
Planning Statement

Land off Ploughley Road, Ambrosden, Oxfordshire



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1. Introduction

- 1.1. This Planning Statement has been prepared in support of an outline planning application for residential development at Land off Ploughley Road, Ambrosden, Oxfordshire ('the Site').
- 1.2. The applicant for the planning application is Archstone Ambrosden Ltd and Bellway Homes Ltd. ('the Applicant').
- 1.3. The planning application has been submitted to Cherwell District Council ('the Council') as Local Planning Authority.
- 1.4. Submission of the planning application follows pre-application engagement with Ambrosden Parish Council and other technical and environmental stakeholders. This engagement had shaped the proposed development.
- 1.5. The proposed development comprises new homes within a landscaped setting which will form a sustainable addition to Ambrosden Village.
- 1.6. The gross site area is 9.46 hectares. This area of land includes proposed net developable area and green and blue infrastructure including biodiversity measures. A site location plan has been submitted as part of the planning application.
- 1.7. The main purpose of this Planning Statement is to:
 - set out the planning context for the Site and the proposed development
 - describe the proposed development, the Site and the surrounding area
 - assess the conformity of the proposed development with relevant development plan policy and material considerations
 - review the technical and environmental surveys which underpin the proposal
 - assess the benefits of the proposed development
 - consider the approach to planning conditions and planning obligations
 - consider the planning balance

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- 1.8. This Planning Statement should be read alongside the wider suite of documentation submitted under the planning application, including the Design and Access Statement.
- 1.9. The full scope of planning application documentation is listed in the letter which accompanies the application submission.

2. Background

- 2.1. The proposed development is a result of detailed assessment, design and engagement work undertaken over the previous 12 months or so. This is a collaboration between the landowner and delivery partners.
- 2.2. Bellway Homes, who is a 5-star housebuilder (the highest level) under the HBF National New Homes Customer Satisfaction Survey, has been building exceptional quality new homes through the UK for more than 75 years, creating outstanding properties in desirable locations. Bellway Homes have delivered high-quality new homes in Cherwell District including at Ambrosden (Blackthorn Meadows), Bicester (Kingsmere), Banbury (Hanwell View) working closely and collaboratively with the Council in the planning process.
- 2.3. Ambrosden has a resident population of some 2,700 and is located around 3 miles south east of Bicester linked by the A41 and some 13 miles north east of Oxford. The nearest train station is at Bicester and is only some 1.7 miles.
- 2.4. The Site fronts onto Ploughley Road, in part adjoining the built-up area of Ambrosden, comprising West Hawthorn Road and Briar Furlong to the south / south-east of the site. The Site comprises agricultural land.
- 2.5. The land slopes gently from the eastern boundary at circa. 77-78m AOD to the western boundary, at circa. 65m AOD.
- 2.6. A Public Bridleway, reference: 105/6/20, runs near to part of the southeast boundary of the site. The route connects to the site from West Hawthorn Road.
- 2.7. In planning policy terms, the site is unremarkable, not being covered by any national or regionally significant policy restrictions.
- 2.8. The Site has not been the subject of a previous planning application for major residential development. The Site is not in the Cherwell District Council, Strategic Housing Land Availability Assessment Update 2014.
- 2.9. The proposed development is not considered to EIA development and so not warrant preparation of an environmental statement under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. We request that the Council undertakes screening of the proposal upon receipt of the planning application.

3. The Proposed Development

- 3.1. The planning application is in outline with only access off Ploughley Road not reserved for future consideration.
- 3.2. The planning application includes a design and access statement, parameter plans dealing with land use, scale, density and access and a framework plan. These documents, read alongside the full suite of application documentation, show how the Site could be sustainably developed to provide new homes.
- 3.3. The following is the proposed description of development:

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.
- 3.4. The proposed development is intended to integrate with the existing built-up edge to this side of Ambrosden and to integrate with the open countryside beyond. The submitted framework plan identifies key aspects of the proposed development including access points, areas for the residential parcels, green infrastructure, blue infrastructure, potential children's play area and infrastructure for drainage, all set within the existing boundaries of the Site and creation of a new planted boundary to the north west of the Site.
- 3.5. The proposed development is for up to 120 dwellings, comprising market and affordable homes. The exact mix of dwellings is to be determined through reserved matters.
- 3.6. The proposed development includes an extensive area of land wrapping around the residential parcels for green and blue infrastructure helping to provide a net gain in biodiversity and a landscaped setting for existing and new residents and visitors to enjoy. The main spine road into the proposed development is to be tree-lined to give a sense of place and arrival, providing a physical and visual connection to the open countryside beyond to the north and west.
- 3.7. Excellent place-making is at the heart of the proposed development. This is achieved as a result of taking time to understand the Site and local context and preparing a vision for development that is appropriate to the location.

4. Development Plan Policy and Material Considerations

4.1. This section assesses the proposed development against development plan policy and material considerations.

National Legislation

4.2. Section 38 (6) of the Planning and Compulsory Purchase Act 2004, states:

“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

4.3. Section 70 (2) of the Town and Country Planning Act 1990, states:

“In dealing with an application for planning permission or permission in principle the authority shall have regard to:

- (a) the provisions of the development plan, so far as material to the application,
- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- (aa) any considerations relating to the use of the Welsh language, so far as material to the application;
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.”

4.4. These aspects of the 1990 Act and the 2004 Act mean in effect that planning applications should be determined in accordance with development plan policy unless material considerations indicate otherwise.

4.5. It has been established through case law that an assessment against development plan policy needs to look at the development plan taken as a whole and that it is possible to comply with development plan policy taken as a whole even if some aspects do not fully comply with policy.

Development Plan Policy

4.6. The relevant development plan documents to this planning application are:

- The Cherwell Local Plan 2011-2031 Part 1 Adopted 15 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016) (LPP1); and
- Saved Policies from the Cherwell Local Plan 1996 (Saved on 27 September 2007) (CLP).

4.7. There is no neighbourhood plan area designation for this part of Cherwell District.

Policy Villages 1: Village Categorisation

- 4.8. Ambrosden is identified as a Category A village (Service Village) in the LPP1 Policy Villages 1: Village Categorisation (PV1).
- 4.9. According to Paragraph C.254, PV1 provides a categorisation of villages to guide the consideration of small-scale proposals for residential development within the built-up limits of settlements. PV1 seeks to manage small scale development proposals (typically but not exclusively for less than 10 dwellings) which come forward within the built-up limits of villages. It also informs Policy Villages 2 which provides a rural allocation for sites of 10 or more dwellings at the most sustainable Category A villages and which will guide preparation of both the Local Plan Part 2 and Neighbourhood Plans.
- 4.10. Paragraph C.260 states that the categorisation within PV1 will be used to assess residential proposals that come forward within villages.

Policy Villages 2: Distributing Growth Across the Rural Areas

- 4.11. PV2 permits additional sites at Category A villages, either as Neighbourhood Plan allocations or planning permissions to meet the requirement that sites for an additional 750 units will be delivered in the Category A villages, in addition to small site windfalls. As has been confirmed in numerous appeal decisions, the 750 dwellings figure is not a ceiling or a cap, and the acceptability of development at these settlements is considered having regard to the criteria set out in the policy.
- 4.12. Category A villages are considered to be the most sustainable villages which offer a range of services and facilities and are well connected to an urban area, particularly by sustainable modes of travel. Ambrosden is considered to be one of the better served Category A Villages and has a number of services and facilities and has a close geographical relationship to Bicester which accommodates a larger range of services, facilities and job opportunities. Services and facilities within Ambrosden include a shop, primary school, village hall and a bus service to Bicester, which is one of two main settlements in Cherwell District. The site is within cycling distance from Bicester.
- 4.13. It has been accepted at a number of appeals relating to the application of PV2 that, while unconstrained growth in the rural areas could undermine the overall housing strategy, the 750 dwellings figure is not a ceiling or a cap. The broad principle of this scale of growth in the village of Ambrosden must be considered to be acceptable.
- 4.14. Various planning appeal decisions at Launton, Ambrosden, Bodicote, Sibford Ferris, Hook Norton and Adderbury set out the approach to PV2 which is summarised below.
- 4.15. The PV2 headline figure of 750 dwellings is not a ceiling or a cap and this has been acknowledged by the Council.
- 4.16. The specific management criteria of PV2 ensures that it is a self-regulating policy; if the point is reached where the number of dwellings granted in Category A villages is likely to undermine the Council's overall spatial strategy, a series of planning harms is likely to emerge.

- 4.17. PV2 does not contain any temporal dimension in that it does not specify when during the plan period housing should be delivered, nor does it contain any phasing element.
- 4.18. PV2 has no spatial dimension, other than relating to Category A villages.
- 4.19. Some Category A villages are more sustainable than others and therefore it would be acceptable for the more sustainable villages to provide a larger share of dwellings under PV2.
- 4.20. In considering proposed sites, particular regard is to be given to a list of 11 specified criteria.
- 4.21. The application of the approach adopted by Planning Inspectors demonstrates that the proposed development complies with LPP1 PV2 and, in turn, Policy BSC1: District Wide Housing Distribution.
- 4.22. Policy BSC1 directs the majority of housing to Banbury and Bicester first and then identifies a quantum of development that will be provided in the rest of the District. Para B.97 states that “the Plan makes allowances for non-strategic urban and rural sites in sustainable locations” and “development at villages will be considered against Policy Villages 1: Village Categorisation, Policy Villages 2: Distributing Growth Across the Rural Areas and Policy Villages 3: Rural Exception Sites.” Development of the Site would therefore not undermine the spatial strategy of the Local Plan.
- 4.23. The 2021 AMR sets out the Council’s latest position on dwellings with planning permissions given at Category A villages and completions. Table 39 of the AMR confirms that 749 dwellings are either completed or under construction on sites with planning permission in Category A villages. Between 1 April 2014 and 31 March 2021 there were a total of 503 net housing completions. 246 dwellings are under construction from the supply of permitted sites and are likely to be delivered in the short term (para. 5.156 of the AMR 2021).
- 4.24. Table 40 of the AMR shows that there are 319 dwellings with planning permission but not yet started. A 10% non-implementation rate is allowed for which reduced the supply to 287 dwellings.
- 4.25. There are an additional 26 dwellings with resolution to approve (23 with the 10% non-implementation rate applied). The addition of (up to) 65 dwellings (minus 10%) proposed at the Site, alongside other sites with a resolution to approve, would increase the figure for dwellings with planning permission at Category A villages to 1,118 dwellings. The delivery of additional dwellings at Category A villages, beyond the 750 figure, does not undermine the spatial strategy of LPP1, being only 24.9% of the total amount in the District against the local plan provision of 23.6%.
- 4.26. As set out in the appeal decisions, the 750 dwellings figure is not a ceiling or cap, and this has been recognised by the Council. It is the Applicant’s case that the grant of planning permission at the Site would not undermine the Council’s overall spatial distribution of housing anticipated in the Local Plan and there is no allegation of harm to the Council’s spatial strategy.

Table 1: Assessment of development proposals against Policy Villages 2 Criteria

PV2 Criteria	Application Response to the Criteria	Compliance
<i>Whether the land has been previously developed or is of lesser environmental value</i>	Part of the Site is poor quality agricultural land. If any contamination is identified this will be subject to remediation work. The Site is not of high environmental value and it is not in a designated landscape. Many hedges and trees on the Site will be retained and enhanced.	Yes
<i>Whether significant adverse impact on heritage or wildlife assets could be avoided</i>	There will not be a significant adverse impact on heritage or wildlife assets. A 10% net gain in biodiversity is achievable through enhancing the field to the north west.	Yes
<i>Whether development would contribute in enhancing the built environment</i>	The layout, appearance, scale and landscaping of the proposals are reserved matters. The contribution the proposed development makes to the built environment is discussed further within the Design and Access Statement.	Yes
<i>Whether best and most versatile agricultural land could be avoided</i>	The Natural England Agricultural Land Classification Map shows the site is poor quality agricultural land and therefore there would be no loss of the best and most versatile agricultural land.	Yes
<i>Whether significant adverse landscape impacts could be avoided</i>	<p>This criterion seeks to avoid significant adverse landscape impacts. It does not seek to avoid all landscape impacts and therefore accepts that all greenfield development will have some adverse landscape and visual impacts. PV2 is therefore not prohibiting greenfield development at Category A villages but rather it sets out when it will be acceptable.</p> <p>The submitted Landscape and Visual Assessment (LVIA) assesses the landscape impacts of the development. The Site has a localised visual envelope.</p> <p>It is concluded that there are no significant adverse landscape impacts, and therefore the proposals comply with this criterion. It is also noted that there is no conflict with Policy ESD13: Local Landscape Protection and Enhancement.</p>	Yes

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PV2 Criteria	Application Response to the Criteria	Compliance
<i>Whether satisfactory vehicular and pedestrian access/egress could be provided</i>	Safe vehicular and pedestrian access can be provided from Ploughley Road which connects to the surrounding road, cycle and pedestrian network. This is evidenced within the supporting Transport Assessment. There is no allegation of conflict with this criterion.	Yes
<i>Whether the site is well located to services and facilities</i>	The site is within walking distance and cycling distance to services and facilities in Ambrosden, including a shop, village hall and a primary school. Bicester also provides services and facilities in close proximity and is accessible by car, bus and cycle. The accompanying Transport Assessment explores the accessibility of the Site.	Yes
<i>Whether necessary infrastructure could be provided</i>	Necessary infrastructure can be provided subject to a s106 Agreement which will be prepared as part of the planning application process.	Yes
<i>Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period</i>	This is not applicable to the development proposals	n/a
<i>Whether land the subject of an application for planning permission could be delivered within the next five years</i>	The land could be delivered within the next five years. The Appellant is willing to offer shorter timescales within planning conditions to ensure the development is delivered quickly, including that a reserved matters application is submitted within 2 years of the date of consent and implementation within 4 years from the date of the permission or 2 years from the date of approval of the last reserved matters whichever is the later.	Yes
<i>Whether the development would have an adverse impact on flood risk</i>	The supporting Flood Risk Assessment demonstrates that the proposals would not have an adverse impact on flood risk.	Yes

4.27. Considering the above and the Site’s location, the development proposals comply with LPP1 PV2. This is a permissive policy which states that development proposals should have ‘regard’ to.

Policy ESD15: The Character of the Built and Historic Environment

4.28. Policy ESD15 is concerned with conserving the historic environment and securing high quality urban design. The policy includes a list of bullet points that new development proposals should meet. These bullet points are discussed in turn below.

Table 1: Assessment of Policy ESD15

Requirements of Policy ESD15	Application Response	Compliance
New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District’s distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.	This is an outline planning application and there is no conflict here.	Yes
Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions	This is an outline planning application and there is no conflict here	Yes
Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions	This is an outline planning application and there is no conflict here	Yes
Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity	This is an outline planning application and there is no conflict here	Yes
Contribute positively to an area’s character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting	This is an outline planning application and there is no conflict here.	Yes

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Requirements of Policy ESD15	Application Response	Compliance
Conserve, sustain and enhance designated and non- designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged	There is no harm envisaged to designated heritage assets and so no conflict here.	Yes
Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.	A Heritage Statement is submitted with the planning application which provided information on heritage assets.	Yes
Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages	This is an outline planning application and there is no conflict here	Yes
Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette	This is an outline planning application and there is no conflict here	Yes
Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features	This is an outline planning application and there is no conflict here	Yes

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Requirements of Policy ESD15	Application Response	Compliance
Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing in The Manual for Streets should be followed	This is an outline planning application and there is no conflict here	Yes
Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space	This is an outline planning application and there is no conflict here	Yes
Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation	These details will be considered at the reserved matters stage.	Yes
Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation	These details will be considered at the reserved matters stage.	Yes
Consider sustainable design and layout at the master planning stage of design, where building orientation and the impact of microclimate can be considered within the layout	This has been considered within this outline planning application and there is no conflict here.	Yes
Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)	These details will be considered at the reserved matters stage.	Yes
Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality	<p>These details will be considered at the reserved matters stage.</p> <p>The Landscape Strategy Plan shows how green infrastructure can be integrated and enhanced as part of the proposed development.</p> <p>The Ecological Assessment Report finds the development would achieve a net gain in biodiversity.</p>	Yes
Use locally sourced sustainable materials where possible	These details will be considered at the reserved matters stage.	Yes

Material Considerations

4.29. Material considerations relevant to this planning application, include the following:

- The National Planning Policy Framework (NPPF), July 2021
- Planning Practice Guidance, online resource
- Cherwell Local Plan 2011-2031 Part 1 Partial Review, Adopted 7 September 2020
- Cherwell Local Plan 1996
- Cherwell Residential Development Design Guide Supplementary Planning Document Masterplanning and Architectural Design Guidance, July 2018
- Developers Contributions Supplementary Planning Document, February 2018
- Strategic Housing Land Availability Assessment, Update 2014
- Cherwell District Council Housing Availability, May 2014
- Housing and Economic Land Availability Assessment Final, February 2018
- The Council's Annual Monitoring Report 2021, December 2021
- The Council Local Development Scheme, September 2021
- Cherwell Local Plan Review 2040 (emerging)
- Cherwell Local Plan 2011-2031 Part 1 - Appendix 8: Infrastructure Delivery Plan
- Infrastructure Delivery Plan Update, 01/04/2019 – 31/03/2020, December 2020
- Cherwell District Council Housing Strategy 2019 – 2024
- Cherwell Countryside Design Summary, 1998

4.30. This list is not necessarily exhaustive and we look forward to discussing such matters with the Council.

Conclusion on Development Plan Policies and Material Considerations

- 4.31. The Site is not allocated for development but it partly adjoins the current built-up edge of this part of Ambrosden.
- 4.32. In planning policy terms, the site is unremarkable, not being covered by any national or regionally significant policy restrictions.
- 4.33. The proposed development accords with relevant development plan policy overall. Limb c) of paragraph 11 of the NPPF applies the presumption in favour of sustainable development.
- 4.34. Whilst some minor adverse impacts are identified as a result of the proposed development at the Site, there are no adverse impacts that would bring the proposals into conflict with the development plan as a whole, or that would significantly and demonstrably outweigh the benefits of the proposals. The proposals should therefore be allowed in accordance with paragraph 11 of the NPPF.

5. Technical and Environmental Assessment

- 5.1. This section of the Planning Statement provides a summary of relevant technical and environmental matters which have informed preparation of the planning application.

Access and transport

- 5.2. Clark Bond have prepared the transport assessment. There is not a severe residual cumulative impact on the road network from this proposed development.
- 5.3. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.4. In transport terms the proposed development should be considered acceptable subject to planning conditions and where relevant any planning obligations.
- 5.5. In respect of the vehicular access off Ploughley Road this is proposed as a simple priority t-junction. A residential travel plan is also intended to accompany the planning application.

Drainage

- 5.6. Clark Bond are advising on drainage. Surface water drainage will be designed to SUDs with attenuation on site and outfall to an appropriate run-off rate. In part the proposed surface water attenuation feature can contribute towards landscaping and biodiversity elements for the proposed development.
- 5.7. Foul water drainage will require pumping to the existing mains system within the village. An indicative location for pumping is shown on the submitted plans within the south west of the Site towards Ploughley Road.

Ecology

- 5.8. EDP are advising on ecology and biodiversity matters. This includes a phase 1 ecological appraisal supported by various protected species surveys. This includes assessment of the presence of great crested newts in the area. A strategy is being prepared to mitigate the impact on the local population of GCN.
- 5.9. The biodiversity strategy is being prepared which indicate a measurable net gain in biodiversity on the site of at least 10%. This is not currently a planning policy requirement and hence should be considered to be a benefit of the proposed development.

Heritage

- 5.10. EDP are advising on heritage including below ground archaeology. The Site does not contain any world heritage sites, scheduled monuments, registered parks and gardens, registered battlefields or listed buildings. There is no potential for the proposed development to result in harm to any designated heritage assets beyond the boundaries of the Site, in terms of changes to their setting.
- 5.11. With regard to archaeological remains, based on an analysis of the known resources the assessment has identified that the Site has the potential for late prehistoric, Roman, medieval, and post-medieval deposits to survive within the Site. If present, these will mostly likely relate to historic agricultural practices, such as ditches and plough furrows. Such remains would be of low value, and it is unlikely that they would be of such significance that they would preclude development of the Site, subject to the implementation of appropriate mitigation strategy, if necessary.
- 5.12. Archaeological geophysical survey has been undertaken and included under the Written Scheme of Investigation, with trial trenching to follow this summer.

Landscape

- 5.13. EDP are advising on landscape and visual impact matters. This submission includes an assessment on landscape and visual effect. This describes the methodology for the landscape and visual assessment. The Site is not protected under a landscape policy designation, and it is not considered to be part of a valued landscape.
- 5.14. The masterplanning for the Site has taken into consideration key views and settlement pattern and a proposed landscape strategy will accompany the planning application.

Trees

- 5.15. EDP are advising on tree impact and have prepared the arboricultural assessment. This includes a tree survey which has identified 29 individual trees, nine groups of trees and 13 hedgerows totalling 51 items. Of these 51 items, three have been categorised as A, of high quality; 21 have been categorised as B, of moderate quality; and 21 have been categorised as C and are of low quality. In addition, six items have been categorised as U and are considered unsuitable for retention.
- 5.16. The category A trees can be readily accommodated within the development proposals and protection put in place for the trees that are within the site. T44 an English Oak, is located just outside of the Study Area on the boundary of the site. It has been identified as both ancient and a veteran due to its age, size and condition. Masterplanning for the development follows the statutory guidance and recommendations by including the recommended buffer to ensure the protection of this tree which is next to proposed open space and not next to built development.

Conclusion on technical and environmental matters

- 5.17. There are no showstoppers to delivery of new housing and associated infrastructure on the Site, subject to planning conditions and planning obligations.

6. Housing Statement

- 6.1. It is accepted by the Council that there is insufficient housing land supply within Cherwell District, currently put at some 3.5 years supply. This is a shortage of market and affordable housing.
- 6.2. The affordability of housing in the District is relevant because the lower quartile house is more than ten times the lower quartile annual earnings. This is significantly higher than the average in England.
- 6.3. There are some 1,680 active applications on the District's Housing Register and hence a significant number of people need affordable homes now. This need is real and it is acute. At Ambrosden the Parish Profile as published by the Council states preference by some 148 people/households. This is just for affordable homes in the village/parish.
- 6.4. This proposed development can deliver some 35% of the total homes as affordable and help to address this need.
- 6.5. Further detail will emerge in respect of the housing mix, but it is anticipated that there will be a broad range of house types and unit sizes, including a significant proportion of 2-bedroom and 3-bedroom properties which we understand to be required locally, as well as some bungalows.
- 6.6. The intention is to provide 35% of the new homes as affordable in line with policy. Discussions can take place with the Council in respect of the tenure and type. We expect that First Homes will form part of the affordable housing mix under a planning obligation.
- 6.7. The LPP1 states "there is need to provide a mix of housing in Cherwell that reflects the needs of an ageing population, a growth in smaller households and which meets the requirements for family housing" (para. B.121).
- 6.8. The Cherwell Housing Strategy states "we need to respond to diverse needs ranging from smaller homes for young people and people looking to downsize through to larger family homes" (page 8).
- 6.9. The proposed development will provide a mix of housing to reflect the need identified in the Oxfordshire SHMA 2014 or the latest up-to-date evidence of need. The housing mix of the market dwellings will be agreed at reserved matters stage. The housing mix of the affordable dwellings will be agreed within the s.106 and will reflect local need.
- 6.10. The provision of a range of house types to meet local needs is a social benefit that should be afforded significant weight in the decision making process.
- 6.11. The Applicant proposes 35% affordable housing, based on a development of up to 120 dwellings, this represents up to 42 affordable homes. The mix of affordable housing will be agreed within the S106 and will include First Homes.

7. Statement of Community Involvement

- 7.1. The Applicant has engaged with Ambrosden Parish Council prior to submitting the planning application.
- 7.2. The Applicant and relevant consultants attended a meeting with Ambrosden Parish Council on 16 June 2022 following previous correspondence.
- 7.3. At this meeting a presentation was given of the proposed development of up to 150 dwellings, comprising presentation boards covering site context, site analysis, development concept, design and landscape matters. A discussion was held among Parish Councillors and members of the public in attendance at this meeting. Images of the presentation boards and a description are provided in the submitted Design and Access Statement.
- 7.4. Ambrosden Parish Council agreed to consider the proposal and provided their feedback following on from the meeting: The comments can be summarised as follows:
- Scale of the proposed development
 - Impact of roads
 - Disruption through construction works
 - Uncertainty over biodiversity
 - Requirement for primary school places
 - Visual impact
 - Flood risk
 - Impact on village resources and infrastructure
- 7.5. The Applicant has taken onboard the comments received as per the following responses:
- The proposed development has been reduced to up to 120 dwellings
 - A construction environmental management plan will be prepared and submitted under a planning condition to control construction activity
 - Construction will adhere to best practice under the Considerate Constructors Scheme
 - The proposal will provide for at least 10% improvement in biodiversity net gain
 - The proposal will provide for increased primary school (and secondary schooling) where required to
 - The parameter plans and framework plan have been informed by the landscape and visual appraisal to ensure where possible field boundaries are protected, a new field boundary is proposed to be planted-up with additional hedges and trees and building heights are to be restricted to 2 storeys to help mitigate visual impact.
 - Housing has been further set back from Ploughley Road to provide more of a green buffer and reduce concerns about the visual impact of the development on the rural character into the village.
 - A drainage strategy has been prepared to ensure surface water drainage is sustainable with attenuation on site.
 - The proposal will provide on-site infrastructure provision in terms of blue and green infrastructure.

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- 7.6. The Applicant has welcomed receiving comments from Ambrosden Parish Council prior to submission of the planning application and has taken steps to address these points in the planning application.
- 7.7. The Applicant and consultant team have engaged with wider stakeholders on relevant design, technical and environmental matters and this engagement has also informed the planning application.

8. Benefits of the Proposed Development

- 8.1. The proposed development complies with relevant development plan policy and will deliver on the vision, outputs and policy within the Local Plan as well as the NPPF.
- 8.2. Under limb c) of paragraph 11 of the NPPF, the planning permission should be granted without delay.
- 8.3. The Council should approve the development without delay being in accordance with the development plan policy overall. The exercise should not be one of assessment of adverse impacts against the benefits under limb d) ii. of paragraph 11 of the NPPF.
- 8.4. The development will deliver benefits in terms of new affordable and market housing, job creation during construction, gross added value locally from the additional residents spending power and a net gain in biodiversity. This proposed development will create a high quality, cohesive and distinctive new addition to the village.
- 8.5. The proposed development is sustainable development for which the presumption in favour applies under the NPPF. Limb d) of paragraph 11 of the NPPF applies in that the policies which are most important for determining the planning application are out of date by virtue of the insufficient housing land supply.
- 8.6. Notwithstanding application of the presumption in favour of sustainable development, it is relevant to consider the benefits that will arise from the development.
- 8.7. The Applicant has placed high quality sustainable design at the forefront of their considerations in full accordance with the NPPF and associated national-level design guidance. The Design and Access Statement sets how the approach to the proposed development reflects a balanced approach that evolves from the surrounding context of the Site.
- 8.8. The proposed development will deliver a range of housing as explained within the housing section of this Planning Statement, comprising both market housing and affordable housing.
- 8.9. Under the New Homes Bonus scheme, the development of each additional affordable home attracts an enhancement of £350 per annum (over the period the NHB is payable). Local authorities are not obliged to use the funding for housing purposes but we have set the enhanced payments (£350 per property per annum) aside to find new affordable homes or services.” (Page 15, Cherwell Housing Strategy). This is therefore a further benefit from the provision of affordable homes at the Site.
- 8.10. Under the HBF Housing Calculator, building 120 new homes could support the employment of 372 people, provide 4 apprentices, graduates or trainees and generate £1,446,360 in tax revenue including £135,535.20 in council tax revenue.
- 8.11. The proposed development will deliver on local requirements of biodiversity net gain and blue and green infrastructure. This includes children’s play area, amenity space on site and a 10% net gain in biodiversity on site.

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- 8.12. 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.
- 8.13. 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.
- 8.14. The social, environmental and economic benefits of the proposed development go over and above mitigation only measures.

9. The Planning Balance

- 9.1. Under Policy Villages 1: Village Categorisation (PV1) of the adopted Local Plan Part 1, Ambrosden is identified as a Service Village under Category A, where minor development, infilling and conversions are considered appropriate.
- 9.2. Policy Villages 2: Distributing Growth across the Rural Areas (PV2) states that a total of 750 homes will be delivered at Category A Villages across the plan period being 2011 to 2031.
- 9.3. Under PV2, sites for residential development will be identified through three routes: 1) preparation of a Local Plan Part 2; 2) preparation of Neighbourhood Plans; and 3) the determination of applications for planning permission.
- 9.4. PV2 is a permissive policy setting a framework for residential development sites to come forward, either as allocations or planning permissions to meet the requirement that sites for an additional 750 units will be delivered in the Category A villages (in addition to the small site windfall allowance).
- 9.5. As has been confirmed in numerous appeal decisions in Cherwell District, the 750 dwellings figure is not a cap, and the acceptability of development at these settlements is considered having regard to the criteria set out in the policy.
- 9.6. Cherwell District Council, as Local Planning Authority, has not progressed a Local Plan Part 2. The latest Local Development Scheme for Cherwell District, dated September 2021, only identifies adoption of a new local plan named the Cherwell Local Plan Review 2040 in November 2023, but this relies upon prior stages of plan development including consultation on a draft plan (Regulation 18) in June/July 2022 which has not taken place and is not expected until late 2022 at the earliest. We anticipate publication of an updated Local Development Scheme in due course which might identify slippage in the projected period of time for a new local plan.
- 9.7. There is no designated Neighbourhood Plan Area at Ambrosden and so no emerging Neighbourhood Plan.
- 9.8. The only option under PV2 is for the determination of planning applications in the absence of any Local Plan Part 2.
- 9.9. The last development plan document adopted by the Council which included the allocation of land for this scale and location of residential development (non-strategic) was the Cherwell Local Plan 1996, adopted November 1996.
- 9.10. If the new local plan is not adopted until early 2024 this would be a period of some 28 years between the last plan adopted with sites of this size at villages being allocated in a development plan.

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- 9.11. The Council acknowledge there is a shortage of housing land in Cherwell District and that the 750 dwellings under Policy Villages 2 is not a cap or a ceiling. For the purpose of this statement, we do not seek to dispute the Council's position of 3.5 years housing land supply across the entire Cherwell District during the period 2022 to 2027.
- 9.12. The shortage of housing land supply in Cherwell District, both market and affordable, is chronic and severe. Sustainable development at Category A Villages will need to be granted planning permission now and new housing delivered in the short-term as it is not possible to rely on delivery from the new emerging local plan followed by the grant of planning permission to address the shortage in housing land in the District.
- 9.13. The proposed development contributes to the three overarching objectives of sustainable development by contributing positively to the economic, social and environmental dimensions, through the benefits provided by the proposed development. These benefits include the provision of market and affordable housing in the absence of a 5-year supply and affordable housing to meet the identified need.
- 9.14. The proposed development complies with the development plan when taken as a whole and there are no material considerations that indicate planning permission should be refused in these circumstances.
- 9.15. However, if the Council were not to agree to this, a planning balance exercise under the presumption in favour of sustainable development may be undertaken by the Council. The presumption in favour of sustainable development and in particular the tilted balance would apply on the basis that the policies that are most important for determining the planning application are out of date as the Council cannot demonstrate a five-year housing land supply.
- 9.16. The harm arising from the proposed development does not significantly and demonstrably outweigh the benefits of the scheme, and planning permission should therefore be granted in accordance with paragraph 11 of the NPPF.
- 9.17. On the harm side of a planning balance exercise is the loss of fields to development but this is outweighed by the benefits of market and affordable housing, economic development including construction jobs and local spend from residents and environmental benefits such as new publicly accessible open space and a net gain in biodiversity.
- 9.18. We acknowledge that harm and benefits are not necessarily unique to this Site, and this proposed development but consider this does not diminish the planning balance exercise which overall should find that the harm arising from the proposed development does not significantly and demonstrably outweigh the benefits of the scheme, and planning permission should therefore be granted.
- 9.19. We expect to reach agreement with the Council on planning conditions and planning obligations during the course of the planning application.

10. Planning Conditions and Planning Obligations

10.1. The Applicant looks forward to engaging with the Council and relevant stakeholders in respect of planning conditions and planning obligations.

10.2. This is an outline planning application with all matters reserved for future consideration and hence this will need to be reflected in planning conditions and planning obligations.

Planning Conditions

10.3. It is relevant to note the national planning policy on planning conditions. Paragraph 56 of the NPPF, states:

“Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision-making. Conditions that are required to be discharged before development commences should be avoided, unless there is clear justification.”

10.4. Paragraph: 001 Reference ID: 21a-001-20140306 of the Planning Practice Guidance, states:

“Why are conditions imposed on a planning permission?”

When used properly, conditions can enhance the quality of development and enable development to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects. The objectives of planning are best served when the power to attach conditions to a planning permission is exercised in a way that is clearly seen to be fair, reasonable and practicable. It is important to ensure that conditions are tailored to tackle specific problems, rather than standardised or used to impose broad unnecessary controls.”

10.5. This is a single developer proposal. Bellway Homes will be responsible for delivery of this new sustainable place and hence planning conditions should be prepared on this basis. Multiple phases of development are not envisaged.

10.6. Paragraph: 008 Reference ID: 21a-008-20140306 of the Planning Practice Guidance, states:

“Can conditions be used to stipulate the sequence that development should be carried out in (phasing)?”

Where the circumstances of the application make this necessary and the 6 tests will be met, conditions can be imposed to ensure that development proceeds in a certain sequence. Conditions may also be used to ensure that a particular element in a scheme is provided by/at a particular stage or before the scheme is brought into use. It is important that the local planning authority and the applicant discuss and seek to agree any such conditions before planning permission is granted. This is in order to understand how the requirements would fit into the planned sequence for developing the site, impacts on viability, and whether the tests of reasonableness and necessity will be met.”

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- 10.7. The Applicant will look to work with the Council in the drafting of planning conditions. It is expected that pre-commencement triggers for development planning conditions will need to be fully justified. We expect discussions to involve the length of time for submission of reserved matters and the scope of planning application documentation to be conditioned as approved.
- 10.8. The Town and Country Planning (Pre-commencement Conditions) Regulations 2018 are relevant as these Regulations apply to pre-commencement conditions imposed on a grant of planning permission on or after 1st October 2018.
- 10.9. Section 100ZA was inserted into the Town and Country Planning Act 1990 Act by section 14(1) of the Neighbourhood Planning Act 2017 ("the 2017 Act"). Section 100ZA(5) provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition.
- 10.10. Section 91 of the Town and Country Planning Act 1990 states that if the local planning authority grants planning permission it should be subject to a planning condition that sets the time limit within which the development must begin. The relevant time limit for beginning the development is not later than the expiration of 3 years beginning with the date on which the permission is granted, or; such other period (whether longer or shorter) as the local planning authority may impose.
- 10.11. Under section 92 of the Town and Country Planning Act 1990 where outline planning permission is granted for development consisting of or including the carrying out of building or other operations, it shall be granted subject to conditions to the effect that, in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission; and that, in the case of outline planning permission for the development of land in England, the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.
- 10.12. The Applicant looks forward to discussions with the Council in respect of the period of time for submission of the application(s) for approval of reserved matters in the context of a shortage in housing land.

Planning Obligations

- 10.13. It is relevant to note the national planning policy on planning obligations. Paragraph 55 of the NPPF, states:
- "Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition."
- 10.14. The policy position here is that planning obligations should only be required where it is not possible to deal with unacceptable impacts of development, in other words mitigation, through a planning condition.

10.15. Paragraph 57 of the NPPF, states:

“Planning obligations must only be sought where they meet all of the following tests:

- a) necessary to make the development acceptable in planning terms;
- b) directly related to the development; and
- c) fairly and reasonably related in scale and kind to the development.”

10.16. There are legislative requirements on planning obligations contained in The Community Infrastructure Levy Regulations 2010. Regulation 122(2) of the 2010 Regulations states (in part):

“Limitation on use of planning obligations

122.— (1) This regulation applies where a relevant determination is made which results in planning permission being granted for development.

(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.”

10.17. It can be seen that (a) to (c) of the Regulations is identical to the planning policy guidance in the NPPF.

10.18. The development plan policy has been described and assessed in this planning statement. This includes relevant policy in respect of planning obligations.

10.19. The Community Infrastructure Levy is not in force in Cherwell District.

10.20. Policy INF I: Infrastructure describes the Council’s approach to infrastructure planning in Cherwell District. Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.

10.21. Paragraph 58 of the NPPF is relevant. This states:

“Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.”

10.22. It is anticipated that a legal deed will be negotiated and finalised under Section 106 Planning Obligations of the Town and Country Planning Act 1990. The Applicant will look to agree heads of terms for planning obligations to inform preparation of the legal deed. The exact format for the deed will need to be discussed.

10.23. Without prejudice to further negotiations between the Applicant and the Council, the following areas are likely to feature in discussions about planning obligations:

- Affordable housing
- Community provision
- Education provision
- Health provision
- Open and play space
- Travel planning measures
- Monitoring Mechanism

10.24. It is the Applicant’s preference to reach agreement on planning conditions and planning obligations through the course of the planning application.

11. Conclusion

- 11.1. This Planning Statement has been prepared on behalf of Archstone Ambrosden Ltd, Bellway Homes Ltd and Rosemary May in support of an outline planning application for development at Land off Ploughley Road, Ambrosden.
- 11.2. The planning application has been prepared as a result of, and submitted following, discussions with stakeholders on planning considerations for many months.
- 11.3. The proposed development is sustainable development as described under the National Planning Policy Framework.
- 11.4. 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.
- 11.5. The proposed development will provide benefits covering the economic objective, the social objective and the environmental objective in the NPPF.
- 11.6. So that sustainable development is pursued in a positive way, the NPPF has within it a presumption in favour of sustainable development.
- 11.7. For decision-taking this means that local planning authorities should approve development proposals that accord with an up-to-date development plan without delay. This limb c) of paragraph 11 of the presumption in favour of sustainable development applies to this proposed development.
- 11.8. Planning legislation in the form of Section 70 (2) of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires the determination of planning applications to be made in accordance with Development Plan Policy unless material considerations indicate otherwise.
- 11.9. This Planning Statement has explored material considerations it has found that there are no material considerations which indicate determination other than in accordance with the Development Plan.
- 11.10. It is requested that planning permission is granted without delay, subject to planning conditions and planning obligations.

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