

**From:** [Archie Mackay-James](#)  
**To:** [Nigel Simkin](#); [Caroline Ford](#); [Alex Chrusciak](#)  
**Cc:** [Hannah Leary](#); [Paul Martin](#); [Rob Bolton](#); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); [Nick Fell](#)  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust  
**Date:** 18 July 2022 18:59:34  
**Attachments:** [image017.jpg](#)  
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[image003.gif](#)  
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[RE 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust.msa](#)

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Thanks Nigel.

Please find my response with additional information attached.

In terms of a meeting next week, I am available on Tuesday 26<sup>th</sup> from 2.30pm onwards or Wednesday 27<sup>th</sup> anytime.

Kind Regards

Archie

**Archie Mackay-James**  
MRICS  
Senior Associate  
Residential Development Consultancy  
07467 941544



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**From:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>  
**Sent:** 18 July 2022 14:12  
**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>; Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>  
**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; emusgrove@firethorntrust.com; Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; Ian Tarbet <[ian.tarbet@rlf.co.uk](mailto:ian.tarbet@rlf.co.uk)>; Tom Motchman <[T.Motchman@Gardiner.com](mailto:T.Motchman@Gardiner.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie

Thanks for your emails. Ian is working on his review at present and is targeting reporting in draft to me and Caroline as soon as he is able to next week.

In terms of my actions from our meeting, I am working on these this week, so if you can get your information over to me by close of play today that would enable me to consider it all in the round this week. If a further meeting is required, I am available either Tuesday 26<sup>th</sup> or Wednesday 27<sup>th</sup> next week for a teams call. Please let me know how you are fixed and we can get a meeting in the diary.

Kind regards

Nigel



**Nigel Simkin MRICS MRTPI**

**Director**

T: [0121 740 0591](tel:01217400591) | M: [07854 836 811](tel:07854836811)

E: [Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com) | W: [www.hld-uk.com](http://www.hld-uk.com)

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---

**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 15 July 2022 18:12

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Ian Tarbet <[ian.tarbet@rlf.co.uk](mailto:ian.tarbet@rlf.co.uk)>; Tom Motchman <[T.Motchman@Gardiner.com](mailto:T.Motchman@Gardiner.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Ian,

I trust you're well.

Following my confirmation email below, I was wondering how your detailed review is progressing and when you will be in a position to circulate this?

Kind Regards

Archie

**Archie Mackay-James**

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Senior Associate  
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**From:** Archie Mackay-James  
**Sent:** 05 July 2022 13:16  
**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>  
**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Ian Tarbet <[ian.tarbet@rlf.co.uk](mailto:ian.tarbet@rlf.co.uk)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Caroline,

Thanks for your email.

My client is happy to make payment to RLF for the additional costs already incurred of £2,000 plus VAT if RLF could please provide an invoice for this?

Moving forward, due to my client's funding procedure they are unable to make an up-front payment prior to work being carried out. They are able to make payments for work carried out following receipt of invoices and supporting timesheets at the end of each month. Are we able to proceed on this basis?

I have been in touch with Nigel separately regarding a workshop next week.

Kind Regards

Archie

**Archie Mackay-James**

MRICS  
Senior Associate  
Residential Development Consultancy  
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**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Sent:** 04 July 2022 15:18

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Ian Tarbet <[ian.tarbet@rlf.co.uk](mailto:ian.tarbet@rlf.co.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie,

Many thanks, I have sent this onto Bioregional. My colleague has prepared a note which I need to review and share with others before sending over. I think that a meeting involving Bioregional would be best timed once you have seen that so that we can discuss the content of that note.

With regard to the fee proposals – thank you for confirming your agreement to this. I have spoken with Nigel Simkin about the timescales and the quotes provided gave targets that are considered to be realistic taking into account the likely work involved and other commitments. Nigel will, nevertheless, move this forward as quickly as he can and is aiming to start work on this next week – he will be in touch directly to liaise with you regarding a date for the suggested workshop.

In terms of the payment of the fees – as before, we would ask that this be paid directly to HLD and to RLF. As the fees are based upon a time-charge basis, I have discussed with Nigel that an appropriate way forward would be for an up-front payment of 50% of the estimated costs prior to work commencing (i.e. £2,500 plus VAT each to HLD and RLF (plus the additional fee requested by RLF to cover the additional costs already incurred of £2000 plus VAT)) with a balancing payment to cover the rest of the balance made prior to the formal reports being provided to CDC. If you agree with this approach, I would be grateful for your confirmation in writing that you agree to cover the balancing payment for our records. I have discussed with Nigel that should costs escalate significantly beyond the estimate, that you are advised of this in advance to ensure that you are fully aware of what your balancing payment is likely to be.

I trust this is of assistance to you. Please accept that as ever, this is provided entirely without prejudice.

Kind regards  
Caroline

**Caroline Ford** BA. (Hons) MA MRTPI

**Team Leader**

Development Management Division

Communities Directorate

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Tel: 01295 221823

Email: [caroline.ford@cherwell-dc.gov.uk](mailto:caroline.ford@cherwell-dc.gov.uk)

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My usual working hours are: Monday to Friday, 09:00am to 17:15pm.

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---

**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 01 July 2022 17:04

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

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Dear Caroline,

As detailed in my email yesterday, please find a technical note attached which provides a response to Bioregional's email dated 23rd May 2022. In light of this technical note, which has been compiled by Gardner and Theobald and Stantec, we look forward to receiving feedback in relation to the areas within the build cost that you think could potentially be looked at to help with viability.

As suggested by HLD, we feel that a meeting between yourselves, Bioregional, the Applicant team and RLF at the earliest opportunity will be beneficial for realising agreement on the interpretation of FHS and TZC and the resultant costs so that the viability negotiation can move forward and we look forward to confirming a potential date for this meeting as soon as possible.

Have a good weekend.

Kind Regards

Archie

**Archie Mackay-James**  
MRICS  
Senior Associate  
Residential Development Consultancy  
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**From:** Archie Mackay-James  
**Sent:** 30 June 2022 17:47  
**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>  
**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Dear Caroline,

We have reviewed and I have received client instruction that we are happy to proceed on the basis of the proposed fees outlined by HLD and RLF in their respective emails.

In terms of timescales, as discussed there are continued contractual pressures due to the the delays in progressing to planning committee whilst current build cost inflation means that the viability position is being affected negatively with each month that passes. With this in mind, we feel that the timescales proposed by HLD and RLF should be reduced as follows:

**RLF**

- Undertake a detailed review of the submissions provided by the Applicant - 2 weeks.

**HLD**

- Undertake a detailed review of the submissions provided by the Applicant - 2 weeks.
- Update of HLD Development Viability Appraisal and Produce FVA Report to CDC - 2 weeks.

Are you able to request that RLF's and HLD'S work is progressed on this basis?

Separately, we be circulating a technical note shortly which provides a response to Bioregional's email dated 23rd May 2022. In light of this technical note, which has been compiled by Gardner and Theobald and Stantec, we look forward to receiving feedback in relation to the areas within the build cost that you think could potentially be looked at to help with viability. As suggested by HLD, we feel that a meeting between yourselves, Bioregional, the Applicant team and RLF at the earliest opportunity will be beneficial to realising agreement on the interpretation of FHS and TZC and the resultant costs so that the viability negotiation can move forward. With this in mind, are you able to liaise with Bioregional and confirm some potential dates for a meeting?

Kind Regards

Archie

**Archie Mackay-James**  
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**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>  
**Sent:** 21 June 2022 11:14  
**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com);  
[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com);  
[emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak  
<[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie,

Apologies for the delay – please see attached – there are two emails, one from RLF attached to the HLD quote. If you have any queries on this, please do let me know.

I met with HLD/RLF and Bioregional yesterday and, having worked through some of the Bioregional comments, we have identified some areas within the build cost that we think could potentially be looked at to help with viability. Myself and a colleague (who will be working on NW Bicester more regularly) will work on pulling a list together on this as well as on S106 which I appreciate is still outstanding.

I trust this is of assistance, however I must stress that this is provided without prejudice.

Kind regards  
Caroline

**Caroline Ford** BA. (Hons) MA MRTPI  
**Team Leader – South Area Major Projects Planning Team**  
Development Management Division  
Communities Directorate  
Cherwell District Council  
Tel: 01295 221823  
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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Sent:** 20 June 2022 10:25  
**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>  
**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com);  
[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com);  
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<[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>  
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Hi Caroline,

Are you able to confirm when we will receive an indication on fees and timescales for progressing viability?

Kind Regards

Archie

**Archie Mackay-James**  
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Residential Development Consultancy  
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**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>  
**Sent:** 10 June 2022 12:51  
**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com);  
[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com);  
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<[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Hi Archie,

I have spoken with Nigel and he will be reviewing to aim to provide a quote over the next few working days. I will be writing to Hannah separately to advise more widely on timescales.

Kind regards  
Caroline



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

Development Management Division

Communities Directorate

Cherwell District Council

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---

**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 10 June 2022 12:37

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com);  
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<[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

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Hi Caroline,

I was wondering whether you and Nigel had had the opportunity to consider this further?

Kind Regards

Archie

**Archie Mackay-James**

MRICS

Senior Associate

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**From:** Archie Mackay-James

**Sent:** 09 June 2022 10:23

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com);  
[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com);  
[emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak  
<[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Thanks Caroline and apologies there weren't attachments on Tom's email, the relevant attachments are attached to this email.

I look forward to hearing from you regarding timescales and fee position as soon as possible.

Kind Regards

Archie

**Archie Mackay-James**

MRICS

Senior Associate

Residential Development Consultancy

07467 941544



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**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Sent:** 09 June 2022 10:15

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com);  
[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com);  
[emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak  
<[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie,

My apologies for the delay, I have now had time to read your and Tom's emails thoroughly and I note that it refers to attachments, which unfortunately were not attached to the email sent last Tuesday. Please could you send these over? Once it is clear the level of work that is needed from Nigel and Ian, then we will be able to look at timescales and Nigel/ Ian will be able to consider their fees.

Kind regards  
Caroline

**Caroline Ford** BA. (Hons) MA MRTPI  
**Principal Planning Officer – Major Projects Planning Team**  
Development Management Division  
Communities Directorate  
Cherwell District Council  
Tel: 01295 221823  
Email: [caroline.ford@cherwell-dc.gov.uk](mailto:caroline.ford@cherwell-dc.gov.uk)  
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Find us on Facebook [www.facebook.com/cherwelldistrictcouncil](http://www.facebook.com/cherwelldistrictcouncil)  
Follow us on Twitter @Cherwellcouncil

My usual working hours are: Monday to Friday, 09:00am to 17:15pm.

Planning and Development services can be contacted as follows: Development Management - [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk); Building Control - [building.control@cherwell-dc.gov.uk](mailto:building.control@cherwell-dc.gov.uk); Planning Policy - [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk); Conservation - [design.conservation@cherwell-dc.gov.uk](mailto:design.conservation@cherwell-dc.gov.uk). For the latest information on Planning and Development please visit [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Sent:** 07 June 2022 11:49  
**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>  
**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com);  
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[emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

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Dear Caroline,

I trust you're well.

I was wondering whether you'd had the opportunity to consider Tom's email below?

Specifically, we request that both HLD and RLF confirm their fee position and agreement to the below timescales for reviewing the updated appraisal, confirming that there is no material benefit in taking forward the 500 unit scheme over the 530 unit scheme, conducting negotiations and working towards an agreed viability position by Friday 24<sup>th</sup> June.

Date	Action
Week commencing 6 <sup>th</sup> June	(1) Feedback from Bioregional regarding Stantec comments on sustainability. (2) CDC confirm scheme amendments are acceptable (3) Confirmation of fee position from RLF / HLD and timescales.

Week commencing 13 <sup>th</sup> June	HLD carry out review of updated Rapleys appraisal and appraise 500 unit scheme to confirm no material benefit over 530 unit scheme. HLD and Rapleys carry out any additional negotiations to confirm the basis of the 530 unit scheme.
Week commencing 20 <sup>th</sup> June	HLD and Rapleys look to conclude viability negotiations and present options available to Council.
Friday 24 <sup>th</sup> June	Deadline to reach agreed viability position to enable Case officer to prepare committee report
Friday 1 <sup>st</sup> July	Submission of committee report
Friday 14 <sup>th</sup> July	Committee meeting

I would be happy to discuss further once you've had the opportunity to review.

Kind Regards

Archie

**Archie Mackay-James**

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**From:** Tom Seckington <[Tom.Seckington@rapleys.com](mailto:Tom.Seckington@rapleys.com)>

**Sent:** 31 May 2022 17:40

**To:** [Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); [T.Motchman@Gardiner.com](mailto:T.Motchman@Gardiner.com)

**Subject:** 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

*Sent for and on behalf of Archie Mackay-James:*

Dear Caroline,

Further to your letter dated 18<sup>th</sup> May, we have considered your comments and can confirm that our preferred option for moving forward is that viability discussions continue based upon the information submitted and the further information below and attached, which includes a revised cost plan and updated appraisal and viability position. We would like to try to resolve the outstanding issues on the inputs and assumptions to reach an agreed position on viability.

We appreciate that this option requires a further fee proposal and commitment to cover both HLD fees and RLF's fees together with an agreement of a new timetable moving forward which will impact on timescales. With this in mind, we have drafted a timetable below which would enable a pathway to the July committee.

We note your comment that the viability work is linked to work around standards and sustainability and the need to resolve what standard the development would be built to and how this complies, or otherwise, with the definition of True Zero Carbon as set by Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031. We sent over clarifying comments provided by Stantec on 11<sup>th</sup> May,

please can you confirm the position on these. We need clarity on this as a matter of urgency to enable viability matters to proceed and request that Bioregional provide a response at the latest by the beginning of next week.

We anticipate that a broad indication of the quantum of affordable housing that can be offered will be clarified once we have addressed a number of areas of difference with HLD over the coming weeks, once HLD have reviewed the amended scheme proposals.

We have now updated our appraisals in order to consider the impact on the overall viability if the scheme were reduced to 500 units against the original 530 unit scheme, taking into consideration the updated cost and value advice received from G & T and Green and Co based to Q1 2022 (all attached). Both scheme appraisals takes into account the suggested scheme amendments proposed by CDC on the overall viability position. Therefore G & T's updated cost plans assumes the following:

- adjust the gross to net ratio for the apartment block to 80%
- garages provided with detached 4 and 5 bedroom houses only. The units have also been valued on this basis.
- 25% provision of Electric Vehicle Charging Points for visitors with ducting
- Cost inflation adjusted to Q1 2022

The table below summarises the residual land values generated when assuming 30% affordable housing and 100% private housing for each scheme.

No. of units	Affordable Housing position	Residual Land Value
530	30% Affordable Housing (70% AR & 30% SO)	(Negative) -£6.8 million
530	100% private housing	£2.77 million
500	30% Affordable Housing (70% AR & 30% SO)	(Negative) -£5.2 million
500	100% private housing	£3.42 million

This demonstrates that when decreasing the quantum of units to 500, there is a marginal positive impact on the residual land value of the scheme when assuming 100% private housing and a slightly larger impact when assuming 30% affordable housing. This is due to Argus skewing finance costs and other appraisal assumptions when a negative land value is generated. The table below illustrates the key differences between the schemes when assuming 100% private housing, which is a truer comparison due to the schemes generating positive residual land values.

Appraisal input	530 unit scheme	500 unit scheme	Difference
Units per NDA	17.6	16.6	1
GIA (Sq ft)	474,482	514,784	40,302
NIA (Sq ft)	460,893	503,488	42,595
Sq Ft per NDA	15,816	17,133	1,342
GDV (Million)	£186	£196.8	£10.8
Base build (Million)	£81.7	£89.2	£7.50
Infrastructure (Million)	£19.9	£19.9	£0
Contingency (Million)	£5.9	£6.3	£0.4
S106 Costs (Million)	£18.7	£17.6	-£1.1
Finance (Million)	£5.3	£5.6	£0.3
Professional Fees (Million)	£8.6	£9.25	£0.63
Profit (Million)	£37.1	£39.3	£2.2
Residual Land Value (Million)	£2.77	£3.42	£0.65

This illustrates that whilst the gross area of the 500 unit scheme has increased, which has pushed up base build construction costs by £7.5 million and associated professional fees and contingency, the gross development value has increased by £10.8 million due to the increased sales area and inclusion of 5 bedroom houses and S106 costs have reduced by circa £1.1 million which offsets these cost increases.

Hence the suggested scheme amendments by HLD have a marginally positive impact on the overall viability position, but not significant enough to demonstrate that this should form the basis of viability negotiations moving forward. The application has been prepared against the original 530 unit scheme and the additional work undertaken to consider the 500 unit scheme does not

fundamentally change the outcome of the viability testing. Both scheme options are generating residual land values below a benchmark land value of £11.8m, based on HLD's assessment at £150,000 per acre. We are therefore seeking confirmation that the original 530 unit scheme is the scheme that will be tested and taken forward to committee. It is important to note that this is an outline application for up to 530 units. This will afford maximum flexibility in terms of delivery and the reserved matters applications will deal with the specific issues of layout, unit sizes and number of units to be delivered.

We therefore request that both HLD and RLF confirm their fee position and agreement to the below timescales for reviewing the updated appraisal, confirming that there is no material benefit in taking forward the 500 unit scheme over the 530 unit scheme, conducting negotiations and working towards an agreed viability position.

We therefore propose the following timetable in order for all Parties to work towards the July committee date:

Date	Action
Week commencing 6 <sup>th</sup> June	(1) Feedback from Bioregional regarding Stantec comments on sustainability. (2) CDC confirm scheme amendments are acceptable (3) Confirmation of fee position from RLF / HLD and timescales.
Week commencing 13 <sup>th</sup> June	HLD carry out review of updated Rapleys appraisal and appraise 500 unit scheme to confirm no material benefit over 530 unit scheme. HLD and Rapleys carry out any additional negotiations to confirm the basis of the 530 unit scheme.
Week commencing 20 <sup>th</sup> June	HLD and Rapleys look to conclude viability negotiations and present options available to Council.
Friday 24 <sup>th</sup> June	Deadline to reach agreed viability position to enable Case officer to prepare committee report
Friday 1 <sup>st</sup> July	Submission of committee report
Friday 14 <sup>th</sup> July	Committee meeting

We recommend that RLF confirm the fee position and timescales to review and confirm the reasonableness of the updated cost plan for the 500 unit scheme based on the amended assumptions (as per G & T above) rebased to Q1 2022. It should not be necessary for RLF to produce their own independent cost plan for the 500 unit scheme on the basis that the scheme advanced to committee is the 530 unit scheme.

I trust the above is clear and I would be happy to discuss further. Please note that I am on annual leave the rest of this week, returning Monday 6<sup>th</sup> June.

Kind Regards

Archie

**Archie Mackay-James**

MRICS

Senior Associate

Affordable Housing & Viability

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## Sharon Lowin

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**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust  
**Attachments:** Bicester Area comparison.xlsx; Viability - 21/01630/OUT Firethorn at NW Bicester; NW Bicester updated schedule analysis. Crest Exemplar phase 3 and 4.xlsx; 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Nigel,

Thanks for your email. I have considered and respond below in *blue bold italics*.

I look forward to confirming a follow-up call to next week to discuss the outstanding issues.

Kind Regards

Archie

### Archie Mackay-James

MRICS  
Senior Associate  
Residential Development Consultancy  
07467 941544



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**From:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>  
**Sent:** 14 July 2022 15:42  
**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie,

I hope that you are keeping well.

Further to our workshop on development viability at your offices on Tuesday afternoon, as discussed, I write to provide a brief note of the meeting and the actions arising.

As you are aware, our meeting focused on the surveying (i.e. 'commercial') appraisal points in the Development Viability Appraisal, focussing on items where there are areas of difference between us, with a view to either seeking some agreement on these issues, or identifying the additional actions that either you or I need to undertake in an effort to try and reach agreement on these items. In a number of respects, we did however conclude that it was likely that differences of opinion would remain between us.

I set out below a summary of the meeting (utilising the headings I sent last week) and highlight the actions arising.

**HLD's proposed changes to the dwelling sizes (and the impact this has on the square footage/mix etc.)**

We had a lengthy discussion regarding the two schemes that you have appraised, namely the 530 dwelling scheme (which is the original mix and dwelling sizes that you proposed) and also, the alternative scheme that you have now appraised with some increased dwelling sizes (e.g. the 2 and 4 beds, along with the inclusion of 5 beds in the development mix). This later scheme has a reduced number of dwellings achievable of 500.

As you are aware from our discussion, I remain sceptical about the 500 dwelling scheme, the key reason being that whilst I appreciate that the increase in dwelling sizes has increased the level of square footage generated by the scheme, I cannot understand why the 500 dwelling scheme generates a square footage *significantly above* the 530 dwelling scheme (i.e. the 530 dwelling scheme only delivers a site coverage of approximately 475k sq ft gross, whereas the 500 dwelling scheme delivers a square footage significantly above this of 525k sq ft gross). This makes no sense to me.

**ACTION: Archie - Therefore, the action arising was for you to discuss with your architects, Mosaic, to explore whether there is any further information that they can provide to me to explain/justify this.**

*I have discussed your queries with the architect, Mosaic, noting that whilst the total number of units has reduced in the smaller 500 unit scheme, the total floor area has increased due to the enlarging of some of the units as requested and introduction of 5 bedroom houses. The architect has confirmed that my explanation is correct and it's very common for this to happen noting that we have larger units in the smaller scheme that have a greater square footage and that more units does not always mean more square footage.*

*This is illustrated in the excel attached which contains the schedule of the accommodation for the original 530 unit scheme, the accommodation for the 500 unit scheme and a comparison table which calculates the difference of units and sq ft area between the two schemes by dwelling type.*

*The comparison table in the excel attached illustrates that the total floor area of the 500 unit scheme has increased due to the following:*

- *the introduction of 5 bedroom units with a 10% provision in line with phases 3 and 4 of the Exemplar scheme (accommodation attached) which has added 87,046 sq ft.*
- *A higher proportion of larger 4 bedroom units in the 500 unit scheme with a 23% provision in line phases 3 and 4 of the Exemplar scheme which has added 28,784 sq ft.*
- *An additional 4no. 1 bedroom flats which has added 2,152 sq ft.*

*This totals an additional 117,982 sq ft.*

*The comparison table in the excel attached illustrates that the total floor area of the 500 unit scheme has decreased due to the following:*

- *A lower proportion of 2 bedroom flats, 2 bedroom houses and 3 bedroom houses.*

*This totals a reduction of 74,176 sq ft.*

*Together, the net position when accounting for the above changes results in an increase of 43,266 sq ft and explains why the NIA has increased from 460,222 sq ft for the 530 unit scheme to 503,488 sq ft in the 500 unit scheme.*

*Hence whilst the scheme has been reduced by 30 units and the total area of the other unit types has decreased by 74,716 sq ft, this is offset by a higher proportion of 1 bedroom flats, the introduction of 5 bedroom houses and a higher proportion of larger 4 bedroom houses so that the mix and area assumptions of the scheme are more closely aligned to the examples found in the local area as requested by Caroline in the email from 14<sup>th</sup> April attached.*

*I trust this clarifies the position and aids your understanding.*

In the absence of a robust justification my approach will be to continue to assess the 530 dwelling scheme as my baseline (given that I understand that the planning application will be up to 530 dwellings), and given that the dwelling sizes remain very small, I will also undertake a sensitivity test of altering this mix to increase the average size of the 2 beds, possibly some of the 3-4 beds and the inclusion and a small element of 5 beds as part of the development mix. As I reiterated at the meeting, in the absence of a detailed master plan, and given that the planning application is submitted in outline, with layout to be determined at the reserved matters stage, I do need to consider how a typical developer would seek to deliver housing development across the 530 dwellings that will be permitted by the outline consent.

*As outlined in the email attached from 31<sup>st</sup> May, the application has been prepared against the original 530 unit scheme and the additional work undertaken to consider the 500 unit scheme does not fundamentally change the*

*outcome of the viability testing. We are therefore seeking confirmation that the original 530 unit scheme is the scheme that will be tested and taken forward to committee and my client's position is that you should not proceed with further sensitivity testing of an alternative mix as outlined above as this would not be design-led and it would therefore be unconfirmed whether the Net Developable Area (NDA) could accommodate the scheme having carried out such changes. Mosaic have previously confirmed that the dwelling types on the original 530 unit mix were designed by them and they could therefore work out what went where on the plan.*

**Private Gross Development Value and Sales Values** – We discussed that Green & Co had updated their exercise as at Q1 2021 values, and their updated assessment includes garages only on the 4 and 5 bedroom dwellings (where appropriate). In some cases, the values for some dwellings have reduced slightly (e.g. the apartments). I will now consider this revised pricing exercise as at Q1 2021 for both schemes and hopefully some agreement can be reached on the private sales values for each dwelling type.

**ACTION: Nigel to review sales values**

**Affordable Values (social rental values, affordable rental values, shared ownership values)** – Your note of 11 May 2022 had requested that I seek to market test my proposed affordable values (given that my proposed affordable rented and social rented values were higher than yours, albeit that my shared ownership values were lower). We discussed this in detail at the meeting, and we agreed that you were happy to accept my lower value of 65% for shared ownership and my higher value of 55% for the affordable rented. **Therefore these items are AGREED.**

You queried the merits of undertaking further analysis of the social rented affordable housing values at the scheme, given that the current appraisal does not include any social rented dwellings. However, I anticipated that CDC may require this still to be sensitivity tested and I reiterated that I have not seen social rented values as low as 30% of Market Value, typically assuming 35% as a minimum.

**ACTION: Archie** - You were going to review the 30% assumption for social rented to see whether it could be increased with your team and see what justification can be provided in order to demonstrate that it is robust, or whether it can be increased more in line with my 35%. I have looked at the Local Plan Viability Study, which as far as I am aware, only assumed 'blended' affordable values of 50% across all tenure types (which we both agreed was too blunt an approach to be adopted here). **Nigel** - I will therefore consider any viability studies in neighbouring districts to see what percentages for social rented have been applied.

*We have reviewed and are happy to agree to a social rent value of 35% of open market value.*

### **Approach to HIF funding**

We discussed this briefly and that you anticipated that your client would not receive any monies from the HIF as this infrastructure had already been delivered, but as the HIF funding needs to be repaid by CDC, you were anticipating that there would be a request that you meet your share of the contribution to the infrastructure (which we both anticipated was likely to form part of a Section 106 Agreement or similar). You estimated that your contribution would be in the order of £300,000.

**ACTION: Nigel** - The action was for me to pick this up with CDC Officers to seek confirmation on the position and update the appraisal accordingly.

### **Professional fees of 8% on contingency**

We discussed that whilst we have both applied 8% for professional fees on the scheme, you have applied 8% professional fees on construction costs, other costs AND contingency, whereas I have not applied professional fees to the contingency. I discussed that my rationale for this was that I believe that applying professional fees on contingency was an element of 'contingency on contingency'. In contrast, your view was that it was typical to apply professional fees on contingency, as if construction costs moved up, contingency would also move up and hence professional fees would also increase. My experience of this is that this is not the approach taken in the Midlands, but your view was that this is more typical of appraisals in London and the South East. I also checked the sample appraisal from the Local Plan 2016 Viability Study that was undertaken for CIL, and believed that Montagu Evans had applied professional fees on the contingency in their appraisal.

**ACTION: Nigel** - I will check and consider this further in my revised appraisal.

### **Phasing (in particular lead-in periods, lag times between construction and sale)**

We had a significant discussion examining the phasing approaches on the model and the merits of each, which I found helpful. Whilst there are some discreet differences in the phasing approach as set out in my original note in March, we broadly agree that the key differences likely to have the most significant impact on viability were as follows:

- **The lead-in period for assessing the viability of the site** – your approach assesses viability from the point that the outline planning application is granted – and hence includes a more significant lead-in period of approximately a year for procuring contractors and also undertaking reserved matters application(s). In contrast, my approach does not include this period (as it assumes that the reserved matters have been approved and all conditions discharged and a start can be made on site). This latter approach is in line with my experience, and I stated that my concern with adopting your approach would be that this significantly increases the lead in period into the future – and hence future inflation in both values and costs would need to be considered, given that a start is not made on site for a significant period of time. This would likely complicate the viability appraisal (particularly given the volatility of both the costs and values at present).

**ACTION:** *My notes suggest that there were no actions on this point and that this remains the difference between us.*

*Agreed. To be discussed further at subsequent Teams meeting*

- **The S curve** – a further key difference between us was that you had adopted an ‘S curve’ for the construction costs in your cash flow, whereas I had pro-rata’d construction costs on a ‘monthly’ basis over the life of the development. You agreed that you were happy to accept my proposed approach of phasing construction costs on a monthly basis, given my rationale that the S curve was more appropriate for apartment developments where no units are being sold during the construction period. You also acknowledge that my proposed approach actually reduced the viability of the scheme (rather than enhanced it).

*This aspect of the Phasing approach is therefore now **AGREED**.*

*Agreed.*

- **Construction period and how infrastructure works are phased in the cash flow** – we also discussed this point at length, and the additional information included in your submission of 11 May provided by G&T as to how they have advised you to phase infrastructure works into the viability appraisal model. Whilst I can see some merits to G&T’s approach (subject to checking this with RLF), I reiterated that my concern was that their approach assumed that enabling works would start simultaneously to the construction of houses. A key aspect of my approach is that I have tried to actually ‘front load’ some construction costs into my six month pre-commencement period, and hence in cash flow terms, finance is accruing on those upfront works earlier than in your model. This again was likely to have a negative impact on viability.

**ACTION: Nigel** - *We resolved that I would consider the additional rationale provided on 11 May by G&T with RLF, and it may be that a ‘hybrid’ between the two approaches is adopted in my updated model.*

- **Lag between construction and sale** – we discussed that whilst we broadly agreed with the assumption of four dwellings being sold a month for private market sale, you would include the apartments within this analysis. I have highlighted that whilst I would consider this point, there was not much difference between us, and given that we do not know where the apartments are on site and hence when they can be phased, I have pro-rata’d the income and cost of these over the life of the development. I also stated that given that there are only 35 market apartments proposed in the development mix, this was unlikely to have an impact on the overall delivery rate.

**ACTION: Nigel** - *I will further consider this point in my revised appraisal.*

- **Marketing and sales costs** – we discussed that there was very limited difference between us on marketing and sales costs, other than that I have applied 2.85% of the GDV and you have applied 3% on the GDV, the difference being the allowance for legal fees. I discussed that 0.35% as opposed to your 0.50% was in line with my experience, and in reality, for larger schemes, we do see some allowances lower than 0.35% (i.e. £500 - £750 on a per dwelling basis).

**ACTION: Archie/Nigel** - *We anticipated that we were unlikely to resolve this issue, but agreed that the overall impact on the viability position was negligible. We also discussed that the Local Plan had assumed 4% for marketing costs (which we both agreed was excessive and hence provided little guidance for the appraisal of the current scheme).*

*Agreed. To be discussed further at subsequent Teams meeting*

## Sales Agent's Fees – Affordable

Whilst we acknowledge that we both have legal transaction fees of 0.35% for the affordable housing, you had also allowed an agent's fee for the affordable housing transaction whereas I had not. You stated that you typically allow for these in development appraisals and that you were aware that an agent was likely to be undertaking the affordable housing transaction for the subject scheme. In contrast, I stated that my experience was that such fees are never allowed for in development viability appraisals, and whilst they do happen, it is typical that many housebuilders undertake this affordable housing transaction in-house.

**ACTION: Archie/Nigel** - *My notes of our meeting suggest that we were going to park this issue, as it was unlikely that we would agree on each other's alternative approach.*

*Agreed. To be discussed further at subsequent Teams meeting*

## Finance Assumptions – Debit and Credit

You had applied a 7% debit rate in your Argus model with a 1% credit rate on interest, whereas I had applied 6.5% on debit with no credit interest rate. I acknowledged that since both viability appraisals had been completed, the Bank of England interest rates had continued to rise and base rate is now at 1.25%. We also looked at the Local Plan Viability Study which assumed a 7% debit rate as far as we could ascertain, but 0% interest on credit rates.

**ACTION: Nigel** - *I will therefore consider this point in my revised appraisal.*

**Benchmark Land Value (BLV)** – at present, you have proposed £200,000 per gross acre and I have proposed £150,000 per acre. We rehearsed the approach in your original FVA submission, and the underlying agricultural land values, and that whether a multiplier of 15 on the agricultural land values of approximately £11,000 per acre would be appropriate. This would give a Benchmark Land Value of £165,000 per acre. I stated that I had looked at the Local Plan Viability Study which adopted £200,000 per gross acre as a benchmark in the most latest version in 2019, and that this documentation stated that this was a 'generous' Benchmark Land Value, and also commented that BLVs should be determined on a site by site basis. We also discussed that North West Bicester did not appear to have been subject to a site specific viability test in the Local Plan, and had always been allocated on the basis that there would be additional sustainability requirements (which in my view were likely to increase costs but also suppress land values).

We also discussed your response to the appeal I provided to you in Farringdon, and I reiterated that the point I was making in tabling that appeal was that in that instance the inspector had appeared to depart from the benchmark figure relied upon for viability testing at the Local Plan level. Therefore, and in light of the fact that my benchmark was already above that which had been proposed by the previous applicant for the wider site, the initial further reading research that I have undertaken on this issue has not led me to believe that my proposed benchmark is inappropriate.

**ACTION: Nigel** - *You asked me to explore agricultural land values further, and whether they would assist in increasing the benchmark. I will consider this albeit that I was sceptical whether this would change my view on the BLV I have proposed for the reasons given above.*

I trust that the above is an accurate synopsis of our discussion on Tuesday afternoon and the key actions arising. I am glad that we have been able to streamline some of the actions through detailed debate on each issue, and in some cases, reach agreement.

I will begin working on my actions as soon as I can and if you are able to get any additional information over to me as soon as you can next week to enable me to consider it, I would appreciate it.

If you have any queries on the above note, or wish to make any comments, please do not hesitate to do so.

Kind regards

Nigel





**Nigel Simkin** MRICS MRTPI

Director

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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 13 July 2022 12:20

**To:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Thanks Nigel

**Archie Mackay-James**

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Senior Associate

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**From:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>

**Sent:** 13 July 2022 12:01

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie

Good to see you yesterday at the workshop to run through the above. I thought it was very useful, particularly on the phasing/cashflow points.

My conference calls this morning have only just finished – so I will work up a short ‘bullet point’ note of the meeting this afternoon and send it over for your consideration as soon as I can.

Kind regards

Nigel



**Nigel Simkin** MRICS MRTPI  
Director

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---

**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 06 July 2022 09:38

**To:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Thanks Nigel, I've booked the room and will send a calendar invite now with address details.

Kind Regards

Archie

**Archie Mackay-James**

MRICS

Senior Associate

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**From:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>

**Sent:** 06 July 2022 08:31

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie

That's fine for me. I'll get my train ticket booked. Are you ok to send an invite please?



Kind regards

Nigel



**Nigel Simkin** MRICS MRTPI  
Director

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---

**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 05 July 2022 13:20

**To:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Thanks Nigel.

I can book a meeting room between 1pm and 4pm on the Tuesday 12<sup>th</sup> if this suits?

I just tried calling as I have emailed Caroline outlining my client's position on fee payment, do let me know if this is an issue.

Kind Regards

Archie

**Archie Mackay-James**

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**From:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>

**Sent:** 05 July 2022 08:31

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Cc:** Helen Earwaker <[helen.earwaker@rapleys.com](mailto:helen.earwaker@rapleys.com)>; Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie

Thanks. I'll blank that out in my diary. Thanks – if you can check availability from say mid-morning onwards that would be useful. I would say 2-3 hours so that we can run through some of the more appraisal based items (as set out in my fee proposal) e.g:

- HLD's proposed changes to the dwelling sizes and the impact that this has on sq ft coverage (which increases) and the density/unit numbers (which reduces), to explore whether we can resolve this.
- Private GDV & Sales Values;
- Affordable Values (Social Rent Values, Affordable Rent Values, Shared Ownership Values)
- Approach to HIF funding,
- Professional Fees of 8% on contingency costs;
- Phasing (in particular, lead in period and lag times between construction and sale).
- Infrastructure Phasing;
- Marketing and Sales Costs
- Sales Agent Fee (affordable)
- Finance assumptions (debit and credit).
- Benchmark Land Value (BLV).

I'll bring my Argus laptop with me.

Let me know how you are fixed when you have checked meeting room availability etc.

Kind regards

Nigel

**HIGHGATE**  
LAND AND DEVELOPMENT

**Nigel Simkin** MRICS MRTPI

Director

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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Sent:** 04 July 2022 17:30  
**To:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>  
**Cc:** Helen Earwaker <[helen.earwaker@rapleys.com](mailto:helen.earwaker@rapleys.com)>; Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Thanks Nigel, I think Tuesday 12<sup>th</sup> could be best as I am on annual leave on the Thursday.

I'll check with booking a room on the day and let you know timings. Shall we schedule a meeting for say 2 hours?

Kind Regards

Archie

**Archie Mackay-James**  
MRICS  
Senior Associate  
Residential Development Consultancy  
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**From:** Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>  
**Sent:** 04 July 2022 15:43  
**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie

Hope you are well.

Further to the below, how are you fixed next week to have our 'workshop' on viability? Looking at my diary (and subject to checking the Monday with my wife!), I should be able to do the following:

- Monday 11<sup>th</sup>
- Tuesday 12<sup>th</sup>
- Thursday 14<sup>th</sup>

I'm happy to come to your offices in London if it assists. It would be useful to have wifi so that we can get Argus running if we need to (etc.).

Please let me know how you are fixed.

Kind regards

Nigel

**Nigel Simkin** MRICS MRTPI

Director

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**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Sent:** 04 July 2022 15:18

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Ian Tarbet <[ian.tarbet@rlf.co.uk](mailto:ian.tarbet@rlf.co.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie,

Many thanks, I have sent this onto Bioregional. My colleague has prepared a note which I need to review and share with others before sending over. I think that a meeting involving Bioregional would be best timed once you have seen that so that we can discuss the content of that note.

With regard to the fee proposals – thank you for confirming your agreement to this. I have spoken with Nigel Simkin about the timescales and the quotes provided gave targets that are considered to be realistic taking into account the likely work involved and other commitments. Nigel will, nevertheless, move this forward as quickly as he can and is aiming to start work on this next week – he will be in touch directly to liaise with you regarding a date for the suggested workshop.

In terms of the payment of the fees – as before, we would ask that this be paid directly to HLD and to RLF. As the fees are based upon a time-charge basis, I have discussed with Nigel that an appropriate way forward would be for an up-front payment of 50% of the estimated costs prior to work commencing (i.e. £2,500 plus VAT each to HLD and RLF (plus the additional fee requested by RLF to cover the additional costs already incurred of £2000 plus VAT)) with a balancing payment to cover the rest of the balance made prior to the formal reports being provided to CDC. If you agree with this approach, I would be grateful for your confirmation in writing that you agree to cover the balancing payment for our records. I have discussed with Nigel that should costs escalate significantly beyond the estimate, that you are advised of this in advance to ensure that you are fully aware of what your balancing payment is likely to be.

I trust this is of assistance to you. Please accept that as ever, this is provided entirely without prejudice.

Kind regards

Caroline

**Caroline Ford** BA. (Hons) MA MRTPI  
Team Leader  
Development Management Division

Communities Directorate  
Cherwell District Council  
Tel: 01295 221823  
Email: [caroline.ford@cherwell-dc.gov.uk](mailto:caroline.ford@cherwell-dc.gov.uk)  
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Find us on Facebook [www.facebook.com/cherwelldistrictcouncil](http://www.facebook.com/cherwelldistrictcouncil)  
Follow us on Twitter @Cherwellcouncil

My usual working hours are: Monday to Friday, 09:00am to 17:15pm.

Planning and Development services can be contacted as follows: Development Management - [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk); Building Control - [building.control@cherwell-dc.gov.uk](mailto:building.control@cherwell-dc.gov.uk); Planning Policy - [planning.policy@cherwell-dc.gov.uk](mailto:planning.policy@cherwell-dc.gov.uk); Conservation - [design.conservations@cherwell-dc.gov.uk](mailto:design.conservations@cherwell-dc.gov.uk). For the latest information on Planning and Development please visit [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Sent:** 01 July 2022 17:04  
**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>  
**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

**CAUTION:** This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Caroline,

As detailed in my email yesterday, please find a technical note attached which provides a response to Bioregional's email dated 23rd May 2022. In light of this technical note, which has been compiled by Gardner and Theobald and Stantec, we look forward to receiving feedback in relation to the areas within the build cost that you think could potentially be looked at to help with viability.

As suggested by HLD, we feel that a meeting between yourselves, Bioregional, the Applicant team and RLF at the earliest opportunity will be beneficial for realising agreement on the interpretation of FHS and TZC and the resultant costs so that the viability negotiation can move forward and we look forward to confirming a potential date for this meeting as soon as possible.

Have a good weekend.

Kind Regards

Archie

**Archie Mackay-James**  
MRICS  
Senior Associate  
Residential Development Consultancy  
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**From:** Archie Mackay-James

**Sent:** 30 June 2022 17:47

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Cc:** Hannah Leary <[Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk)>; Paul Martin <[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com)>; Rob Bolton <[rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com)>; [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Dear Caroline,

We have reviewed and I have received client instruction that we are happy to proceed on the basis of the proposed fees outlined by HLD and RLF in their respective emails.

In terms of timescales, as discussed there are continued contractual pressures due to the the delays in progressing to planning committee whilst current build cost inflation means that the viability position is being affected negatively with each month that passes. With this in mind, we feel that the timescales proposed by HLD and RLF should be reduced as follows:

**RLF**

- Undertake a detailed review of the submissions provided by the Applicant - 2 weeks.

**HLD**

- Undertake a detailed review of the submissions provided by the Applicant - 2 weeks.
- Update of HLD Development Viability Appraisal and Produce FVA Report to CDC - 2 weeks.

Are you able to request that RLF's and HLD'S work is progressed on this basis?

Separately, we be circulating a technical note shortly which provides a response to Bioregional's email dated 23rd May 2022. In light of this technical note, which has been compiled by Gardner and Theobald and Stantec, we look forward to receiving feedback in relation to the areas within the build cost that you think could potentially be looked at to help with viability. As suggested by HLD, we feel that a meeting between yourselves, Bioregional, the Applicant team and RLF at the earliest opportunity will be beneficial to realising agreement on the interpretation of FHS and TZC and the resultant costs so that the viability negotiation can move forward. With this in mind, are you able to liaise with Bioregional and confirm some potential dates for a meeting?

Kind Regards

Archie

**Archie Mackay-James**

MRICS

Senior Associate

Residential Development Consultancy

07467 941544



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---

**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Sent:** 21 June 2022 11:14

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie,

Apologies for the delay – please see attached – there are two emails, one from RLF attached to the HLD quote. If you have any queries on this, please do let me know.

I met with HLD/RLF and Bioregional yesterday and, having worked through some of the Bioregional comments, we have identified some areas within the build cost that we think could potentially be looked at to help with viability. Myself and a colleague (who will be working on NW Bicester more regularly) will work on pulling a list together on this as well as on S106 which I appreciate is still outstanding.

I trust this is of assistance, however I must stress that this is provided without prejudice.

Kind regards

Caroline

**Caroline Ford** BA. (Hons) MA MRTPI  
**Team Leader – South Area Major Projects Planning Team**  
Development Management Division  
Communities Directorate  
Cherwell District Council  
Tel: 01295 221823  
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Web: [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 20 June 2022 10:25

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk);

[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

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Hi Caroline,

Are you able to confirm when we will receive an indication on fees and timescales for progressing viability?

Kind Regards

Archie

**Archie Mackay-James**

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Senior Associate

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**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Sent:** 10 June 2022 12:51

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk);

[pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Hi Archie,

I have spoken with Nigel and he will be reviewing to aim to provide a quote over the next few working days. I will be writing to Hannah separately to advise more widely on timescales.

Kind regards

Caroline

**Caroline Ford** BA. (Hons) MA MRTPI

**Principal Planning Officer – Major Projects Planning Team**

Development Management Division

Communities Directorate

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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Sent:** 10 June 2022 12:37

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

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Hi Caroline,

I was wondering whether you and Nigel had had the opportunity to consider this further?

Kind Regards

Archie

**Archie Mackay-James**

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**From:** Archie Mackay-James

**Sent:** 09 June 2022 10:23

**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Thanks Caroline and apologies there weren't attachments on Tom's email, the relevant attachments are attached to this email.

I look forward to hearing from you regarding timescales and fee position as soon as possible.

Kind Regards

Archie

**Archie Mackay-James**

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**From:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>

**Sent:** 09 June 2022 10:15

**To:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>

**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>; Alex Chrusciak <[Alex.Chrusciak@cherwell-dc.gov.uk](mailto:Alex.Chrusciak@cherwell-dc.gov.uk)>

**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

Archie,

My apologies for the delay, I have now had time to read your and Tom's emails thoroughly and I note that it refers to attachments, which unfortunately were not attached to the email sent last Tuesday. Please could you send these over? Once it is clear the level of work that is needed from Nigel and Ian, then we will be able to look at timescales and Nigel/Ian will be able to consider their fees.

Kind regards

Caroline

**Caroline Ford** BA. (Hons) MA MRTPI

**Principal Planning Officer – Major Projects Planning Team**

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**From:** Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>  
**Sent:** 07 June 2022 11:49  
**To:** Caroline Ford <[Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)>  
**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; [rb@reviewpartners.uk.com](mailto:rb@reviewpartners.uk.com); [Hannah.Leary@bartonwillmore.co.uk](mailto:Hannah.Leary@bartonwillmore.co.uk); [pmartin@firethorntrust.com](mailto:pmartin@firethorntrust.com); [emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); Nigel Simkin <[Nigel.Simkin@hld-uk.com](mailto:Nigel.Simkin@hld-uk.com)>  
**Subject:** RE: 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

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Dear Caroline,

I trust you're well.

I was wondering whether you'd had the opportunity to consider Tom's email below?

Specifically, we request that both HLD and RLF confirm their fee position and agreement to the below timescales for reviewing the updated appraisal, confirming that there is no material benefit in taking forward the 500 unit scheme over the 530 unit scheme, conducting negotiations and working towards an agreed viability position by Friday 24<sup>th</sup> June.

Date	Action
Week commencing 6 <sup>th</sup> June	(1) Feedback from Bioregional regarding Stantec comments on sustainability. (2) CDC confirm scheme amendments are acceptable (3) Confirmation of fee position from RLF / HLD and timescales.
Week commencing 13 <sup>th</sup> June	HLD carry out review of updated Rapleys appraisal and appraise 500 unit scheme to confirm no material benefit over 530 unit scheme. HLD and Rapleys carry out any additional negotiations to confirm the basis of the 530 unit scheme.
Week commencing 20 <sup>th</sup> June	HLD and Rapleys look to conclude viability negotiations and present options available to Council.
Friday 24 <sup>th</sup> June	Deadline to reach agreed viability position to enable Case officer to prepare committee report
Friday 1 <sup>st</sup> July	Submission of committee report
Friday 14 <sup>th</sup> July	Committee meeting

I would be happy to discuss further once you've had the opportunity to review.

Kind Regards

Archie

**Archie Mackay-James**  
MRICS  
Senior Associate  
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**From:** Tom Seckington <[Tom.Seckington@rapleys.com](mailto:Tom.Seckington@rapleys.com)>  
**Sent:** 31 May 2022 17:40  
**To:** [Caroline.Ford@Cherwell-DC.gov.uk](mailto:Caroline.Ford@Cherwell-DC.gov.uk)  
**Cc:** Nick Fell <[Nick.Fell@rapleys.com](mailto:Nick.Fell@rapleys.com)>; Archie Mackay-James <[Archie.Mackay-James@rapleys.com](mailto:Archie.Mackay-James@rapleys.com)>;  
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[emusgrove@firethorntrust.com](mailto:emusgrove@firethorntrust.com); [T.Motchman@Gardiner.com](mailto:T.Motchman@Gardiner.com)  
**Subject:** 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

*Sent for and on behalf of Archie Mackay-James:*

Dear Caroline,

Further to your letter dated 18<sup>th</sup> May, we have considered your comments and can confirm that our preferred option for moving forward is that viability discussions continue based upon the information submitted and the further information below and attached, which includes a revised cost plan and updated appraisal and viability position. We would like to try to resolve the outstanding issues on the inputs and assumptions to reach an agreed position on viability.

We appreciate that this option requires a further fee proposal and commitment to cover both HLD fees and RLF's fees together with an agreement of a new timetable moving forward which will impact on timescales. With this in mind, we have drafted a timetable below which would enable a pathway to the July committee.

We note your comment that the viability work is linked to work around standards and sustainability and the need to resolve what standard the development would be built to and how this complies, or otherwise, with the definition of True Zero Carbon as set by Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031. We sent over clarifying comments provided by Stantec on 11<sup>th</sup> May, please can you confirm the position on these. We need clarity on this as a matter of urgency to enable viability matters to proceed and request that Bioregional provide a response at the latest by the beginning of next week.

We anticipate that a broad indication of the quantum of affordable housing that can be offered will be clarified once we have addressed a number of areas of difference with HLD over the coming weeks, once HLD have reviewed the amended scheme proposals.

We have now updated our appraisals in order to consider the impact on the overall viability if the scheme were reduced to 500 units against the original 530 unit scheme, taking into consideration the updated cost and value advice received from G & T and Green and Co based to Q1 2022 (all attached). Both scheme appraisals takes into account the suggested scheme amendments proposed by CDC on the overall viability position. Therefore G & T's updated cost plans assumes the following:

- adjust the gross to net ratio for the apartment block to 80%
- garages provided with detached 4 and 5 bedroom houses only. The units have also been valued on this basis.
- 25% provision of Electric Vehicle Charging Points for visitors with ducting
- Cost inflation adjusted to Q1 2022

The table below summarises the residual land values generated when assuming 30% affordable housing and 100% private housing for each scheme.

No. of units	Affordable Housing position	Residual Land Value
--------------	-----------------------------	---------------------

530	30% Affordable Housing (70% AR & 30% SO)	(Negative) -£6.8 million
530	100% private housing	£2.77 million
500	30% Affordable Housing (70% AR & 30% SO)	(Negative) -£5.2 million
500	100% private housing	£3.42 million

This demonstrates that when decreasing the quantum of units to 500, there is a marginal positive impact on the residual land value of the scheme when assuming 100% private housing and a slightly larger impact when assuming 30% affordable housing. This is due to Argus skewing finance costs and other appraisal assumptions when a negative land value is generated. The table below illustrates the key differences between the schemes when assuming 100% private housing, which is a truer comparison due to the schemes generating positive residual land values.

Appraisal input	530 unit scheme	500 unit scheme	Difference
Units per NDA	17.6	16.6	1
GIA (Sq ft)	474,482	514,784	40,302
NIA (Sq ft)	460,893	503,488	42,595
Sq Ft per NDA	15,816	17,133	1,342
GDV (Million)	£186	£196.8	£10.8
Base build (Million)	£81.7	£89.2	£7.50
Infrastructure (Million)	£19.9	£19.9	£0
Contingency (Million)	£5.9	£6.3	£0.4
S106 Costs (Million)	£18.7	£17.6	-£1.1
Finance (Million)	£5.3	£5.6	£0.3
Professional Fees (Million)	£8.6	£9.25	£0.63
Profit (Million)	£37.1	£39.3	£2.2
Residual Land Value (Million)	£2.77	£3.42	£0.65

This illustrates that whilst the gross area of the 500 unit scheme has increased, which has pushed up base build construction costs by £7.5 million and associated professional fees and contingency, the gross development value has increased by £10.8 million due to the increased sales area and inclusion of 5 bedroom houses and S106 costs have reduced by circa £1.1 million which offsets these cost increases.

Hence the suggested scheme amendments by HLD have a marginally positive impact on the overall viability position, but not significant enough to demonstrate that this should form the basis of viability negotiations moving forward. The application has been prepared against the original 530 unit scheme and the additional work undertaken to consider the 500 unit scheme does not fundamentally change the outcome of the viability testing. Both scheme options are generating residual land values below a benchmark land value of £11.8m, based on HLD's assessment at £150,000 per acre. We are therefore seeking confirmation that the original 530 unit scheme is the scheme that will be tested and taken forward to committee. It is important to note that this is an outline application for *up to* 530 units. This will afford maximum flexibility in terms of delivery and the reserved matters applications will deal with the specific issues of layout, unit sizes and number of units to be delivered.

We therefore request that both HLD and RLF confirm their fee position and agreement to the below timescales for reviewing the updated appraisal, confirming that there is no material benefit in taking forward the 500 unit scheme over the 530 unit scheme, conducting negotiations and working towards an agreed viability position.

We therefore propose the following timetable in order for all Parties to work towards the July committee date:

Date	Action
Week commencing 6 <sup>th</sup> June	(1) Feedback from Bioregional regarding Stantec comments on sustainability. (2) CDC confirm scheme amendments are acceptable (3) Confirmation of fee position from RLF / HLD and timescales.
Week commencing 13 <sup>th</sup> June	HLD carry out review of updated Rapleys appraisal and appraise 500 unit scheme to confirm no material benefit over 530 unit scheme. HLD and Rapleys carry out any additional negotiations to confirm the basis of the 530 unit scheme.
Week commencing 20 <sup>th</sup> June	HLD and Rapleys look to conclude viability negotiations and present options available to Council.
Friday 24 <sup>th</sup> June	Deadline to reach agreed viability position to enable Case officer to prepare committee report

Friday 1 <sup>st</sup> July	Submission of committee report
Friday 14 <sup>th</sup> July	Committee meeting

We recommend that RLF confirm the fee position and timescales to review and confirm the reasonableness of the updated cost plan for the 500 unit scheme based on the amended assumptions (as per G & T above) rebased to Q1 2022. It should not be necessary for RLF to produce their own independent cost plan for the 500 unit scheme on the basis that the scheme advanced to committee is the 530 unit scheme.

I trust the above is clear and I would be happy to discuss further. Please note that I am on annual leave the rest of this week, returning Monday 6<sup>th</sup> June.

Kind Regards

Archie

**Archie Mackay-James**

MRICS  
Senior Associate  
Affordable Housing & Viability

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**530 unit scheme**

Dwelling Type	House/Flat	Storey	Beds	No. of Units	Individual Unit Area (Sqft)	Total Area (Sq ft)
Flat	Flat	3	2	24	753	18072
Flat over Garage (FOG)	Flat	3	2	11	753	8283
Semi-Detached	House	2	2	93	590	54870
Terraced	House	2	3	47	737	34639
Semi-Detached	House	2	3	10	958	9580
Wide-Front - Semi	House	2	3	36	947	34092
Terraced 2.5 Storey	House	2.5	3	44	1,068	46992
Terraced 3 Storey	House	3	3	12	1,210	14520
Semi-Detached	House	2	4	79	1,045	82555
Detached 2.5 Storey	House	2.5	4	6	1,235	7410
Detached	House	2	4	6	1,546	9276
Flat	Flat	3	1	26	538	13988
Flat over Garage (FOG)	Flat	3	1	5	538	2690
Flat	Flat	3	2	15	753	11295
Terraced	House	2	2	4	755	3020
Terraced	House	2	2	12	856	10272
Semi-Detached	House	2	2	8	856	6848
Terraced	House	2	3	19	1,000	19000
Semi-Detached	House	2	3	14	1,000	14000
Detached 2.5 Storey	House	2.5	4	5	1,235	6175
Detached	House	2	4	6	1,546	9276
Bungalow	Bungalow	1	3	1	1,114	1114
Terraced	House	2	2	5	755	3775
Terraced	House	2	2	17	856	14552
Semi-Detached	House	2	2	10	856	8560
Terraced	House	2	3	6	1,000	6000
Semi-Detached	House	2	3	8	1,000	8000
Bungalow	Bungalow	1	3	1	1,368	1368
<b>TOTAL</b>				<b>530</b>		<b>460222</b>

**500 unit scheme**

Dwelling Type	Storey	Beds
Flat	3	2
FOG	2	2
House Semi	2	2
House Semi	2	3
House Terr/Semi	2	3
House Detached	2	4
House Detached	2	4
House Detached	2	5
House Detached	2	5
Flat	3	1
House Terr	2	2
House Terr	2	3
House Terr	2	3
House Terr	2	4
<b>Total</b>		

**Comparison Table**

Dwelling Type	No. of units difference between 530 unit scheme and 500 unit scheme	Area difference between 530 unit scheme and 500 unit scheme
1 bed flats	4	2152
2 bed flats	-15	-11295
2 bed houses	-54	-36617
3 bed houses	-24	-26804
4 bed houses	11	28784
5 bed houses	48	87046
<b>Total</b>	<b>-30</b>	<b>43266</b>

Individual Unit Area (Sqft)	No of units	Total Area (Sq ft)
753	24	18072
753	11	8283
678	85	57630
824	15	12360
977	77	75229
1212	49	59388
1375	40	55000
1684	22	37048
1923	26	49998
538	35	18830
765	10	7650
824	34	28016
977	48	46896
1212	24	29088
	<b>500</b>	<b>503488</b>

## Sharon Lowin

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**From:** Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>  
**Sent:** 14 April 2022 15:34  
**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

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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 5<sup>th</sup> April 2022, received 7<sup>th</sup> 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](mailto:caroline.ford@cherwell-dc.gov.uk)

Web: [www.cherwell.gov.uk](http://www.cherwell.gov.uk)

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Dwelling Type	House/Flat	Storey	Bedrooms	No. of Units	Area (Sqft)	Tenure	Mosaic updated mix to fit nda
Flat	Flat	3	2	24	753	Private	26
Flat over Garage (FOG)	Flat	3	2	11	753	Private	11
Semi-Detached	House	2	2	93	678	Private	91
Terraced	House	2	3	47	820	Private	42
Semi-Detached	House	2	3	10	958	Private	10
Wide-Front - Semi	House	2	3	36	947	Private	34
Terraced 2.5 Storey	House	2.5	3	44	1,068	Private	44
Terraced 3 Storey	House	3	3	12	1,210	Private	8
Semi-Detached	House	2	4	79	1,156	Private	72
Detached 2.5 Storey	House	2.5	4	6	1,235	Private	6
Detached	House	2	4	6	1,546	Private	6
Flat	Flat	3	1	26	538	Affordable Rent	22
Flat over Garage (FOG)	Flat	3	1	5	538	Affordable Rent	5
Flat	Flat	3	2	15	753	Affordable Rent	18
Terraced	House	2	2	4	755	Affordable Rent	6
Terraced	House	2	2	12	856	Affordable Rent	12
Semi-Detached	House	2	2	8	856	Affordable Rent	10
Terraced	House	2	3	19	1,000	Affordable Rent	13
Semi-Detached	House	2	3	14	1,000	Affordable Rent	10
Detached 2.5 Storey	House	2.5	4	5	1,235	Affordable Rent	5
Detached	House	2	4	6	1,546	Affordable Rent	6
Bungalow	Bungalow	1	3	1	1,114	Affordable Rent	1
Terraced	House	2	2	5	755	Shared ownership	5
Terraced	House	2	2	17	856	Shared ownership	13
Semi-Detached	House	2	2	10	856	Shared ownership	9
Terraced	House	2	3	6	1,000	Shared ownership	6
Semi-Detached	House	2	3	8	1,000	Shared ownership	8
Bungalow	Bungalow	1	3	1	1,368	Shared ownership	1
<b>TOTAL</b>				<b>530</b>			<b>500</b>

350

150  
500



Dwelling Type	House/Apartment Name	House/Flat	Storey	Bedrooms	No. of Units	Area (Sqft)
Semi-Detached	Cromer	House	2	2	2	765
Semi-Detached	PR201	House	2	2	5	824
Terraced	PR201	House	2	2	13	824
Terraced	PR202	House	2	2	13	824
Terraced	PR203	House	2	2	2	852
Semi-Detached	PR202	House	2	2	1	824
Semi-Detached	PR203	House	2	2	2	824
Terraced	PR301	House	2	3	-	977
Semi-Detached	Evesham	House	2	3	8	933
Terraced	PR301	House	2	3	36	977
Semi-Detached	PR301	House	2	3	8	977
Terraced	PR302	House	2	3	1	1,005
Terraced	PR303	House	2	3	1	977
Detached	Dartford	House	2	4	7	1,375
Detached	Dorking	House	2	4	2	1,517
Detached	Marlborough	House	2	4	6	1,347
Detached	Romsey	House	2	4	14	1,191
Detached	PR401	House	2	4	25	1,212
Detached	PR402	House	2	4	1	1,212
Detached	Buckingham	House	2	5	4	1,517
Detached	PR501	House	2	5	1	1,744
Detached	PR502	House	2	5	6	2,026
Detached	Roydon	House	2	5	3	1,684
Detached	PR503	House	2	5	4	1,769
Detached	Windsor	House	2	5	4	1,755
Detached	PR504	House	2	5	3	1,923
Terraced	AF201	House	2	2	16	824
Terraced	Cromer	House	2	2	2	765
Terraced	AF301/AF302	House	2	3	30	977
Terraced	AF303	House	2	3	1	1,005
Semi-Detached	Evesham	House	2	3	1	933
Terraced	AF401	House	2	4	9	1,212
<b>TOTAL</b>					<b>231</b>	

## Sharon Lowin

---

**From:** Tom Seckington <Tom.Seckington@rapleys.com>  
**Sent:** 31 May 2022 17:40  
**To:** Caroline.Ford@Cherwell-DC.gov.uk  
**Cc:** Nick Fell; Archie Mackay-James; rb@reviewpartners.uk.com; Hannah Leary; pmartin@firethorntrust.com; emusgrove@firethorntrust.com; T.Motchman@Gardiner.com  
**Subject:** 20-00678 - Bicester - Land at North West Bicester - Firethorn - Firethorn Trust

*Sent for and on behalf of Archie Mackay-James:*

Dear Caroline,

Further to your letter dated 18<sup>th</sup> May, we have considered your comments and can confirm that our preferred option for moving forward is that viability discussions continue based upon the information submitted and the further information below and attached, which includes a revised cost plan and updated appraisal and viability position. We would like to try to resolve the outstanding issues on the inputs and assumptions to reach an agreed position on viability.

We appreciate that this option requires a further fee proposal and commitment to cover both HLD fees and RLF's fees together with an agreement of a new timetable moving forward which will impact on timescales. With this in mind, we have drafted a timetable below which would enable a pathway to the July committee.

We note your comment that the viability work is linked to work around standards and sustainability and the need to resolve what standard the development would be built to and how this complies, or otherwise, with the definition of True Zero Carbon as set by Policy Bicester 1 of the Cherwell Local Plan Part 1 2011-2031. We sent over clarifying comments provided by Stantec on 11<sup>th</sup> May, please can you confirm the position on these. We need clarity on this as a matter of urgency to enable viability matters to proceed and request that Bioregional provide a response at the latest by the beginning of next week.

We anticipate that a broad indication of the quantum of affordable housing that can be offered will be clarified once we have addressed a number of areas of difference with HLD over the coming weeks, once HLD have reviewed the amended scheme proposals.

We have now updated our appraisals in order to consider the impact on the overall viability if the scheme were reduced to 500 units against the original 530 unit scheme, taking into consideration the updated cost and value advice received from G & T and Green and Co based to Q1 2022 (all attached). Both scheme appraisals takes into account the suggested scheme amendments proposed by CDC on the overall viability position. Therefore G & T's updated cost plans assumes the following:

- adjust the gross to net ratio for the apartment block to 80%
- garages provided with detached 4 and 5 bedroom houses only. The units have also been valued on this basis.
- 25% provision of Electric Vehicle Charging Points for visitors with ducting
- Cost inflation adjusted to Q1 2022

The table below summarises the residual land values generated when assuming 30% affordable housing and 100% private housing for each scheme.

No. of units	Affordable Housing position	Residual Land Value
530	30% Affordable Housing (70% AR & 30% SO)	(Negative) -£6.8 million
530	100% private housing	£2.77 million
500	30% Affordable Housing (70% AR & 30% SO)	(Negative) -£5.2 million
500	100% private housing	£3.42 million

This demonstrates that when decreasing the quantum of units to 500, there is a marginal positive impact on the residual land value of the scheme when assuming 100% private housing and a slightly larger impact when assuming 30%

affordable housing. This is due to Argus skewing finance costs and other appraisal assumptions when a negative land value is generated. The table below illustrates the key differences between the schemes when assuming 100% private housing, which is a truer comparison due to the schemes generating positive residual land values.

Appraisal input	530 unit scheme	500 unit scheme	Difference
Units per NDA	17.6	16.6	1
GIA (Sq ft)	474,482	514,784	40,302
NIA (Sq ft)	460,893	503,488	42,595
Sq Ft per NDA	15,816	17,133	1,342
GDV (Million)	£186	£196.8	£10.8
Base build (Million)	£81.7	£89.2	£7.50
Infrastructure (Million)	£19.9	£19.9	£0
Contingency (Million)	£5.9	£6.3	£0.4
S106 Costs (Million)	£18.7	£17.6	-£1.1
Finance (Million)	£5.3	£5.6	£0.3
Professional Fees (Million)	£8.6	£9.25	£0.63
Profit (Million)	£37.1	£39.3	£2.2
Residual Land Value (Million)	£2.77	£3.42	£0.65

This illustrates that whilst the gross area of the 500 unit scheme has increased, which has pushed up base build construction costs by £7.5 million and associated professional fees and contingency, the gross development value has increased by £10.8 million due to the increased sales area and inclusion of 5 bedroom houses and S106 costs have reduced by circa £1.1 million which offsets these cost increases.

Hence the suggested scheme amendments by HLD have a marginally positive impact on the overall viability position, but not significant enough to demonstrate that this should form the basis of viability negotiations moving forward. The application has been prepared against the original 530 unit scheme and the additional work undertaken to consider the 500 unit scheme does not fundamentally change the outcome of the viability testing. Both scheme options are generating residual land values below a benchmark land value of £11.8m, based on HLD's assessment at £150,000 per acre. We are therefore seeking confirmation that the original 530 unit scheme is the scheme that will be tested and taken forward to committee. It is important to note that this is an outline application for *up to* 530 units. This will afford maximum flexibility in terms of delivery and the reserved matters applications will deal with the specific issues of layout, unit sizes and number of units to be delivered.

We therefore request that both HLD and RLF confirm their fee position and agreement to the below timescales for reviewing the updated appraisal, confirming that there is no material benefit in taking forward the 500 unit scheme over the 530 unit scheme, conducting negotiations and working towards an agreed viability position.

We therefore propose the following timetable in order for all Parties to work towards the July committee date:

Date	Action
Week commencing 6 <sup>th</sup> June	(1) Feedback from Bioregional regarding Stantec comments on sustainability. (2) CDC confirm scheme amendments are acceptable (3) Confirmation of fee position from RLF / HLD and timescales.
Week commencing 13 <sup>th</sup> June	HLD carry out review of updated Rapleys appraisal and appraise 500 unit scheme to confirm no material benefit over 530 unit scheme. HLD and Rapleys carry out any additional negotiations to confirm the basis of the 530 unit scheme.
Week commencing 20 <sup>th</sup> June	HLD and Rapleys look to conclude viability negotiations and present options available to Council.
Friday 24 <sup>th</sup> June	Deadline to reach agreed viability position to enable Case officer to prepare committee report
Friday 1 <sup>st</sup> July	Submission of committee report
Friday 14 <sup>th</sup> July	Committee meeting

We recommend that RLF confirm the fee position and timescales to review and confirm the reasonableness of the updated cost plan for the 500 unit scheme based on the amended assumptions (as per G & T above) rebased to Q1 2022. It should not be necessary for RLF to produce their own independent cost plan for the 500 unit scheme on the basis that the scheme advanced to committee is the 530 unit scheme.

I trust the above is clear and I would be happy to discuss further. Please note that I am on annual leave the rest of this week, returning Monday 6<sup>th</sup> June.

Kind Regards

Archie

**Archie Mackay-James**

MRICS

Senior Associate

Affordable Housing & Viability

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