

10 March 2023  
Letter - 10 March 2023



N McCann  
Principal Planning Officer  
Development Management  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury, OX15 4AA

David Bainbridge  
E: david.bainbridge@savills.com  
DL: +44 (0) 1865269053

Wytham Court  
11 West Way  
Oxford OX2 0QL  
T: +44 (0) 1865 269 000  
F: +44 (0) 1865 269 001  
savills.com

By email to: [Natasha.McCann@cherwell-dc.gov.uk](mailto:Natasha.McCann@cherwell-dc.gov.uk)

Dear Natasha,

**Planning Application Reference: 22/02866/OUT**

**Land East of Ploughley Road, Ambrosden**

**Outline planning application for up to 120 dwellings, vehicular and pedestrian access off Ploughley Road, new pedestrian access to West Hawthorn Road, surface water drainage, foul water drainage, landscaping, public open space, biodiversity and associated infrastructure. Access off Ploughley Road is not reserved for future consideration**

**Position on The Planning Balance**

**On behalf of Archstone Ambrosden Ltd, Bellway Homes Ltd and Rosemary May**

I would be grateful if you could accept and consider this submission under the above planning application.

### **Background**

This submission provides the applicant's position on the planning balance for consideration of this planning application.

### **Housing Land Supply**

At the point of submission of this planning application in September 2022, Cherwell District Council ('the Council') was not able to demonstrate sufficient housing land supply for Cherwell District.

The Council had published a housing land supply of 3.8 year housing land supply for the period 2021-2026 and a 3.5 year housing land supply for the period 2022-2027, commencing 1 April 2022.

The Council's latest assessment of housing land availability is the 2022 Annual Monitoring Report, states that with a shift to the 'standard methodology' for assessing housing need rather than the former Oxfordshire Growth Deal assessment of need, the District has a 5.4-year supply of housing land. This is for the period 2022-2027.

The Council's Planning Policy Team Leader provided a verbal update to the Council's Planning Committee meeting held on 9 February 2023 meeting on the Council's housing land supply figure that was reported to the Council's Executive meeting on 6 February 2023.

The Council's change in housing land supply is largely the result of applying the standard method housing need figure of 742 dwellings per year from 2022 rather than the Local Plan figure of 1,142 dwellings from 2011.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

Savills (UK) Limited. Chartered Surveyors. Regulated by RICS.

A subsidiary of Savills plc. Registered in England No. 2605138. Registered office: 33 Margaret Street, London, W1G 0JD



Paragraph 3.26 of the report to the 6 February 2023 Executive states:

“3.26 Nevertheless, economic conditions are challenging and it is important that officers continue to seek Local Plan compliant housing delivery to maintain supply and deliver the district’s planned development. Having a five year land supply position does not mean that development allowed for by the Local Plan should halt. Indeed, not progressing planned development considered to be acceptable could undermine the land supply position.”

The Council’s position on housing land supply for the District is as a result of a decrease in housing need within the updated assessment rather than an increase on the supply side of the equation.

### **Standard Method**

The National Planning Policy Framework expects strategic policy-making authorities to follow the standard method in this guidance for assessing local housing need.

The standard method uses a formula to identify the minimum number of homes expected to be planned for, in a way which addresses projected household growth and historic under-supply.

The standard method identifies a minimum annual housing need figure. It does not produce a housing requirement figure.

The Planning Practice Guidance (‘PPG’) (Paragraph: 003 Reference ID: 2a-003-20190220) explains that use of the standard method for strategic policy making purposes is not mandatory if it is felt that circumstances warrant an alternative approach but authorities can expect this to be scrutinised more closely at examination.

The PPG also explains (Paragraph: 005 Reference ID: 68-005-20190722) that housing requirement figures identified in adopted strategic housing policies should be used for calculating the 5 year housing land supply figure where the plan was adopted in the last 5 years, or the strategic housing policies have been reviewed within the last 5 years and found not to need updating.

Reporting to the 6 February 2023 Executive included a report entitled ‘Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012 and a Housing Land Supply Statement’.

The Regulation 10A Review of Local Plan Policies (February 2023) shows that nearly all policies are generally consistent with government policy and/or local circumstances do not indicate that the policy needs updating at this time with the exception of Policy BSC1 District-wide Housing Distribution within the Cherwell Local Plan 2011-2031. This updating will take place through the on-going Cherwell Local Plan Review process which is being prepared to provide new planning policies to address the identified issues, needs and opportunities that face the district.

With the exception of Policy BSC1, the Regulation 10A Review found the strategic housing policies in the adopted local plan not to need updating. Policy BSC1 is entitled ‘District Wide Housing Distribution’. This states that Cherwell District will deliver a wide choice of high quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. 1,106 completions were recorded between 2011 and 2014 leaving 21,734 homes to be provided between 2014 and 2031. Housing will be delivered in accordance with the requirements set out in the table in the policy.

It is considered unnecessary and not appropriate for the Council to choose to switch housing need to the standard method in this manner for the following reasons:

- The PPG states that the 5 year housing land supply will be measured against the area's local housing need calculated using the standard method. The Council has not gone through the process to arrive at a local housing need calculated using the standard method. The Council has simply chosen to report housing land supply against the standard method which is contrary to planning policy and guidance.
- The Council has not calculated a minimum annual local housing need figure in reporting housing land supply.
- The Draft Local Plan 2040 (Regulation 18) as presented to the Council's Overview and Scrutiny Committee of 11 January 2023 makes provision for at least 26,267 new homes to be delivered during the plan period (2020 to 2040). This is an average of 1,313 dwellings per year. This reflects the Objectively Assessed Need for housing for Cherwell District up to 2040 as identified in the updated Housing and Economic Needs Assessment (HENA 2022). There is a huge disparity between the standard method housing need figure of 742 dwellings per year used by the Council for housing land supply and the local housing need of 1,313 dwellings per year in the draft (but not consulted upon) emerging new local plan.
- For various reasons the HENA 2022 suggests that the standard method may not be the most appropriate method for reporting housing land supply in Cherwell District. Therefore not only is the Council not reporting housing land supply following planning practice guidance because it is using standard method and not local housing need but the very basis of use of the standard method is questioned by the Council's own evidence.

The Council should re-consider the recent position to report housing land supply in the District against the standard method. The Council should calculate housing land supply measured against the District's local housing need calculated using the standard method.

This should be undertaken by the Council immediately and the results published for the period 2023 to 2028.

The Council should not determine planning applications for housing development in the District in the context of the current reporting of a 5.4 years supply of housing land under the 2022 Annual Monitoring Report.

The following is an assessment of the benefits and the adverse impacts of the proposed development.

### **Benefits of the Proposed Development**

The following are benefits of the proposed development categorised under the three overarching objectives of sustainable development under the NPPF.

#### **Social**

- Provision of housing in the context of a national housing crisis and up until very recently the Council's own position claiming only 3.5 years housing land supply.
- Provision of affordable housing to help meet the significant need for affordable housing locally. At 35% of a maximum of 120 dwellings this could be 42 affordable homes.
- Provision of a range of house types to meet the needs of local people, being a broad mix focussed on smaller family housing.
- Provision of including the provision of bungalows.
- Provision of high quality public open space that is accessible to both existing and future residents and that is managed in perpetuity, including children's play space, footpaths through open space and improvement to public rights of way.

#### Economic

- Ensuring an adequate supply of new homes to assist with achieving a flexible labour supply, ensuring that the workforce is able to find somewhere to live near to where job opportunities exist.
- Contribution to Gross Value Added (GVA) per annum to the economy from new jobs created at the construction stage and at the operation stage and introduction of new expenditure to the local economy.
- Provision of New Homes Bonus
- Provision of s.106 planning obligations

#### Environmental

- A net gain in the biodiversity value of the site of at least 10%.
- The location of the site offers residents a genuine choice in terms of modes of transport to access everyday services and facilities which are located in Bicester as well as the local services available in Ambrosden. Therefore, options for sustainable modes of travel can be promoted to future residents to reduce dependency on the private car.

We acknowledge that some of the proposed benefits from the development are policy requirements which are not unique to this development but nonetheless they will be delivered and can be seen as benefits of this development. This is a matter acknowledged in the reporting to committee on a different site in Ambrosden, which is described further below.

The proposed development is capable of being delivered within the proceeding five years and hence it will make a valuable contribution towards housing supply in Cherwell District. Bellway Homes, who is a 5 star housebuilder, has an excellent established track-record of delivering new homes in Cherwell District.

The social, environmental and economic benefits of the proposed development go over and above mitigation only measures.

#### **Adverse Impacts of the Proposed Development**

The following are adverse impacts of the proposed development:

- Loss of undeveloped land to development. The gross planning application site area is c.9.46 hectares but the net developable area on the submitted framework plan is only part of this gross site as not all of the application site area will be developed.
- Loss of a small area of subgrade 3a agricultural land. As explained in the submitted agricultural land classification and considerations report this is not capable of practical exploitation, it is not a significant area and it should not prevent non-agricultural development of the site.
- Minor, moderate and one major/moderate adverse effects on the landscape character and views as explained in the submitted landscape and visual assessment. The LVA finds no reason why the proposed development should be found to be so harmful as to be unacceptable in terms of the effects on the landscape character and visual amenity.

#### **The Planning Balance**

We consider that the proposed development is sustainable development as described under the National Planning Policy Framework.

The three overarching objectives of the planning system in the NPPF will be met through the grant of outline planning permission for the proposed development, subject to planning conditions and planning obligations.

The proposed development will provide benefits covering the economic objective, the social objective and the environmental objective in the NPPF.

This planning statement submitted with the planning application explores material considerations and finds that there are no material considerations which indicate determination other than in accordance with the Development Plan. On this basis it is requested that planning permission is granted without delay, subject to planning conditions and planning obligations.

Should the decision-maker decide that the proposed development does not accord with an up-to-date development plan then consideration falls to the planning balance.

We consider there is no sound basis for the Council claiming sufficient housing land supply simply by changing the need side of the equation to the standard method whereas this should be local housing need based on the standard method. On this basis of insufficient housing land supply the 'titled balance' is in operation, where consideration of the adverse impacts and benefits leads to the conclusion that planning permission should be granted. This is because taken as a whole, the planning application documentation and absence of technical objections from consultees, leads to a conclusion that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

We consider it is not appropriate for the decision-maker to apply an 'untilted' or 'flat balance' based on the Council's current claim of sufficient housing land supply. However, even if this position does continue on then the conclusion should be that the proposed development is sustainable development for which planning permission should be granted. Ambrosden is a sustainable settlement, a Category A settlement, in the current settlement hierarchy and remains of this status within the Draft Local Plan 2040 Regulation 18 (albeit not consulted upon).

The sustainable nature of Ambrosden has recently been fully explored and endorsed by the Council in resolving to grant planning permission at a site referred to as 'OS Parcel 3489 Adjoining And South West Of B4011 Allectus Avenue, Ambrosden', under planning application reference: 22/01976/OUT, at the 9 February 2023 Planning Committee. The sustainable nature of Ambrosden is explained by the Council within the report including at paragraphs 9.25, 9.34, 9.37, 9.39 and 10.8.

The balance should be for the Council to maintain sufficient housing land supply. This proposal is a sustainable development which is deliverable within the proceeding five year period and would positively contribute to the housing supply.

### **Conclusion**

There are no technical objections from consultees to this planning application. The proposed development is technically deliverable. Bellway Homes, who is a 5 star housebuilder, has an excellent established track-record of delivering new homes in Cherwell District.

The proposed development should be considered to be sustainable development under the NPPF. The proposed development will provide benefits covering the economic objective, the social objective and the environmental objective in the NPPF.

There are no material considerations which indicate determination of this planning application other than in accordance with the Development Plan. On this basis it is requested that planning permission is granted without delay, subject to planning conditions and planning obligations.

Should the decision-maker decide that the proposed development does not accord with an up-to-date development plan then consideration falls to the planning balance. We consider through insufficient housing land supply that the titled balance and presumption in favour of sustainable development applies here.

Through assessment of adverse impacts and benefits it is clear that planning permission should be granted because the planning application documentation and absence of technical objections from consultees, leads to a conclusion that the adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The Council should not consider this application, or other housing applications in the District under the untilted or flat balance through housing land supply.



The Council should re-consider the recent position to report housing land supply in the District against the standard method. The Council should calculate housing land supply measured against the District's local housing need calculated using the standard method.

This should be undertaken by the Council immediately and the results published for the period 2023 to 2028.

I would be grateful if you could accept and consider this submission under the above planning application and contact me to discuss this.

Yours sincerely,



**David Bainbridge MRTPI**  
**Planning Director**

Copy. Paul Seckington and Andy Bateson, Cherwell District Council  
Bellway Homes Ltd