

27 January 2023
Letter - 27 January 2023



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By email only to: Natasha.McCann@cherwell-dc.gov.uk

Copy to: Andy.Bateson@cherwell-dc.gov.uk
inquiryappeals@planninginspectorate.gov.uk

Dear Natasha,

Notification of Intention to Submit an Appeal

Planning Application Reference: 22/02866/OUT

Land East of Ploughley Road, Ambrosden

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

On behalf of Archstone Ambrosden Ltd, Bellway Homes Ltd and Rosemary May

I write to give notice of my client's intention to submit an appeal in respect of the above planning application.

Please find enclosed completed copy of the template notification of intention to submit an appeal as provided by The Planning Inspectorate. You will see that I have copied this letter and enclosure to The Planning Inspectorate as required under this procedure.

This planning application had a determination deadline of 21 December 2022. The application was not presented to Planning Committee held on 12 January 2023 and it remains undetermined.

We held a meeting via Teams on 19 January 2023 during which you stated that the application will not be presented to Planning Committee scheduled for 9 February and it is unlikely to reach the following committee meeting on 9 March.

The planning application is accompanied by a planning performance agreement between Cherwell District Council and Bellway Homes Limited, dated 22 November 2022. The indicative project programme includes a target committee date of 12 January 2023. We have not received a proposal from Cherwell District Council to amend the indicative project programme.

We have proactively provided updates to the Council in respect of relevant planning matters under this planning application including formal submissions made on 5 December 2022 and 11 January 2023.

It was unfortunate that issuing of consultation requests by the Council on the updated information under this planning application was delayed.

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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We consider that the information provided by us has demonstrated that this is a sustainable development which is technically deliverable and that subject to negotiation over planning conditions and planning obligations it should be granted planning permission.

As the planning application has to be presented to Planning Committee with no certainty over timing and no proposal received from the Council to update timing on this planning application, we feel there is no option other than to serve this notice of intention to submit an appeal.

We consider that due to the lack of clarity on the planning application from the Council that the most appropriate appeal procedure is by way of an inquiry. There is a need for evidence under a planning appeal to be tested through formal questioning by an advocate which is part of the inquiry procedure.

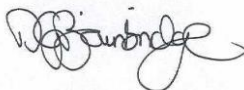
We invite you to provide us with your response to this notification and in particular your view on the planning application. For example we consider that the only remaining technical objections are highways and drainage and these will be removed shortly following our submissions. Once the highway objections and the local lead flood authority objection have been removed, there would not be any technical objections and hence we would invite you to confirm your position on this.

Whilst it is not mandatory for an applicant to progress through to submission of a planning appeal following servicing of this notification, we currently feel there is no other option. However, we would welcome your response to this notification and we will take this into consideration.

Should my client decide to submit the appeal we calculate the 10 working days' notice to expire by Friday 10 February 2023.

I would be grateful to receive acknowledgement of receipt of this letter and enclosed notification and to receive your considered response to this.

Yours sincerely,



David Bainbridge MRTPI
Planning Director

Copy. Archstone Ambrosden Ltd, Bellway Homes Ltd and Rosemary May

Encl. Notification of intention to submit an appeal