 - Contribution towards Nursery and Primary education to be used towards expanding nursery and primary provision at Christopher Rawlins CE (VA) Primary School of £331,593 (index linked from 2Q17).
 - Contribution towards Secondary education to be used towards expanding secondary provision at The Warriner School of £200,771 (index linked from 2Q17).
 - Contribution towards offsite outdoor sports towards the development of sports pitches and changing facilities off Milton Road in Adderbury CDC Recreation and Leisure response of £80,681.80 (index linked from 2Q17)
 - Contribution towards off-site indoor sports towards the expansion of/ improvements at Spiceball Leisure Centre in Banbury (which will serve the new residents) CDC Recreation and Leisure response of £33,397.87 (index linked from 2Q17)
 - Contribution towards the development of community hall facilities off Milton Rd in Adderbury CDC Recreation and Leisure response of £51,792 (index linked from 2Q17).
 - Contribution towards the improvement of local primary medical care facilities of £34,560.
 - Contributions towards waste and recycling bins of £4,440.
- 3.7 Having regard to the above, it is estimated that Hollins Strategic Land could contribute a total around £833,000 in S106 payments.

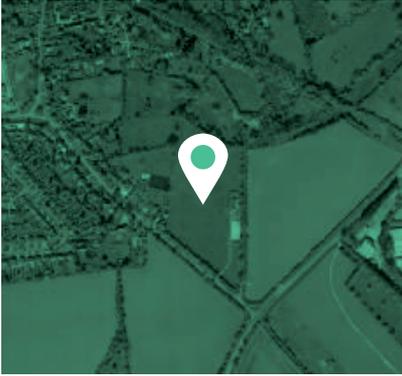
The economic benefits of Berry Hill Road, Adderbury

The proposed development in Adderbury will deliver up to 26 market and 14 affordable new homes, contributing towards Cherwell District's housing requirements.

The proposal



40 New homes **35%** Affordable homes



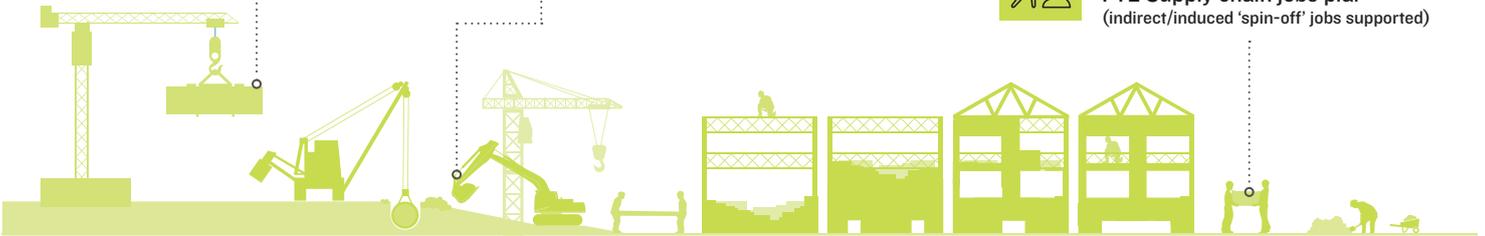
Construction benefits

£5.5m
Construction value
(total construction cost)

£10.7m GVA
Economic output
(additional GVA p.a.)

62 Jobs
FTE Construction jobs p.a.
(Over the 18 month build period)

94 Jobs
FTE Supply chain jobs p.a.
(indirect/induced 'spin-off' jobs supported)



Operational and expenditure benefits

£220,000
First occupation expenditure
(spending to make a house 'feel like a home')

£372,000
Resident expenditure
(within local shops and services p.a.)

4 Supported jobs
(from increased expenditure in local area)



Local Authority revenue benefits

£279,000
New Homes Bonus payments
(over a 4 year period)

£74,000
Council Tax revenues (p.a.)

c.£833,000
Planning contributions
(s106 to be confirmed at RM stage)



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Appendix 50A
Biodiversity Metric 2.0 Calculations

The Biodiversity Metric 2.0 - Calculation Tool

Start page

Project details

Planning authority:	Cherwell District Council
Project name:	Berry Hill Road, Adderbury
Applicant:	Hollins Strategic Land
Application type:	Residential
Planning application reference:	
Assessor:	Celia Barlow BSc (Hons) MSc MEnvSc Cenv, Principal Ecologist- E3P
Reviewer:	N/A
Revision:	1
Assessment date:	29/06/2020
Planning authority reviewer:	

Cell style conventions

	Enter data
	Automatic lookup
	Result

Instructions

Main menu

Results

View all

Reset view

The Biodiversity Metric 2.0 - Calculation Tool

Main menu

Street tree helper		
Tree size	Tree number	Area
Small		0.0000
Medium		0.0000
Large		0.0000
Total	0.00	0.0000

Start page

Instructions

Technical data

Results

Start here

1

2

3

4

On-site
baseline

A-1
On-site
habitat
baseline

B-1
On-site
hedge

C-1
On-Site
river
baseline

On-site post development

A-2 Habitat
creation

A-3 Habitat
enhancement

A-4 Habitat
accelerated
succession

B-2 Hedgerow
creation

B-3 Hedgerow
enhancement

C-2 River
creation

C-3 River
enhancement

Off-site
baseline

D-1
Off-site
habitat
baseline

E-1
Off-site
hedge
baseline

F-1
Off-site
river
baseline

Off-Site post development

D-2 Habitat
creation

D-3 Habitat
enhancement

D-4 Habitat
accelerated
succession

E-2 Hedgerow
creation

E-3 Hedgerow
enhancement

F-2 River
creation

F-3 River
enhancement

Berry Hill Road, Adderbury

Headline Results

[Return to results menu](#)

On-site baseline	<i>Habitat units</i>	9.48
	<i>Hedgerow units</i>	9.68
	<i>River units</i>	0.00
On-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	18.86
	<i>Hedgerow units</i>	12.01
	<i>River units</i>	0.00
Off-site baseline	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Off-site post-intervention (Including habitat retention, creation, enhancement & succession)	<i>Habitat units</i>	0.00
	<i>Hedgerow units</i>	0.00
	<i>River units</i>	0.00
Total net unit change (including all on-site & off-site habitat retention/creation)	<i>Habitat units</i>	9.38
	<i>Hedgerow units</i>	2.33
	<i>River units</i>	0.00
Total net % change (including all on-site & off-site habitat creation + retained habitats)	<i>Habitat units</i>	98.91%
	<i>Hedgerow units</i>	24.03%
	<i>River units</i>	0.00%

A-1 Site Habitat Baseline

Berry Hill Road, Adderbury
A-1 Site Habitat Baseline

Condense / Show Columns Condense / Show Rows

Main Menu Instructions

Ref	Habitats and areas			Habitat distinctiveness		Habitat condition		Ecological connectivity			Strategic significance			Suggested action to address habitat losses	Ecological baseline Total habitat units
	Broad Habitat	Habitat type	Area (hectares)	Distinctiveness	Score	Condition	Score	Ecological connectivity	Connectivity	Connectivity multiplier	Strategic significance	Strategic significance	Strategic position multiplier		
1	Grassland	Grassland - Modified grassland	3.59	Low	2	Poor	1	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Same distinctiveness or better habitat required	7.90
2	Urban	Urban - Developed land; sealed surface	0.11	V.Low	0	N/A - Other	0	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Compensation Not Required	0.00
3	Sparsely vegetated land	Sparsely vegetated land - Ruderal/Ephemeral	0.07	Low	2	Poor	1	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Same distinctiveness or better habitat required	0.15
4	Urban	Urban - Vacant/derelict land/ bareground	0.09	Low	2	Poor	1	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Same distinctiveness or better habitat required	0.20
5	Woodland and forest	Woodland and forest - Other woodland; broadleaved	0.14	Medium	4	Moderate	2	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Same broad habitat or a higher distinctiveness habitat	1.23

Retention category biodiversity value								Despoken compensation agreed for unacceptable losses	Comments	
Area retained	Area enhanced	Area succession	Baseline units retained	Baseline units	Baseline units successful	Area lost	Units lost		Assessor comments	Reviewer comments
			0.00	0.00	0.00	3.59	7.90		Grassland to be enhanced with seeding, resulting in species rich grassland.	
			0.00	0.00	0.00	0.11	0.00			
			0.00	0.00	0.00	0.07	0.15			
			0.00	0.00	0.00	0.09	0.20			
0.14			1.23	0.00	0.00	0.00	0.00			

A-2 Site Habitat Creation

Berry Hill Road, Adderbury

A-2 Site Habitat Creation

Condense / Show Columns Condense / Show Rows

Main Menu Instructions

Proposed habitat	Area (hectares)	Distinctiveness	Score	Condition	Score	Post development/ post intervention habitats											Habitat units delivered	Comments	
						Ecological connectivity			Strategic significance			Temporal multiplier		Difficulty multipliers		Assessor comments		Reviewer comments	
						Ecological connectivity	Connectivity	Connectivity multiplier	Strategic significance	Strategic significance	Strategic position multiplier	Time to target condition/years	Time to target multiplier	Difficulty of creation category	Difficulty of creation multiplier				
Urban - Developed land; sealed surface	0.74	V.Low	0	N/A - Other	0	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	0	1.000	Low	1	0.00	Buildings and hard standing		
Urban - Vegetated garden	0.55	Low	2	Poor	1	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	1	0.965	Low	1	1.17			
Urban - Amenity grassland	0.38	Low	2	Poor	1	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	1	0.965	Low	1	0.81			
Woodland and forest - Other woodland; broadleaved	0.27	Medium	4	Fairly Poor	15	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	25	0.410	Medium	0.67	0.49	Legacy tree and woodland planting		
Woodland and forest - Other woodland; mixed	0.03	Medium	4	Fairly Poor	15	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	20	0.490	Medium	0.67	0.07	Semi-ornamental tree planting		
Urban - Orchard	0.29	Medium	4	Moderate	2	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	15	0.586	Low	1	1.50	Orchard with species rich grassland		
Grassland - Other neutral grassland	1.59	Medium	4	Fairly Good	2.5	Medium	Moderately connected habitat	1.1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	12	0.652	Low	1	12.55	Species rich grassland		
Lakes - Ditches	0.11	Medium	4	Moderate	2	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	5	0.837	Low	1	0.81	Swales		
Urban - Sustainable urban drainage feature	0.12	Low	2	Fairly Poor	15	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	2	0.931	Medium	0.67	0.25	Attenuation pond		

B-1 Site Hedge Baseline

Berry Hill Road, Adderbury
B-1 Site Hedge Baseline

Condense / Show Columns

Condense / Show Rows

Main Menu

Instructions

Baseline ref	UK Habitats - existing habitats			Habitat distinctiveness		Habitat condition		Ecological connectivity			Strategic significance			Ecological baseline Total hedgerow units	
	Hedge number	Hedgerow type	length KM	Distinctiveness	Score	Condition	Score	Ecological connectivity	Connectivity	Connectivity multiplier	Strategic significance	Strategic significance	Strategic position multiplier		Suggested action to address habitat losses
1	H1	Native Species Rich Hedgerow with trees - Associated with bank or ditch	0.18	High	6	Good	3	Medium	Moderately connected habitat	1.1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Like for like	3.9204
2	H2	Native Species Rich Hedgerow	0.29	Medium	4	Good	3	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Like for like or better	3.828
3	H3	Native Species Rich Hedgerow with trees	0.14	Medium	4	Good	3	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Like for like or better	1.848
4	H4	Native Hedgerow	0.02	Low	2	Moderate	2	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic significance	1.1	Same distinctiveness band or better	0.088

Retention category biodiversity value						Comments	
Length retained	Length enhanced	Units retained	Units enhanced	Length lost	Units lost	Assessor comments	Reviewer comments
	0.18	0	3.9204	0	0	Hedgerows to be managed and supplemented with new planting.	
	0.29	0	3.828	0	0	Hedgerows to be managed and supplemented with new planting.	
	0.14	0	1.848	0	0	Hedgerows to be managed and supplemented with new planting.	
		0	0	0.02	0.088		

B-2 Site Hedge Creation

Berry Hill Road, Adderbury																				
B-2 Site Hedge Creation																				
Condense / Show Columns			Condense / Show Rows			Main Menu			Instructions			Multipliers								
Proposed habitats												Spatial quality			Temporal multiplier		Difficulty of creation multiplier	Hedge units delivered	Comments	
Baseline ref	New hedge numb	Habitat type		Habitat distinctiveness		Habitat condition		Ecological connectivity			Strategic significance			Temporal multiplier		Difficulty of creation multiplier	Hedge units delivered	Assessor comments	Reviewer comments	
		Length km	Score	Condition	Score	Ecological connectivity	Connectivity	Connectivity multiplier	Strategic significance	Strategic significance	Strategic position multiplier	Time to target condition/years	Time to target multiplier							
1		Native Species Rich Hedgerow		0.39	Medium	4	Good	3	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	10	0.700	0.67	2.42		
2																				

B-3 Site Hedge Enhancement

Berry Hill Road, Adderbury														
B-3 Site Hedge Enhancement														
Condense / Show Columns				Condense / Show Rows										
Main Menu				Instructions										
Baseline Habitats														
Baseline ref	Baseline habitat	Length KM	Baseline distinctiveness band	Baseline distinctiveness score	Baseline condition category	Baseline condition score	Baseline connectivity	Baseline connectivity	Baseline connectivity score	Baseline strategic significance category	Baseline strategic significance score	Baseline habitat units	Suggested action	Proposed
1	Native Species Rich Hedgerow with trees - Associated with bank or ditch	0.18	High	6	Good	3	Medium	Moderately connected habitat	1.1	Medium strategic significance	1.1	3.3204	Like for like	Native Species Rich Hedgerow with trees - Associated with bank or ditch
2	Native Species Rich Hedgerow	0.23	Medium	4	Good	3	Low	Unconnected habitat	1	Medium strategic significance	1.1	3.828	Like for like or better	Native Species Rich Hedgerow with trees
3	Native Species Rich Hedgerow with trees	0.14	Medium	4	Good	3	Low	Unconnected habitat	1	Medium strategic significance	1.1	1.848	Like for like or better	Native Species Rich Hedgerow with trees

Post development/ post intervention habitats																			
Baseline and condition	Length KM	Distinctiveness	Score	Condition	Score	Ecological connectivity	Strategic significance			Temporal multiplier		Difficulty Multipliers		Hedge units delivered	Comments				
							Strategic significance	Strategic significance	Strategic position multiplier	Time to target condition/years	Time to target multiplier	Difficulty of enhancement Category	Difficulty of Enhancement		Assessor comments	Reviewer comments			
Error - No enhancement	0.18	High	6	Good	3	Medium	Moderately connected habitat	1.1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	20	0.490	Medium	0.67	3.92			
Error - No enhancement	0.23	Medium	4	Good	3	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	20	0.490	Medium	0.67	3.83			
Error - No enhancement	0.14	Medium	4	Good	3	Low	Unconnected habitat	1	Location ecologically desirable but not in local strategy	Medium strategic	1.1	20	0.490	Medium	0.67	1.85			
Total site length	0.61																9.60		

Appendix 50B
Biodiversity Metric 2.0 Calculations

Hannah Wild

From: Celia Barlow <cbarlow@e3p.co.uk>
Sent: 30 June 2020 15:04
To: Matthew Symons
Subject: Berry Hill Road- biodiversity Net Gain Results
Attachments: Biodiversity Metric 2.0 Calculation Tool Beta Test - December 2019- Berry Hill Road, Adderbury.xlsm

Hi Matthew,

As discussed I have undertaken the Biodiversity Metric calculation using Defras Biodiversity Metric 2.0 December 2019 version.

The results show that the baseline habitat units were 18.86, which have been increased by 9.38 units. This is a 98.91% biodiversity net gain on site. This is an excellent result, and goes far beyond the 10% requirement.

The baseline hedgerow units on site were 9.68, which have been increased by 2.33 units. This is a 24.03% gain. Again this is a great result.

Kind Regards

Celia Barlow
Principal Consultant- Ecology



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Appendix 51
APC Traffic Calming Update

Traffic Calming Update

Posted 1 week ago (24/06) by Theresa Goss

At its meeting on 23 June 2020, the Parish Council's Environment Committee received useful updates from the County Council on proposed traffic calming measures in the village. The Committee hopes these will be implemented in the village over the coming months.

There have been slight delays with the proposals due to the Covid-19 Pandemic and a subsequent shortage of staff at the County Council, but the following were confirmed:

1. additional road markings around the village were in the County Council schedule and would be progressed shortly;
2. they have received from the Parish Council, the design brief for the chicanes on Milton Road and Berry Hill Road and the design would be progressed; and
3. the proposal to close the western arm of the oak tree junction was in initial consultation with transport companies. Once the feasibility had been confirmed, the design brief would be finalised by the volunteers assisting the Committee, and the design would be progressed too.

The Committee had asked for feedback from WARA and residents with regard to the additional signage they would like for Horn Hill Road through to Water Lane, but this was yet to be received, so had not yet been progressed.

Adderbury Speedwatch had been paused due to the Covid-19 Pandemic, but it was hoped that this could get back up and running shortly. Interestingly, the majority of those who had been caught speeding by Adderbury Speedwatch were either local to Adderbury or lived in surrounding villages.

If any residents would like to join the Adderbury Speedwatch volunteer group, they should contact the Clerk to the Parish Council. adderburypc@hotmail.com

<https://www.adderburypc.co.uk/news-story.php?newsid=52>

Appendix 52
Policies complied with

LPP1 Policy reference	LPP1 Policy heading
PSD1	Presumption in favour of sustainable development
SLE4	Improved transport and connections
BSC1	District wide housing distribution
BSC2	The effective and efficient use of land – brownfield land and housing density
BSC3	Affordable housing
BSC4	Housing mix
BSC8	Securing health and well-being
BSC9	Public services and utilities
BSC10	Open space, outdoor sport and recreation provision
BSC11	Local standards of provision – outdoor recreation
BSC12	Indoor sport, recreation and community facilities
ESD1	Mitigating and adapting to climate change
ESD3	Sustainable construction
ESD6	Sustainable flood risk management
ESD7	Sustainable drainage systems
ESD10	Protection and enhancement of biodiversity and the natural environment
ESD13	Local landscape protection and enhancement
ESD15	The character of the built and historic environment
ESD17	Green infrastructure
Policy Villages 1	Village categorisation
Policy Villages 2	Distributing growth across the rural areas
Policy Villages 4	Meeting the needs for open space, sport and recreation
INF1	Infrastructure

CLP Policy reference	CLP Policy heading
C8	Sporadic development in the open countryside
C27	Development in villages to respect historic settlement pattern
C30	Design control
ANP Policy reference	ANP Policy heading
AD2	Green infrastructure
AD16	Managing design in Berry Hill Road and St Mary's Road