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20 July 2022

Mr A Lewis
Principal Planning Officer – Major Projects Planning Team
Development Management
Directorate of Environment and Place
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxon
OX15 4AA

Dear Andrew Lewis

Outline Planning Application 22/00747/OUT – For the development of up to 370 homes, public open space (including play areas and woodland planting), sports pitches and pavilion, drainage and engineering works, with all matters reserved (appearance, landscaping, layout and scale) except for vehicular and emergency accesses to Bicester Road: Land at Gosford (part of allocation PR7a)

Response to objections from Gosford and Water Eaton Parish Council (April 2022) and Kidlington Parish Council (27/04/22 & 17/05/22)

In this letter I respond to representations made by both the above mentioned Parish Councils, in their correspondence to date on the application. They both raise similar issues dealing with the topics raised in turn I comment as follows.

Prematurity

The Development Brief for the site has now been approved for development management purposes by Cherwell District Council and for the reasons set out within the planning application supporting planning statement, the application is consistent with it, as there were no material changes from the January 2022 draft. The Development Brief addresses in some detail, how housing layout, connectivity, drainage and design philosophy etc shall be addressed by each of the land ownership parcels, thereby ensuring a coherent holistic delivery of the overall allocation.

The Development Brief expressly acknowledges that there may be multiple planning applications in order to bring the site forward for development and Policy PR7a (8) also acknowledges that the site may be subject to multiple applications subject to their being prepared in accordance with a comprehensive Development Brief which has now been prepared and approved. There is no issue

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of prematurity, and none of the thresholds for 'prematurity' as identified at NPPF paras 49 and 50 are triggered.

Cemetery extension

I have written to you separately addressing technical delivery matters related to the cemetery extension. Moreover, Hill Residential Ltd wrote to Nathanael Stock on 23rd May 2022 confirming that the cemetery extension will be provided within the Hill element of the PR7a allocation, and this is now reflected in the approved Development Brief.

Housing Mix

It is quite normal for an outline planning application not to specify housing mix and for this to be subject to detailed consideration at the time of reserved matters submission. Following concerns raised by the Parish Council relating to the potential height of buildings backing onto the existing Water Eaton Lane properties the DAS was amended to indicate a maximum two storey height within this transitional boundary area.

Number of dwellings

Concern has been raised regarding the potential combined number of dwellings across both sites exceeding the minimum number of 430 dwellings identified within the Local Plan Policy PR7a. The target figure within the policy is a minimum housing requirement for the site to deliver, and in the context of the wider national housing crisis and the overarching government objective of promoting effective use of land (NPPF para 117 et al), it does not represent a ceiling to development.

The delivery of homes above the minimum specified requirement, does not give rise to any conflict with either NPPF or Development Plan Policy *per se*, subject to no other material harm arising. In this case, where 370 dwellings are proposed on the Barwood land, even if development on the Hill land were to achieve 120 dwellings, this would still only provide a combined site wide total of 490. This would still represent delivery at less than 15% above the policy figure and certainly within the normal scale and variation expected in delivering against policy at the point of detailed design. Moreover, in the absence of an evidential basis that any planning harm would be caused and with the additional affordable housing that will be delivered providing planning gain of significant weight, there can be no policy ground for objection on this basis.

Foul drainage and water supply

I have provided you with a separate Technical Note (No: 8) from Brookbanks dated 10th June 2022 addressing the matters raised. Suffice to record that it is not true that Thames Water have been unable to contact the developer, indeed there has been a full and normal series of pre-development enquiries with Thames Water and exchange of correspondence in relation to the Site. All of which is documented and referenced within the Technical Note. There are provisions in place through the water companies to fund and secure both potable and waste water infra to service the site.

S106 commitments

The Application has established at section 8.0 of the Planning Statement, the list of matters which are expected to be considered as part of the S106 negotiations. However, it will be necessary for the LPA to support all requests with a CIL compliance statement, and until the totality of requests is understood, it is not possible to provide firm commitment to each matter raised as a potential consideration. Those matters which are necessary to make the application acceptable in planning terms will be delivered. It is normal practice that these discussions take place once all requests are understood in the round and a CIL regulation 122 compliance statement has been provided.

Allotments

The location of the allotments in the Green Belt and the justification for this is set out at para 7.39 of the Planning Statement, there are sound planning reasons for the allotments being located adjacent to the playing pitches, in terms of access to the community clubhouse building, provision of water supply, shared car parking resource etc.

In addition to the above, the delivery of an additional 0.4 hectares of built development would account for some 15 dwellings, of which 7 would be affordable dwellings assisting in delivering much needed affordable accommodation for the residents of the housing market area. The planning benefit arising from the delivery of this additional housing would potentially provide a planning gain far in excess of any 'harm' caused by locating the allotments, which are a use specifically identified as an appropriate use of Green Belt, on land adjacent to the playing pitches as proposed. There is no material planning harm identified through this configuration of land uses.

However, in recognition of the amendments made to the Development Brief at the point of its approval in June 2022, the application is now proposing to locate the allotment outside of the GB, notwithstanding the material loss of planning benefit this causes through reduction of both market and affordable home delivery.

Yours sincerely,



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