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Date: 11/05/23

Cherwell District Council – Planning Team
Via E-mail

Dear Sir/Madam

APPLICATION 23/00173/OUT: OUTLINE APPLICATION FOR UP TO 147 HOMES AND ASSOCIATED WORKS ON LAND SOUTH OF GREEN LANE, CHESTERTON

I write on behalf of University College who is owner of the land immediately south of the application site and which forms the balance of the draft allocation LPR37A – Land South of Chesterton and North West of A41. Both this site and that of University College has been identified in the draft Emerging Local Plan (Regulation 18) as part of the wider Bicester Area Strategy (Draft Core Policy 15).

We **OBJECT** to this application for the reasons set out below.

We are disappointed to report that the applicant has not approached University College in developing their proposals for the site, despite the proposed allocation of the wider site. Whilst the allocation has not been confirmed, we see any cross-boundary discussion as essential to achieving a high quality and sustainable development in case the allocation progresses. Such matters were uppermost in the Council's mind when it drafted the principles that would underpin the wider site allocation. It is clear from reading these principles, the Council was reasonably expecting some level of coordination across the allocation as the following extracted objectives demonstrate. The key coordination objectives can be found under *Urban Design Approach* and *Access and Transport* within the draft allocation:

- *Development of the site should have regard to Chesterton village settlement pattern and Little Chesterton.*
- *A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities, with a legible hierarchy of routes, with new footpaths and cycleways provided on site that link to existing networks beyond the site.*
- *Public open space to form a well connected network of green areas suitable for formal and informal recreation*
- *A well designed approach at the periphery taking account of its rural setting and Chesterton village*
- *Good accessibility to public transport services should be provided for, including if necessary the provision of bus routes through the site with buses stopping on the site*

On reviewing the plans prepared by the applicant, it is not possible to determine how these principles have been addressed and how they might evolve in response to the Draft Plan proceeding. We understand the Draft Plan has yet to be issued for consultation, but it is not without some status. Indeed, the status of the Plan is likely to accrue weight during the life of this application and there is a risk that many of the sound principles identified above will have to be removed on the basis of opportunities missed.

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For instance, strategies for non-car use may be limited when considering a self-contained development versus a more cohesive allocation, particularly how a viable public transport strategy could be developed. The decision of the applicant to submit ahead of the Draft Plan progressing means they cannot demonstrate how they can address a key element of the first of three of the Emerging Plan's Strategic Themes: Meeting the Challenge of Climate Change and Ensuring Sustainable Development: Connectivity and Transport. It is difficult then to see how the limited proposals could meet Strategic Objective 5 of that theme:

“Prioritise active travel and increase the attraction of and opportunities for public transport, ensuring high standards of connectivity and accessibility to services for all. Reduce dependency on the private car as a mode of travel, facilitating the creation of a net-zero-carbon transport network.”

This objective filters down to Core Policy 1. The proposals do not demonstrate they can satisfy this emerging policy framework on the basis that the bus operator Stagecoach have made a very detailed objection to the scheme on precisely this ground.

We would also point out that these objectives are not specific to the Emerging Plan as they are drawn from the NPPF, specifically paragraph 104 c) and d):

Transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

c) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated

d) opportunities to promote walking, cycling and public transport use are identified and pursued;

The same principles are set out in Strategic Objective 13 and Policy SLE 4 of the existing Local Plan.

The proposals are silent on the prospect that a larger number of houses are currently proposed and whilst the allocation may not yet be confirmed, if it is confirmed, then it cannot be said that this application is responding to this potential: indeed, it does not even identify or pursue the opportunity by planning for future bus penetration to serve future phases of development.

There are similar issues with the other principles set out in the draft allocation in respect of Core Policy 2: District Wide Housing Distribution. That draft policy is consistent with the Local Plan and the Partial Review in that it insists that all strategic allocations such as Chesterton are comprehensively masterplanned:

Development will be supported at the new strategic site allocations shown below where it meets the requirements set out within the Site Development Templates at Appendix 3 and in accordance with the policies of the Development Plan taken as a whole. A developer-led, comprehensive masterplanned approach will be expected with consultation undertaken in accordance with the Council's Statement of Community Involvement.

The key coordination objectives from Appendix 3 identified above require some form of strategic dialogue of which there has been none.

There is a risk that the application as proposed may be considered premature under the terms of paragraph 49 of the NPPF on the basis that it is pre-determining matters under consideration in the emerging Draft Plan and is potentially prejudicial to key sustainability objectives in that Plan in relation to a Strategic allocation. This will become more pressing as the Draft Plan progresses. In the meantime, the lack of coordination may affect judgements made under existing policy, notably Policy Villages 2. This Policy requires consideration of whether there are the necessary facilities and services and other infrastructure available such as education. This was considered appropriate in terms of the larger draft allocation, but the application does not presently make the case for this limited parcel.

We would conclude by highlighting Paragraph 39 of the NPPF under 'Pre-application engagement and front loading' stats the following:

Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

Not only does this pronouncement align with Core Policy 2 in the Draft Plan, it also underlines the importance of dialogue to ensure that the current proposals are not a missed opportunity in terms of leveraging the best outcome for the area.

We would encourage Wates to enter into dialogue with us so that we may ensure any early proposals for the site are in accordance with the draft aspirations of the Local Planning Authority and the requirements of Policy Villages 2.

Yours faithfully

Chris Pattison
Partner

Bidwells LLP

Copy: Christopher Roberts, Boyer Planning