

From: [Caroline Ford](#)
To: [Hannah Leary](#)
Cc: rb@reviewpartners.uk.com; [Archie Mackay-James](#); [Alex Chrusciak](#); [Nigel Simkin](#); pmartin@firethorntrust.com; [Eleanor Musgrove](#)
Subject: Viability - 21/01630/OUT Firethorn at NW Bicester
Date: 14 April 2022 15:33:43

Dear Hannah,

I write in respect to the ongoing viability work and specifically to advise on some of the points arising from the letter sent from Archie at Rapleys dated 5th April 2022, received 7th April 2022.

Firstly, a point which has also arisen elsewhere and which has therefore been a matter we have looked into is the availability of the information relating to viability in the public domain. We have currently not published the majority of the submitted information other than the executive summary and therefore we have also not published any of the advice provided by the Council's advisors (albeit the advice from HLD is currently draft for consideration and discussion).

The PPG is clear that any viability assessment should be prepared on the basis that it will be made publicly available other than in exceptional circumstances. Even in those circumstances (and we would need to understand if this is the case), an executive summary should be made publicly available and this in itself is also addressed by the PPG in that it should be prepared in accordance with the Government's data format and to present the data and findings more clearly so that the process and findings are accessible to affected communities. It sets out that as a minimum, the Government recommends that the executive summary sets out the gross development value, benchmark land value including landowner premium, costs, as set out in the guidance where applicable and return to developer. It also sets out that where a viability assessment is submitted to accompany a planning application, the executive summary should refer back to the viability assessment that informed the plan and summarise what has changed since then as well as setting out the proposed developer contributions and how this compares with policy requirements.

The PPG is clear that information used in viability assessment is not usually specific to a developer and therefore need not contain commercially sensitive data, however if specific details are deemed to be commercially sensitive then the information should be aggregated in published viability assessments and executive summaries and included as part of total costs figures.

Having reviewed this guidance, it is clear that the information submitted should be made public. Before doing so however, I can give you an opportunity to consider the guidance and to advise if there are exceptional circumstances which mean that the submitted information should be kept out of the public domain. If that were the case and the Local Planning Authority were content that certain information were commercially sensitive, then the Executive Summary would need considerable updating to provide more detailed information as to the case being made and as set out by the PPG guidance. We will also need to consider the publication of the advice provided to the Council by its advisors. This ensures accountability and transparency of process as we move through to considering how a viability gap might be closed as part of the public record.

Please can you consider this further and advise me on your thoughts on this?

Nigel Simkin has raised a number of queries of matters to review which are summarised within his email of 23 March 2022. I note that you have queried these and my response is as below.

- Whilst your comments with regard to the proposed development mix and area assumptions and the fact that these have been formulated following detailed engagement with several major PLC housebuilders is noted, I have to disagree that these should remain unchanged. The evidence referred to by Nigel identifies that other sites in the area have provided for 5 bed dwellings and that square footage for various sized dwellings are under provided for against local comparable examples (in particular 2 bed market dwellings are significantly smaller than 2 bed flats and 2 bed affordable housing units which is not supported by evidence). Indeed indicative proposals from developers relating to NW Bicester indicate that 5 bed dwellings are likely to be provided at NW Bicester which could reasonably be assumed to apply to this particular site and that the square footage of proposed dwellings are more closely aligned to those examples found in the local area compared to the square footage assumptions you have modelled. That also demonstrates that affordable dwellings tend to also be smaller than market equivalent dwellings (particularly noticeable on the larger plots – i.e. 4 bed dwellings), yet your assumptions suggest larger affordable dwellings than their market counterparts in some cases. I don't therefore agree that reasonable and justified assumptions have been made and would agree with Nigel Simkin's advice that you should update area assumptions and therefore values to consider the impact upon viability.
- Whilst the provision of garages may be desirable from a marketing point of view, these are not required to meet planning requirements and I would agree with Nigel that a reduced level of garaging should be considered in terms of its impact upon viability. Ongoing discussions relating to schemes at NW Bicester also indicates that garages are most often associated with detached 4 and 5 bed dwellings rather than at the significant level you assume. The confirmation of whether residential sales values take account of garage provision would be appreciated.
- The level of visitor parking would need to be queried with OCC as the Highway Authority. Please note, you have included within the S106 heads of terms a figure of £950 per dwelling for 'adoption of unallocated parking bays' – I am unclear on where this figure has been derived from and having checked with OCC, I am advised that these would not be adopted so this figure would need to be removed.
- With regard to the provision of electric vehicle charging points for visitors, the Oxfordshire Electric Vehicle Infrastructure Strategy suggests that provision must be made for EV charging for each residential unit with an allocated parking space and that non-allocated spaces should be provided with at least 25% having electric charging points installed. The provision of ducting to enable the further roll out of charging infrastructure would be beneficial. I am aware that there are planned changes to the Building Regulations in this respect but from the evidence provided, you have identified 50% of visitor parking and car club spaces which, whilst positive is not a requirement and could therefore be reduced, positively impacting upon viability, especially where other necessary infrastructure could be at risk.

I will be separately issuing the comments from Bioregional, hopefully next week. I have reviewed them and have asked for a couple of updates in order that the response can be passed to you and it is hoped that this will be ready to provide to you next week.

Lastly, I will be looking to update the S106 heads of terms matters and advise Nigel of this over the coming weeks.

I trust this is of assistance and I look forward to hearing from you. This advice is provided entirely without prejudice.

Kind regards
Caroline

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

Development Management Division

Environment and Place Directorate

Cherwell District Council

Tel: 01295 221823

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

Web: www.cherwell.gov.uk

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