



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

Summary of Planning Proof of Evidence on behalf of Cherwell District Council as the Local Planning Authority

Appeal by Wates Developments Ltd

Site Address: Land South of Green Lane, Chesterton

Appeal Ref: APP/C3105/W/23/3331122

LPA Ref: 23/00173/OUT

Date: January 2024

- 1.1 My name Andrew Thompson. I am a qualified town planner, working as a Principal Planner on behalf of Cherwell District Council, in their South Area Major Projects Team. I am familiar with the appeal site and the surrounding area.
- 1.2 I have made my own assessment of the planning merits of the proposed development, and I agree, in my professional judgement, with the council's reasons for refusal having acted as case officer to the application the subject of this appeal.
- 1.3 Having set out background information and details of the appeal submission and relevant planning policies, my evidence refers mainly to the overall balance of planning considerations relevant to this appeal.
- 1.4 With regard to the overall balance of planning considerations, I suggest that the determination of this appeal rests in balancing the harm that would be caused by the proposal and the proposal's clear non-compliance with relevant planning policies the associated harm arising when considered against the benefits that might arise.
- 1.5 The main planning issues relevant to this appeal are set out in the Case Management Note from Inspector which account for the sustainability of Chesterton; the cumulative growth following previous approvals and completions within the village that have occurred within the plan period; the impact of the proposed growth on the settlement and landscape; and the scale of the development and the impact on the character of the village when considered in the against the approaches from the surrounding countryside.
- 1.6 The benefits of the appeal proposal are listed in my proof of evidence and the Officer's report to committee. It is noted that the proposals would not result in severe Highways impacts, is subject to a Section 106 agreement to mitigate its impact and secured compliance with the development plan.
- 1.7 Having regard to the Council's Housing Land Supply, I confirm that there is no justification for approving the appeal proposal in order to ensure that Cherwell

District Council's Five-Year Housing Land Supply is met. The updates to the NPPF in December 2023 have been considered and it is considered that Paragraph 226 is engaged. The relevant figures have been provided in my colleague Jon Goodall's Proof of Evidence.

- 1.8 Further it should be noted that Chesterton as a village has already delivered significant housing growth under Policy Villages 2 and within the plan period. The Council has exceeded its housing figures for Policy Villages 2 well above the anticipated figure of 750 dwellings over the course of the plan period. The cumulative impacts of further housing growth was described by an Inspector in 2016 as disproportionate when considering the amount of housing proposed in Chesterton against the 750 figure.
- 1.9 Further having been tested through an Examination in Public and on a number of appeals the proposals would not contribute towards Oxford's Unmet Housing Need. Indeed this plan is less than five years old and significant progress is being made on allocations through resolutions to grant permission and the submission of planning applications.
- 1.10 The Council has commenced work on its review of the Local Plan with a Regulation 18 consultation. The Local Plan is at an early stage in preparation and can only carry limited weight, however paragraph 226 of the NPPF 2023 should be noted in this respect.
- 1.11 Having regard to the impacts on settlement character and landscape harm, my colleague Mark Topping sets out in his Proof of Evidence the impact of the proposals which extend significantly beyond the established boundaries of the village and negatively impact on the approaches and setting of the village.
- 1.12 I do not provide detailed evidence relating to s106 matters, Landscape matters or Five-Year Housing Land Supply. The evidence relating to each of these planning matters are provided by Oxfordshire County Council and Cherwell District Council's CIL Compliance Schedules, Mark Topping of Lanpro, and Jon Goodall of DLP Planning Limited.

1.13 In conclusion, I assert that the proposal would achieve a poor level of compliance with the development plan and the Framework when considered as a whole, and would cause clear, demonstrable harm. As I am aware of no material considerations that outweigh the harm caused by the serious breaches of planning policies PSD1, BSC1, ESD1, ESD13, ESD15, INF1, Villages 1 and Villages 2 of the Cherwell Local Plan 2011 - 2031 Part 1; saved Policies C28 and C30 of the Cherwell Local Plan 1996, I submit that the appeal should be dismissed.

1.14 The Council is working proactively with the appellant to agree appropriate planning conditions and a Section 106 Agreement should the Inspector be minded to allow the appeal.

1.15 My submission ends with a declaration that the evidence I have presented reflects my genuine professional opinion.