



Cherwell

DISTRICT COUNCIL
NORTH OXFORDSHIRE

TOWN AND COUNTRY PLANNING ACT 1990

**APPEAL BY RICHBOROUGH ESTATES, LONE STAR LTD, K & S
HOLFORD, A & S DEAN, NP GILES AND ALC BROADBERRY**

**OS PARCEL 1570, ADJOINING & WEST OF CHILGROVE DRIVE & ADJOINING
& NORTH OF CAMP ROAD, HEYFORD PARK, OXFORDSHIRE**

LOCAL PLANNING AUTHORITY REF NO: 21/04289/OUT

PLANNING INSPECTORATE REF NO: APP/C3105/W/23/3326761

SUMMARY PLANNING PROOF

Andy Bateson BSc (Hons) MRTPI

ON BEHALF OF: Cherwell District Council, the Local Planning Authority

- 1.1 My name is Andy Bateson. I am a qualified town planner, working as a Development Management Team Leader responsible for major developments on behalf of Cherwell District Council. I am familiar with the appeal site and the surrounding area.
- 1.2 I have made my own assessment of the planning merits of the proposed development, and, in my professional judgement, I agree with the Council's two reasons for refusal.
- 1.3 My evidence assesses the planning considerations relevant to this appeal, which I consider to be:
 - 1) The effect of the proposal on the character and appearance of the area;
 - 2) The effect of the proposal on the setting of protected heritage assets;
 - 3) The Council's five-year housing land supply position;
 - 4) The provision of infrastructure contributions required as a result of development and whether they are necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development; and
 - 5) The overall planning balances.
- 1.4 In providing the overall planning assessment, I have considered the evidence of the Council's heritage expert witness, Dr Nicholas Doggett, Jon Goodall, the Council's expert Five Year Housing Land Supply witness and my own landscape evidence.
- 1.5 My view is that building housing on this site, particularly on this scale would reduce the effectiveness of the appeal site's role as an attractive landscape in an important position and remove its permanence.
- 1.6 It would result in the urbanisation of open countryside beyond the planned limits of the settlement and irrevocably alter the rural character of the area and approach to the village. I agree with the Council's Planning Committee, that it would be an incongruous addition. By contrast to the NPPF and the Local Plan policies, instead of protecting and recognising the intrinsic character and beauty of the countryside, it would significantly harm it.

- 1.7 The incongruous nature of this proposal would be compounded by the harm it would cause (less than substantial) to the openness setting of nearby heritage assets at the former RAF Upper Heyford Conservation Area. Therefore, the public benefits of the proposal have to be weighed against the harm caused, in accordance with paragraph 202 of the NPPF.
- 1.8 It is also noteworthy that this appeal proposal, for up to 230 houses, is significantly bigger than any scheme approved in Heyford Park on its eastern edge since the Cherwell Local Plan 2015 (CLP 2015) was adopted. In fact, paragraph xviii, on page 13 of the CLP 2015, clarifies that development sites with 100 houses or more are considered strategic sites. Therefore, at up to 230 houses, this appeal scheme is considered to be of a strategic site scale, which, according to the CLP 2015 policies, are directed to Bicester and Banbury, and would be expected to come through the plan led process.
- 1.9 Moreover, the number of Policy Village 5 houses that have been delivered at Heyford Park through the plan period to date, (1,136 up to 1 October 2023 since first completions in 2012, coupled with the 1,537 dwellings approved but yet to be built (comprising 242 remaining on phase 9 land under 16/02446/F, the 1,175 dwellings approved under 18/00825/HYBRID and the 120 dwellings approved under 15/01357/F & 21/03523/OUT), means that the weight that I give to the benefits of the new housing proposed is reduced.
- 1.10 Having regard to the Council's Five-Year Housing Land Supply, I agree with Jon Goodall that there is no justification for approving the appeal proposal in order to ensure that Cherwell District Council's Five-Year Housing Land Supply is met. The relevant figures provided in Jon Goodall's Proof of Evidence confirm that Cherwell District Council has a Five-Year Land Supply of 5.37 years (slightly lower than the published position of 5.4 years) and is not, therefore, reliant on this scheme to be granted planning permission.
- 1.11 Overall, the site is not considered to be suitable for new housing development and the proposal would be contrary to national and local planning policy. This level of conflict weighs heavily in the determination of the case, and it significantly and demonstrably outweighs the benefits of the scheme, all of which would be expected of a policy compliant scheme.
- 1.12 Whilst the absence of a signed s106 agreement is another shortcoming of the appeal proposal, both parties are working together to ensure that an agreed s.106 agreement can be presented to the Inspector before the Inquiry opens.
- 1.13 My submission ends with a declaration that the evidence I have presented reflects my genuine professional opinion.