

Your ref: APP/C3105/W/23/3331122
Our ref:
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Date: 07/12/23

Planning Inspectorate
Room 3B
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir/Madam,

LETTER OF REPRESENTATION TO APPEAL REFERENCE APP/C3105/W/23/3331122 SEEKING PLANNING PERMISSION FOR THE OUTLINE PLANNING APPLICATION FOR UP TO 147 HOMES, PUBLIC OPEN SPACE, FLEXIBLE RECREATIONAL PLAYING FIELD AREA AND SPORTS PITCHES WITH ASSOCIATED CAR PARKING, ALONGSIDE LANDSCAPING, ECOLOGICAL ENHANCEMENTS, SUDS, GREEN/BLUE AND HARD INFRASTRUCTURE, WITH VEHICULAR AND PEDESTRIAN/CYCLE ACCESSES, AND ALL ASSOCIATED WORKS (ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS)' (APPLICATION REF 23/00173/OUT)

SITE ADDRESS: LAND SOUTH OF GREEN LANE CHESTERTON

Bidwells LLP have been instructed to submit a formal representation to the Planning Inspectorate in relation to the above appeal. This objection has been raised on behalf of the University College who is the owner of the land immediately south of the Appeal 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).

The extent of University College's interests has been identified in **Enclosure 1** and we will refer to this site as the 'Wendlebury Road Site'.

Appeal Position

This letter relates to the ongoing appeal (reference APP/C3105/W/23/3331122) made by Wates ("the Appellant") against the refusal of planning application 23/00173/OUT ("the appeal application") refused by Cherwell District Council on 14th July 2023.

Bidwells submitted representations against appeal application on 11th May 2023 (**Enclosure 2**). The Local Planning Authority (LPA) determined the appeal application at Committee on 14th July 2023, citing three reasons for refusal now the subject of this appeal.

We would draw the Inspector's attention to this letter, but would note the following in respect of our emerging plans for the allocation and how these might relate to the Reasons for Refusal:

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Reason 1: Scale of development

The first reason for refusal states that the application would result in a disproportionate development when considered against the scale of the existing village and the cumulative impact of growth already carried out in the village of Chesterton and that the proposals would cause significant and adverse impacts to the settlement character.

In support of the recent Regulation 18 Emerging Local Plan Consultation, we began a capacity study to look at how the site could come forward for development (**Enclosures 3A and 3B**).

The Wendlebury Road site is designed to work with the emerging developments along the A41, including the adjacent employment allocation which now has full planning permission (22/01144/F). The Wendlebury Road Site would replicate the access strategy approved for this site with a signalised four-way junction on the A41 opposite Wendlebury Road. The right turn from the Bicester direction would be provided within the central reserve in accordance with that solution.

The Wendlebury Road Site will also be integrated into the existing sustainable transport network. To achieve this, the masterplan would include pedestrian links to Chesterton village centre and Chesterton C of E Primary School, Bruern Abbey School, existing Rights of Ways, the A41, Green Lane and the consented employment scheme. The site is just 700m from the A41 Park and Ride which means our residents can access a sustainable transport hub directly, without the need to pass through existing communities to access the wider network. It is anticipated that there will be synergistic benefits between the Travel plan for the new employment benefit and that for the Wendlebury Road Site.

The objective for the Wendlebury Road site is to use density positively: to drive as many services as possible and also to shield noise from the A41, through the use of higher building forms. The intention is to serve the adjoining employment area as well as Chesterton by exploiting existing connections and those which may be delivered through the Appeal Site, provided they are conditioned as part of this development.

The Wendlebury Road Site will deliver in accordance with the key requirements set out in the Infrastructure Delivery Plan regarding LPR37A: Land south of Chesterton and north west of A41:

- *The main access road(s) through this site needs to be wide enough to accommodate bus access.*
- *High quality, LTN 1/20-compliant walking and cycling improvements and bus priority should be provided along A41 into Bicester Centre.*
- *A local modal interchange hub (e.g. park and change site) at the new A41 junction is likely to be necessary, based on the existing Park and Ride site.*
- *Delivery of other LCWIP schemes relevant to site.*
- *Expected to significantly contribute towards the changing future role of a South East Peripheral Road and its complementary measures along the A41.*

This means we expect the Wendlebury Road Site to deliver a highly sustainable and discrete neighbourhood of up to 500 homes, in addition to anything which may be delivered on the Appeal Site. This is distinct from the Appeal Site, but could clearly support that site if the Inspector is minded to approve the scheme.

Reason 2: Harm to the setting and character of Chesterton and Little Chesterton

The second reason for refusal focused mainly on the scale and impact on the overall landscape and settlement character would cause harm to the approaches along Green Lane and the unnamed lane to Little Chesterton. The overall character of the settlement of Chesterton and its relationship to the surrounding countryside resulting in significant extension and harm to open countryside. The application was said to be in conflict with policies PSD1, ESD1, ESD13, ESD15, Villages 1 and Villages 2 Cherwell Local Plan 2011-2031 Part 1; saved Policies C18 and C30 of the Cherwell Local Plan and the aims and objectives of the National Planning Policy Framework.

The Council stated that the most sensitive Visual Receptors are from Vespasian Way, Green Lane and walkers, cyclists, horse riders and motorists passing the Site on its north and western boundaries. With the land of the proposed development forming the landscape setting for the gateway into the village from the western end.

These concerns may be correct in the context of the approved development plan, but are quite separate to settling the issue of the next Local Plan. The evidence base for the new Local Plan will be before the Inspector, including the Council's Landscape Sensitivity Assessment. We would point out that the Wendlebury Road Site will have a lower landscape impact than the approved employment uses owing to its lower profile and retention of buffers and landscape features. However, the Masterplan is not insensitive to surrounding contexts which is why a buffer has been created around Little Chesterton to emphasise the discrete nature of that hamlet and the Wendlebury Road Site, which could exist independently (**Enclosure 3A**) or in conjunction with the Appeal Site (**Enclosure 3B**).

We would therefore urge a distinction between any assessment of landscape impact made in the context of the existing spatial strategy and the integrity of existing communities, versus the wider discussion about the Emerging Local Plan. The new spatial strategy will be determined according to different considerations, balancing landscape harm across the District with the need to deliver housing in sustainable locations. The Wendlebury Road Site is clearly optimal in that context, and we make no judgements in respect of the existing spatial strategy.

Reason 3: Infrastructure

The final reason for refusal resulted from the applicant's failure to demonstrate that the proposal can provide appropriate infrastructure contributions required as a result of the development, and necessary to make impacts of the development acceptable in planning terms.

We cannot comment on this point, but we would point out that the proposed allocation can link the two sites and allow an exit onto the A41 and access to sustainable transport measures. This will significantly reduce the level of traffic using Green Lane and other rural streets within the vicinity of the site. Direct pedestrian and cycle links towards local bus stops, amenities and employment areas can be provided, reducing the need to travel via the private car. This would be enhanced by a bus service running through the site. A clear distinction needs to be drawn therefore between any short term issues posed by the current application and the medium term issues that can be resolved through the emerging Local Plan.

It would be vital to ensure that future cross-boundary issues and infrastructure matters are accounted for to ensure the Appeal scheme is able to mature into a fully sustainable development.

We invite the inspector to consider this representation submitted on behalf of University College. If it would help the Inspector, we would be happy to appear at the Inquiry and answer any questions the Inspector may have.

Yours faithfully

Chris Pattison
Regional Planning Lead, Oxfordshire

Enclosures:

Enclosure 1: The Wendlebury Road Site

Enclosure 2: Objection letter dated 11th May 2023

Enclosure 3A: Capacity Plan excluding the Appeal Scheme

Enclosure 3B: Capacity Plan including the Appeal Scheme

Enclosure 1: The Wendlebury Road Site

Enclosure 2: Objection letter dated 11th May 2023

Enclosure 3A: Capacity Plan exc the Appeal Scheme

Enclosure 3B: Capacity Plan inc Appeal Scheme