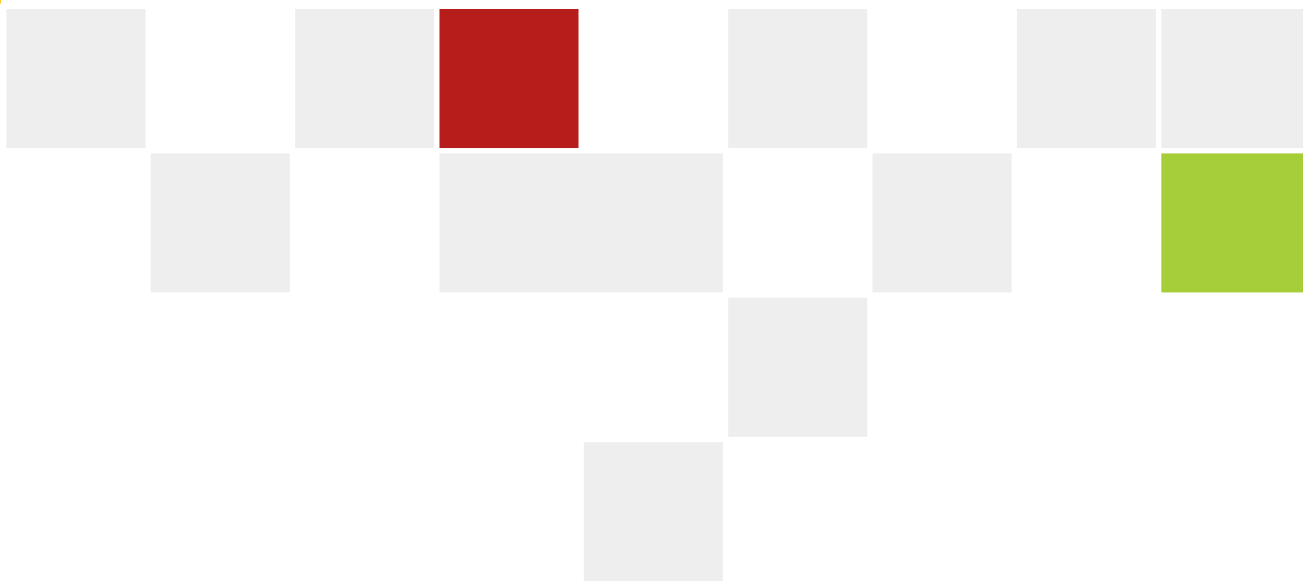


# Land South of Green Lane, Chesterton

Planning Statement



# Boyer

## Report Control

Project:	Land South of Green Lane, Chesterton
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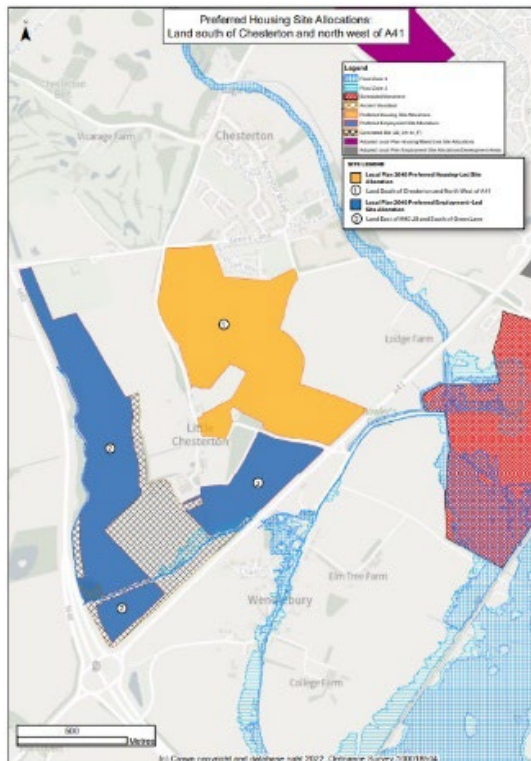
# 1. INTRODUCTION

1.1 This Planning Statement has been prepared by Boyer to accompany an application for outline planning permission with all matters of detail reserved, except for ‘access’. The application is submitted on behalf of Wates Developments (Wates) and seeks planning permission for the following development on Land South of Green Lane, Chesterton, Oxfordshire (“the site”).

*“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)”*

- 1.2 The application site falls within the Cherwell District Council (CDC), which is also the Local Planning Authority (LPA). As such, the proposals are to be considered against its adopted Development Plan and any other relevant material considerations. In the case of this application, a significant material consideration is the National Planning Policy Framework (NPPF), in particular paragraph 11(d) and the associated ‘presumption in favour of sustainable development’.
- 1.3 The site currently forms part of a proposed allocation in the Draft Local Plan which is shown in figure 1. The proposed allocation for housing is identified in orange and the proposed employment-led site allocation is identified in blue. The site comprises of the northern most part of the residential draft allocation to Green Lane.

Figure 1: Land south of Chesterton and north west of A41, LpR37A Proforma



1.4 A Location Plan is provided at Appendix 1 and the remainder of this Planning Statement is structured as follows:

- Section 2 – Site and Surrounding Area
- Section 3 – Planning History
- Section 4 – Proposed Development
- Section 5 – Planning Policy Context
- Section 6 – Planning Assessment
- Section 7 – Planning Obligations
- Section 8 – Planning Balance
- Section 9 – Summary and Conclusion

### **Wates Group**

- 1.5 Wates was established in 1897 and is one of the leading privately- owned construction, residential development, and property services businesses in the UK and has a demonstratable track record.
- 1.6 Wates is committed to the long-term sustainability of the built environment and is working towards eliminating carbon from their operations by 2025.

### **Accompanying Documentation**

1.7 This Planning Application is accompanied by the following supporting documents, which should be read in conjunction with this Planning Statement.

*Table 1: Drawings submitted in support of the application*

Drawing Number	Drawing Title
353-ACG-XX-00-DR-A-1000 Rev 3	Site Location Plan
353-ACG-XX-00-DR-A-1050 Rev 2	Illustrative Masterplan
2930-LA-02 Rev P3	Illustrative Landscape Masterplan
C86354-JNP-92-XX-DR-C-2003 Rev P03	Drainage Strategy Sheet 1 of 2
C86354-JNP-92-XX-DR-C-2004 Rev P01	Drainage Strategy Sheet 2 of 2
C86354-JNP-92-XX-DR-C-2005 Rev P01	Exceedance Flow Plan Sheet 1 of 2
C86354-JNP-92-XX-DR-C-2006 Rev P01	Exceedance Flow Plan Sheet 2 of 2
C86354-JNP-92-XX-DR-C-2007 Rev P01	Pipe Catchment Plan Sheet 1 of 2
C86354-JNP-92-XX-DR-C-2008 Rev P01	Pipe Catchment Plan Sheet 1 of 2

Table 2: Documents submitted in support of the application

Document	Prepared by
Application Form	Boyer
CIL Form	Boyer
Planning Statement (including Affordable Housing Assessment)	Boyer
Design and Access Statement	ACG Architects
Heritage Statement	Orion Heritage
Arboriculture Impact Assessment	SJA Trees
LVIA and Landscape Strategy (including Open Space Assessment)	Allen Pyke
Economic Benefits Summary Infographic	Turley
Archaeological Evaluation	Cotswold Archaeology
Utilities Assessment	JNP Group
Flood Risk Assessment and Drainage	JNP Group
Phase II Geo-environmental Report	JNP Group
Biodiversity Survey and Report	BSG Ecology
BNG Calculation and Strategy	BSG Ecology
Transport Assessment (Part 1-4)	I-transport
Travel Plan	I-transport
Statement of Community Involvement	SP Broadway
Agricultural Land Quality Assessment	Reading Agricultural Consultants
Energy and Sustainability Assessment	Energist

## 2. SITE AND SURROUNDING AREA

### Site Description

- 2.1 Land South of Green Lane is situated in the south west corner of Chesterton. It lies within an area designated as 'countryside' but adjoins the defined settlement boundary and urban area.
- 2.2 The site extends to 14.9 hectares and comprises of two field parcels, which are currently used for agricultural purposes. The site is accessed via an opening at the northern boundary off Green Lane and is bounded by unnamed roads both to the west and east. A residential development (Vespasian Way) abuts the site to the north / north east. To the south extends undeveloped agricultural land.
- 2.3 With respect to its physical characteristics, the site is irregularly shaped and is predominantly flat with a small, narrow ditch running from north to south separating the two fields down the centre of the site. The site's boundaries are well defined by trees and hedgerows to the east and south, and to the north along Green Lane. Along the section of northern boundary with the existing community centre and playing pitches off Geminius Road, there is a wooden rail and post fence with parking spaces immediately behind. There is no vegetation. There is a storage building associated with the pitches at the north-eastern corner. Planting at the western boundary is more sporadic to the south-west.
- 2.4 Topographically, ground levels within the site range between 74.4m and 71.3m AOD, falling with a gentle slope from the north to the south.

### Wider Context

- 2.5 With respect to its wider context, to the east / north of the site lies a recent residential development, on Vespasian Way, alongside Chesterton Community Centre and a playing field / football pitches. To the east of the sports pitches beyond an unnamed road lies Chesterton Conservation Area. Several Grade II and II\* Listed Buildings are located within a 1km radius including Chesterton Lodge located approximately 250m from the site.
- 2.6 To the north of the site, beyond Green Lane, lies an agricultural field and areas of existing residential development. To the east, is located the Bruern Abbey Preparatory School. To the west, on the other side of the unnamed road, lies the Bicester Sports Association. This land benefits from planning permission (Ref: 19/00934/F), for the extension of facilities including a variety of new pitches and a clubhouse with event space.
- 2.7 Bicester Golf Club is located north west of the site (north of Green Lane). This site benefits from planning permission (Ref: 19/02550/F) for the development of a new water park resort, entitled 'Great Wolf Lodge'. Facilities at the Great Wolf site will include a 498-bedroom hotel, indoor water park and adventure park, conference facilities, restaurants and cafes, and a newly designed golf course. Significantly, the Section 106 (S106) Agreement for this approved development, requires the provision of improved public transport (in the form of a

subsidy for a bus route) between Chesterton and Bicester.

- 2.8 The application site benefits from an existing pedestrian connection along Green Lane which begins at the north eastern corner of the site (near Vespasian Way). From this point, the site has access to a range of amenities within Chesterton such as a Primary School, public house, church, village hall, community centre, church, village green and allotments. As indicated, the Bruern Abbey Preparatory School is also located within the village.
- 2.9 The site connects to a footpath/cycle route leading to Bicester, taking approximately 10 minutes to cycle and 30 minutes to walk into the town. The closest railway stations are Bicester Village and Bicester North, both located approximately 4.8km away and serving Oxford, Reading, and London. Bicester Park and Ride is located circa 1.8km to the east of the site (which represents a 5-minute cycle ride). The Park and Ride provides a service into Bicester and Oxford, which operates every 15 minutes Monday-Saturday, and every 30 minutes on Sundays, representing a high frequency service.
- 2.10 In addition to employment opportunities in Bicester and Oxford, it is notable that the site is situated approximately 1km from the new 'Siemens Healthineers' facility which is to be built at Little Chesterton. This is accessible to the site via the unnamed road to the west and the PROW network. This new employment site is expected to support over 1,000 jobs, many of which will be highly skilled. In August 2022 CDC's Planning Committee resolved to grant permission for this development, subject to the conclusion of a S106 Agreement (Ref. 22/01144/F).
- 2.11 The accompanying Transport Assessment provides a detailed synopsis of the sustainability of the site including proximate services, together with associated walking and cycling times.

### **Site Designations and Characteristics**

- 2.12 The site's technical matters are discussed in detail in the accompanying technical reports and assessments. However, the following summary is provided for reference.
- 2.13 The site immediately adjoins, but lies outside of, the adopted settlement boundary for Chesterton, and is therefore located within the 'countryside'. Local Plan Policy Villages 1 'Village Categorisation' identifies Chesterton as a Category A Service Village. However, with respect to landscape, the site is not situated within an Area of Outstanding Natural Beauty, nor is the land subject to any local-level designations. The site is evaluated, in the accompanying Landscape and Visual Appraisal (LVA), as being of 'moderate' landscape sensitivity overall. There are no on-site PROWs, but three footpaths (refs. 161-5-10; 161-4-10 and 161-3-10) abut the site's boundary, at its western and eastern edges respectively.
- 2.14 In respect of arboriculture, none of the boundary trees are subject to Tree Preservation Orders (TPOs). There are two category 'A' trees on site and 23 category 'B' specimens. The remaining 56 trees are assessed as category 'C' trees. These are either of low quality or otherwise do not specifically merit retention or are defined as 'young trees'. There are no areas of Ancient Woodland on or within the vicinity of the site.



- 2.15 With respect to ecology, the site is not subject to any statutory or local biodiversity-related designations. On-site habitat surveys undertaken by the applicant confirmed that the site, having been used for arable farming, has limited habitat value overall. Surveys identified a single stretch of species-rich hedgerow, located along the south western boundary of the eastern parcel. No ponds are located on-site, although two are within the vicinity. A range of protected species surveys have been undertaken consistent with the habitats identified. These discounted the presence of reptiles, great crested newt and dormouse, with the site also having very limited suitability for foraging bats.
- 2.16 In terms of heritage, the site lies in the vicinity of the Chesterton Conservation Area. However, views from the edge of the Conservation Area are limited and are not identified as 'valued' in the Chesterton Conservation Area Appraisal (2008). A Grade II Listed building, Chesterton Lodge and (part of the Bruern Abbey School to the east), is located 250m east of the site, along with several other Grade II and II\* Listed buildings located within 1km of the site.
- 2.17 Surface water flood maps indicate that there is a low to high risk of surface water flooding in the low-lying southern areas of both fields. As such there may be a risk of ground water flooding in the lower lying areas of the site. Mitigation measures are provided in detail within the accompanying Flood Risk Assessment (FRA), which includes an outline-level drainage strategy.

### 3. PLANNING HISTORY AND PRE-APPLICATION

3.1 A review of CDC’s online planning register did not identify any relevant planning applications on the site itself. However, a number of permissions have been granted for nearby development at the settlement, as noted in Table 3 below.

Table 3: Approved Schemes Near Land South of Green Lane, Chesterton

Application Reference	Summary	Decision
Ref. 19/02550/F – Land to the east of M40 and south of A4095, Chesterton, Bicester, Oxford (Great Wolf Scheme)	Re-development of part of a golf course to provide a new leisure resort (sui generis) incorporating a water park, a family entertainment centre, a hotel, conferencing facilities and restaurant with associated access, parking, and landscaping on land to the east of M40.  The site is located 0.5 miles north west of the application site.	Approved on Appeal  11/05/2021
Ref. 19/00934/F – Bicester Sports Association, The Tudor Jones Building, Akeman Street, Chesterton, Bicester	Change of use of agricultural land and extension of the Bicester Sports Association facilities for enhanced sports facilities including relocation and reorientation of existing pitches and archery zone, 2 No training pitches with floodlights, 2 No match pitches, new flexible sports pitch, new rugby training frids, new clubhouse with event space, new rifle and shooting range, cricket scorers building, storage and maintenance buildings and provision of associated car parking, amended access, landscaping and other associated works.  The proposed development is located adjacent to the site’s western boundary.	Approved on appeal  27/08/2021
Ref. 12/00305/OUT – Land to the West and South of Numbers 7 to 26, The Green, Chesterton	Erection of 44 dwellings, village hall / sports pavilion and associated car parking, enlarged playing pitches, new children’s play area, access and landscaping	Approved on Appeal  21/02/2013

	This approval was built out and not comprises the Alchester Park development, which adjoins the proposal site.	
Ref. 22/01144/F - South West of Grange Farm Street Through Little Chesterton Chesterton	Siemens - Full planning application for the erection of a new high quality combined research, development and production facility comprising of Class B2 floorspace and ancillary office floorspace with associated infrastructure including: formation of signal-controlled vehicular access to the A41 and repositioning of existing bus stops; ancillary workshops; staff gym and canteen; security gate house; a building for use as an energy centre (details of the energy generation reserved for future approval); loading bays; service yard; waste management area; external plant; vehicle parking; landscaping including permanent landscaped mounds; sustainable drainage details; together with the demolition of existing agricultural buildings within the red line boundary; and the realignment of an existing watercourse.	Resolution to Grant  11/08/2022

- 3.2 The recent approvals of the Great Wolf scheme and the Bicester Sports Centre development are associated with numerous S106 contributions. These include improvements to public transport and pedestrian and cycle access.
- 3.3 The proximity of the above developments to the application site, creates opportunities to further enhance pedestrian and cycle connections, and to improve the range of public transport options. This could include supporting a new bus service between Chesterton and Bicester, which runs directly through the village.

**Pre-Application Advice**

- 3.4 A request for pre-application advice was submitted to CDC on 21 October 2021, with the relevant payment being processed in November 2021. Subsequently, on 06 January 2022, the appointed Case Officer (Team Leader Major Developments) met with the applicant and consultants from Boyer Planning, to walk the site and to discuss the proposals.

- 3.5 During the meeting, the Case Officer identified the housing land supply shortfall within Cherwell and noted that this was not likely to improve rapidly. Noting the limited site constraints, the Case Officer advised that an appropriate and well-designed proposal for a residential scheme, would be considered in the context of the presumption in favour of sustainable development and may therefore attract a recommendation for approval, subject to technical assessment.
- 3.6 The Case Officer advised that there was some debate (at CDC) regarding the appropriate scale of development at Category A Villages. The Case Officer indicated that he viewed schemes of 150 to 200 dwellings to be potentially justified within this tier of settlement, particularly those within the vicinity of Bicester and Banbury. However, he caveated that other Officers considered schemes of around 80 to 120 to be reasonable.
- 3.7 Additionally, the Case Officer was also clear that (within the context of the housing land supply position and the presumption in favour of sustainable development), the 750 dwellings figure cited in Local Plan Policy Villages 2 does not represent a cap on development. This is indeed the position taken when CDC has determined recently planning applications, as was expressly indicated in a recent committee report for an application for residential development in Launton<sup>1</sup>.
- 3.8 With respect to the proposed design, the Case Officer advised that the scheme would need to maximise opportunities to promote pedestrian and cycle connectivity through the site and within the wider settlement. This should include adding to committed improvements associated with the Bicester Sports Association and Great Wolf developments, in order to facilitate wider connectivity.
- 3.9 The Case Officer also identified surface water drainage as a key consideration, noting that CDC's expectations would be that this was addressed as part of a holistic green infrastructure strategy. It was explained that this would provide landscape and biodiversity benefits, which would soften the edges of this proposal for an 'edge of settlement development'.
- 3.10 Whilst we were advised that existing planning policies did not require development to be net zero carbon, it was indicated that CDC had declared a climate emergency and would therefore give substantial weight to the benefits of proposals that can achieve this level of sustainability.

### **Engagement with CDC Policy Officers**

- 3.11 In August 2022 the Planning Policy Team at CDC requested information on the site (specifically relating to ecology) as part of their preparation for the Draft Local Plan. A subsequent on-site meeting was arranged with a Planning Policy Officer on 13 September 2022. The Officer advised that the site was to be included within a potential larger allocation

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<sup>1</sup> Ref. 21/04112/OUT OS Parcel 2778, Grange Farm, North West of Station Cottage, Station Road Launton. Refused against officer recommendation on 07 April 2022.

to the south of Chesterton.

- 3.12 On 9 November 2022 we received a 'site proforma' which provided details of the proposed allocation at Chesterton (500 dwellings). The proposed allocation includes the application site and land extending southwards to the A41 (see Figure 1). CDC asked us to comment on the proforma, which was then fed into the emerging parameters and policy requirements associated with the proposed allocation.
- 3.13 As discussed in Chapter 1, the proposed allocation will be subject to public consultation, following approval by Full Council .

### **Community Engagement**

- 3.14 Prior to submitting this application, Wates has undertaken a wide range of community engagement activities. Several meetings (between March and September 2022) have taken place with Chesterton Parish Council, as well as Chesterton Football Club, in order to help understand the needs of the local community.
- 3.15 To engage the wider community, a hybrid approach to public engagement was adopted. This included creating a project website and hosting a traditional public exhibition. To raise awareness, leaflets were distributed (by post) to residents in the area. The leaflets directed people to the time and date of the public exhibition, along with the details of the website. Contact details were also included for people to ask questions before the exhibition took place.
- 3.16 The public exhibition was held on Tuesday 12 April between 15:00 and 19:30 at the Chesterton Community Centre, which is located adjacent to part of the northern boundary of the site. The online exhibition [www.wateschesterton.com](http://www.wateschesterton.com) was live from midday on 12 April – 29 April 2022.
- 3.17 In total 72 residents attended the public exhibition with 15 of them completing a feedback form on the day. 69 users visited the online exhibition and 7 of these completed a feedback form online.
- 3.18 In response to discussions with the Parish Council, Chesterton Football Club, and community engagement activities, the following changes have been made to the proposals:

- The entirety of the eastern field is to be provided as public open space and is envisaged as an extension to the existing playing field to the north. The intention is to provide the village with a substantial park that meet identified needs;
- The new parkland will include recreational playing fields, alongside play-space and informal areas. These will be provided alongside an additional car parking area to cater for busy match-days;
- Additional landscaping and biodiversity enhancements are now to be provided at the northern boundary of the site to the rear of Vespasian Way, providing defensive planting and deterring people from walking along the rear of gardens; and,
- The proposed street layout has been altered, bringing the primary street to the western boundary of the site, thereby moving it away from the existing Vespasian Way development.

3.19 It should be noted that Wates has and will continue to maintain an ongoing dialogue with the Parish Council regarding what should be provided within the flexible recreational playing fields, should the application be approved. The Illustrative Masterplan sets out one possible configuration of a pitch arrangement, but alternative examples are presented in the Design and Access Statement.

3.20 The Parish Council undertook a consultation over the summer of 2022, in order to understand residents priorities are in relation to recreation and sports pitches. The Parish Council have subsequently fed back and identified a requirement for a grass football pitch, alongside tennis courts which can also be used for netball / basketball.

### **EIA Screening**

3.21 A request for Environmental Impact Assessment (EIA) Screening was submitted on 13 April 2022. This request sought CDC's formal opinion as to whether the proposals would constitute EIA Development, when considered against the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended).

3.22 CDC has yet to provide a written opinion as to whether the proposal constitutes EIA development. However, as set out in our detailed Screening Request, in view of the scale and conventional nature of the proposed development, and the absence of significant environmental effects, it is anticipated that the site is not EIA development.

## 4. PROPOSED DEVELOPMENT

- 4.1 Following on from a period of pre-application and community engagement, Wates now seeks outline planning permission, with all matters reserved except 'access', for the following development:

*“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)”*

- 4.2 The rationale of the proposed design is explained fully in the accompanying Design and Access Statement (DAS). However, the key elements of the proposals are summarised below:

- Up to 147 homes;
- Net zero carbon development;
- 35% affordable housing (including First Homes);
- Homes limited to two storeys in height;
- Development density of approximately 30 dwellings per hectare (net);
- A safe vehicle and pedestrian access, via a new simple priority junction on Green Lane;
- Parking provision in accordance with relevant standards;
- Additional points of pedestrian access to Green Lane and Little Chesterton Lane;
- A design that responds to the surrounding characteristics of the village and Chesterton Conservation Area;
- Green infrastructure and biodiversity enhancements, achieving a positive biodiversity net gain;
- Public open space with recreational walking paths and trim trails;

- Provision of Local Areas of Play (LAPs), a Locally Equipped Area for Play (LEAP) and a Neighbourhood Equipped Area for Plan (NEAP);
- A flexible recreational playing field area which, could include formal sports pitches with associated parking, within the eastern parcel of the site;
- Integration of SuDS and swales throughout the site, as a part of a holistic green infrastructure strategy;
- A permeable layout with a clearly defined street pattern, separating the public and private realms; and,
- Retaining existing trees along the boundary of the site and integrating existing landscaping features.

#### **Detailed Proposals (Access)**

- 4.3 Detailed planning permission is sought for all new accesses into the site, notably the main vehicular and pedestrian / cycle access. This will be via Green Lane (a 5.5m wide residential road, with 2m wide footway on the eastern side of the carriageway), making use of an existing road and proposed footway as part of the Great Wolf resort proposals.

#### **Outline Proposals**

- 4.4 Whilst detailed permission is sought only for access, an Illustrative Masterplan is submitted to demonstrate how the site could be developed for housing and open space.
- 4.5 The Illustrative Masterplan demonstrates that the eastern part of the site (approximately 3.9 hectares) is to be free from residential development. Instead, it will provide new flexible recreational playing fields and associated parking, alongside green and blue infrastructure, biodiversity enhancements and a NEAP. This will include a parking area of approximately 24 bays, which will service the enhanced park, and which will be accessed from the proposed residential development to the east. The proposals in the eastern parcel could also provide a link to the existing pitches and play area to the north, creating an integrated park<sup>2</sup>.
- 4.6 A significant part of the site is also proposed for biodiversity and landscape enhancements. This notably includes the southern part of the western parcel, which is identified for the creation of a mosaic scrub and woodland area. This includes reinforcing planting on the southern boundary of the site and a broader area of planting, which will include trim trails and walking routes for new and existing residents to use. The SuDs proposals incorporate several swales / open basins, which form part of several green corridors that transect the area proposed for residential development.
- 4.7 The proposed housing development, as identified on the Illustrative Masterplan, is restricted to the western field (approximately 10.9 hectares). Whilst the dwelling mix is a reserved

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<sup>2</sup> An existing fence lines the northern boundary of the eastern field parcel. This does not fall within the extent of this application. However (based on our discussions), it is expected that if the proposals were approved, the Parish Council (which owns the land) may see fit to remove this fence (in full or in-part) to integrate the park.



matter, the Illustrative Masterplan demonstrates that the site can accommodate up to 147 homes, comprising different types and sizes (the envisaged mix is set out at Tables 6 and 7 of this Statement). The new homes are organised into loose perimeter blocks, which are structured into three groups that are separated by green corridors, running east to west.

- 4.8 The dwellings are to be arranged around a hierarchy of streets and shared surface areas, with pedestrian routes allowing for permeability into and through the site. These routes are structured to integrate a LEAP and two LAPs within the residential development. A pumping station (for foul water) and three electricity substations are also indicatively identified within this part of the illustrative layout (in line with the statutory providers requirements).
- 4.9 New landscaping is proposed in the form of native tree and hedgerow planting, biodiversity areas and recreational footpaths, plus incidental open space within the developable area. An Illustrative Landscape Masterplan is included within the submission.

## 5. PLANNING POLICY CONTEXT

- 5.1 This section outlines the relevant planning policy framework, against which the proposed development has been prepared and against which it should be determined.

### **The Development Plan**

- 5.2 Section 70(2) of the Town and Country Planning Act 1990 requires that the LPA shall have regard to the provisions of the Development Plan, so as far as material to the application, and to any other material considerations.
- 5.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that regard is to be had to the Development Plan and that applications for planning permission must be determined in accordance with the Plan, unless material considerations indicate otherwise.
- 5.4 The Development Plan for the site comprises the adopted Cherwell Local Plan 2011-2031 (Part I) and the 'saved' policies from the Adopted Cherwell Local Plan 1996.

### **National Planning Policy and Guidance**

#### The National Planning Policy Framework (2021)

- 5.5 The NPPF sets out the Government's planning policies for England and explains how these should be applied. The NPPF must be taken into account in preparing a Development Plan, and is an important material consideration in planning decisions, particularly in this case, as it offers the most up-to-date policy guidance.
- 5.6 Paragraph 8 of the NPPF establishes that *'achieving sustainable development means that the planning system has three overarching objectives'*. These objectives give rise to the need for the planning system to perform a number of roles:

*"a) An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

*b) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

*c) An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy" (p. 5).*

5.7 As detailed in Paragraph 10, at the heart of the NPPF is a presumption in favour of sustainable development. In addition, Paragraph 11 advises that development that accords with an up-to-date development plan should be approved “without delay”.

5.8 Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

*“Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”.*

*(our underlining)*

5.9 With regard to delivering a wide choice of high-quality homes, paragraph 60 requires local planning authorities to “*support the Government’s objective of significantly boosting the supply of homes*” (p. 17).

5.10 The Government also attaches great importance to the design of the built environment which is illustrated in NPPF Section 12. In particular, paragraph 130 states that planning policies and decisions should aim to ensure that developments:

*“Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users<sup>49</sup>; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience” (p. 38 and 39).*

5.11 The Government also strongly encourages local planning authorities to approach decision

taking in a positive way to foster the delivery of sustainable development, and paragraph 38 states that:

- 5.12 *“Local planning authorities should approach decisions on proposed development in a positive and creative way... and work proactively with applications to secure development that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible”* (p.13).

#### Planning Practice Guidance

- 5.13 The Planning Practice Guidance ('PPG') constitutes a set of regularly updated online guidance, provided by Government to support effective plan-making and decision-taking. Topics which are considered relevant to the determination of this application are:

- Housing supply and delivery;
- Design;
- Climate Change;
- Historic Environment
- Natural Environment;
- Noise;
- Open space, sports pitches, public rights of way and local green space;
- Planning obligations;
- Renewable and low carbon energy;
- Travel plans, transport assessment and statements in decision-taking, and;
- Use of Planning Conditions.

#### **Local Planning Policies**

##### Cherwell Local Plan 2011 – 2031 (Part 1)

- 5.14 The adopted Cherwell Local Plan 2011 – 2031 (Part 1) contains strategic planning policies for development and the use of land. It forms part of the statutory Development Plan for Cherwell. Local Plan Policies relevant to this application include the following.
- 5.15 **Policy PSD 1 Presumption in Favour of Sustainable Development** states that when considering development proposals, CDC will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF.
- 5.16 **Policy Villages 1 Village Categorisation** states that proposals for residential development within the built-up limits of villages will be considered having regard to the categorisation of the respective settlement. Chesterton is within category A: Serviced Villages.
- 5.17 **Policy Village 2 Distributing Growth across the Rural Areas** states that a total of 750 homes will be delivered at Category A villages. In identifying and considering sites, particular regard will be given to the following criteria:

- Whether the land has been previously developed land or is of lesser environmental value.
- Whether significant adverse impact on heritage or wildlife assets could be avoided.
- Whether development would contribute in enhancing the built environment.
- Whether best and most versatile agricultural land could be avoided.
- Whether significant adverse landscape and impacts could be avoided.
- Whether satisfactory vehicular and pedestrian access/egress could be provided.
- Whether the site is well located to services and facilities.
- Whether necessary infrastructure could be.
- Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period.
- Whether land the subject of an application for planning permission could be delivered within the next five years.
- Whether the development would have an adverse impact on flood risk.

- 5.18 **Policy SLE 4: Improved Transport and Connections** indicates that CDC will support the implementations of the proposals in the Movement Strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth.
- 5.19 **Policy BSC 2 The Effective and Efficient Use of Land** confirms that new housing should be provided, on net developable areas, at a density of at least 30 dwellings per hectare, unless there are planning reasons justifying lower densities.
- 5.20 **Policy BSC 3: Affordable Housing** states that major residential developments will be expected to provide at least 35% of new housing as affordable homes on site.
- 5.21 **Policy BSC 4: Housing Mix** confirms that new residential development will be expected to provide a mix of homes to meet current and expected future requirements.
- 5.22 **Policy BSC 9 Public Services and Utilities** indicates that CDC will support proposals which involve new or improvements to public services/utilities, if they are required to enable the successful delivery of the site.
- 5.23 **Policy BSC 10 Open Space, Outdoor Sport and Recreation Provision** outlines that CDC will ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation provision, is secured through the following measures:
- Addressing existing deficiencies in provision through qualitative enhancement of existing provision, improving access to existing facilities or securing new provision, and,
  - Ensuring that proposals for new development contribute to open space, sport and recreation provision commensurate to the need generated by the proposals.
- 5.24 **Policy BSC 11 Local Standards of Provision – Outdoor Recreation** indicates that development proposals will be required to contribute to the provision of open space, sport and recreation, and to secure arrangements for management and maintenance. The

amount, type and form of open space will be determined having regard to the nature and size of development proposed and community needs.

- 5.25 **Policy ESD 1 Mitigating and Adapting to Climate Change** states that measures will be taken to mitigate the impact of development on climate change.
- 5.26 Policy ESD 2 Energy Hierarchy and Allowable Solutions sets out an ‘energy hierarchy’ as follows:
- Reducing energy use, in particular by the use of sustainable design and construction measures
  - Supplying energy efficiently and giving priority to decentralised energy supply
  - Making use of renewable energy
  - Making use of allowable solutions.
- 5.27 **Policy ESD 3 Sustainable Construction** notes that all new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon standards, through a combination of fabric energy efficiency, carbon compliance and allowing solutions in line with Government policy.
- 5.28 **Policy ESD 4 Decentralised Energy Systems** indicates that the use of decentralised energy systems, providing either heating or heating and power will be encouraged in all new developments, where feasible
- 5.29 **Policy ESD 5 Renewable Energy** outlines that developments for 100 dwellings or more should include renewable energy generation unless this is demonstrably unfeasible or could be addressed more appropriately through allowable solutions.
- 5.30 **Policy ESD 6 Sustainable Flood Risk Management** states that development proposals will be support by Floor Risk Assessments, in line with a number of specified parameters.
- 5.31 **Policy ESD 7 Sustainable Drainage Systems (SuDS)** indicates that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.
- 5.32 **Policy ESD 8 Water Resources** states that the CDC will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use.
- 5.33 **Policy ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment** indicates that developments should achieve a net gain in biodiversity, through a range of different methods.
- 5.34 **Policy ESD 13 Local Landscape Protection and Enhancement** outlines that opportunities will be sought to secure the enhancement of the character and appearance of the landscape, through the restoration, management or enhancement of existing landscapes.
- 5.35 **Policy ESD 15 The Character of the Built and Historic Environment** states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design.

- 5.36 **Policy ESD 17 Green Infrastructure** states that the district's green infrastructure network will be maintained and enhanced through a range of different measures.
- 5.37 **Policy INF 1 Infrastructure** indicates that development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.

Adopted Local Plan 1996

- 5.38 **Saved Policy TR1 Transport Funding** outlines that before proposals for development are permitted the council will require to be satisfied that a variety of highway and traffic management works are provided.
- 5.39 **Saved Policy C23 Retention of features contributing to character or appearance of a conservation area** indicates that there will be a presumption in favour of retaining buildings, trees or other features which make a positive contribution to the character or appearance of a conservation area.
- 5.40 **Saved Policy C28 Layout, design, and external appearance of new development** states that the standard of layout, design and external appearance of new development should be sympathetic to the character of the context of that development.
- 5.41 **Saved Policy C30 Design Control** sets out a number of considerations where design control will be exercised.
- 5.42 **Saved Policy C32 Provision of facilities for disabled people** states the Council will support measures that provide access facilities for disabled people.

**Supplementary Planning Documents and Other Local Guidance**

- 5.43 The following Supplementary Planning Documents (SPD's) are of relevance:

Cherwell Residential Design Guide SPD (2018)

- 5.44 Cherwell Residential Design Guide SPD sets out CDC's commitment to raising the standard of design across the district and aims to encourage high quality residential development by promoting locally distinctive places that reinforce the positive character of the district.
- 5.45 Section 5.4 of the SPD sets out the cycle parking standards for new residential development in Cherwell District by referring to the Oxfordshire County Council's (OCC's) Residential Road Design Guide, introduced in 2015. The standards require:
- 1 cycle space for 1- bedroom dwellings; and
  - 2 cycle spaces for 2+ bedroom dwellings
- 5.46 Section 5.8 of the SPD refers to the interim car parking standards for new residential development, as set out in OCC's Residential Street Design Guide. It is indicated that every home should have access to at least one electric charging point.

Developer Contributions SPD

- 5.47 The Developer Contributions SPD outlines the approach to Section 106 (S106) Agreements for new development. It provides detail on the expected procedure for negotiation over potential contributions towards infrastructure, community facilities and services.

Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire

- 5.48 Updated in December 2021 and adopted by OCC as the Lead Local Flood Authority (LLFA), this document sets out how development proposals should approach the design of SuDS.

**Emerging Planning Policies**

Cherwell Local Plan Review

- 5.49 As indicated, CDC is undertaking a Local Plan Review and two consultations have taken place to-date. A Community Involvement Consultation ran from July to September 2020. This was followed by a second 'Community Involvement Paper 2: Developing our Options Consultation', which took place between September and November 2021.
- 5.50 A Regulation 18 Draft Local Plan Consultation is expected to commence in the near-term, subject to agreement by Full Council on 27 February 2023. A copy of the Draft Local Plan was reported to the Overview and Scrutiny Committee at a meeting on 11 January 2023 and has been reviewed by Boyer.
- 5.51 It is noted that (at this stage of the preparation) policies presented in the Draft Local plan will not attract significant weight for the purposes of determining planning applications. Nonetheless the emerging policies presented in the plan provide evidence of the direction of travel within the district for example:
- Draft Core Policy 15: Bicester Area Strategy (identifies the application site as part of a wider proposed allocation for 500 homes);
  - Draft Core Policy 57: Biodiversity Net Gain (proposes that developments should achieve a minimum of 20% BNG);
  - Draft Core Policy 39: Achieving Net Zero Carbon Development (sets out parameters for net zero development);
  - Draft Core Policy 76: Affordable Housing (specifies an affordable housing tariff of 30%); and
  - Draft Core Policy 77: Housing Mix (proposes a Plan-wide housing mix, to which developments should have regard).
- 5.52 As is explained in the following sections of this Statement, the application proposals (where feasible) seek to exceed adopted local environmental standards, to deliver additional sustainability and planning benefits and respond to the climate emergency.



Oxfordshire Plan 2050

- 5.53 Until recently, the Oxfordshire Plan 2050 was being prepared and would (once adopted) have formed part of the Development Plan for the Oxfordshire Authorities. However, in August 2022, the participating authorities announced that they were unable to agree on a shared approach to planning for future housing needs, within the framework of the Oxfordshire Plan. These Councils will now proceed to prepare their own Local Plans.

## 6. PLANNING ASSESSMENT

6.1 In this Section, the scheme is assessed having regard to relevant Development Plan policies and other material considerations, including national guidance contained in the NPPF.

### **Principle of Housing Development and the Presumption in Favour of Sustainable Development**

6.2 As indicated, Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement that planning applications are to be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.

6.3 The NPPF is a very significant material consideration and it is the key source of up-to-date national planning policy. Policy PSD 1 expressly seeks to reflect the NPPF paragraph 11 ‘presumption in favour of sustainable development’ and this part of the Framework is of particular relevance to this application.

6.4 NPPF Paragraph 11(d) applies to decision-taking where there are no relevant Development Plan policies, or where the policies which are most important to determining the application are out-of-date. As identified in NPPF footnote 8, this includes situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

6.5 The latest Cherwell Annual Monitoring Report (AMR) (December 2021) confirms that CDC can only demonstrate a 3.5-year housing land supply for the period 2022 to 2027. The AMR further indicates that an additional 2,255 homes would need to be shown to be deliverable within the current 2022-2027 five-year period, in order to achieve a five-year supply as required by the NPPF and to meet housing need in the area.

6.6 As confirmed in a recent Planning Committee Report (November 2022), CDC continues to accept that a five-year housing supply cannot be demonstrated<sup>3</sup>. Separately, we are also led to understand that the housing supply position is not expected to improve rapidly, nor to the point that the required five-year housing land supply (5YHLS) could be demonstrated in the near future. This is confirmed in the latest Annual Monitoring Review (2021).

6.7 Paragraph E.19 (page 272) of the Local Plan adds that;

*“If the supply of deliverable housing land drops to five years or below and where the Council is unable to rectify this within the next monitoring year there may be a need for the early release of sites identified within this strategy or the release of additional land. This will be informed by annual reviews of the Strategic Housing Land Availability”.*

6.8 We also note that a number of developments outside settlement boundaries (such as that proposed in this application) have been granted planning permission, either locally or on appeal. These appeals further confirm that the Council do not have a 5YHLS, but also provide a strong indication that the existing policies are out of date.

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<sup>3</sup> See application Ref: 22/00203/OUT; Committee Report dated November 2022 (see paragraph 9.20).

- 6.9 Given that CDC is unable to demonstrate a 5YHLS, paragraph 11(d) of the NPPF is engaged and consequently the ‘titled balance’ applies in decision-taking. Paragraph 11(d)(ii) states that planning permission should be granted unless “*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*”. This is known as the tilted balance.
- 6.10 In response to this, and for the application to fail, CDC would have to demonstrate that any adverse impacts of the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF.
- 6.11 As a result of the lack of a five-year housing land supply, the out-of-date nature of the most important Local Plan policies and the specific social, environmental and economic benefits which the development would bring (as outlined in the suite of documents which accompany this application), the granting of planning permission would result in substantial overall benefits that outweigh the harm arising from the proposal.
- 6.12 Conversely, and as outlined in Section 2 of this Statement and in the accompanying reports, the proposal site is not significantly constrained in planning policy terms, nor is it subject to any overriding constraints which would mean that the proposed development would result in extensive harm.
- 6.13 Overall, the addition of up to 147 new homes, including 35% affordable housing, will make a significant contribution to the supply of housing within Cherwell District, at a site that is largely unconstrained and sustainably located.

### **Locational Sustainability**

- 6.14 The application site is located at a Category A: Service Village and lies within the vicinity of services such as a primary school, community centre, church, allotments, a public house<sup>4</sup>, hotel and restaurants, and a play area. Further to this, the site lies within walking and cycling distance of Bicester, which is a major retail, employment, and service centre. The adopted Local Plan (at Policy PSD 1) and the NPPF directs development to such locations, in order to promote sustainable patterns of development.
- 6.15 The accompanying Transport Assessment (TA) (at Table 5.2) provides a clear synopsis of the services and facilities that are accessible to the site, identifying precise distances. The TA also identifies proximate public transport nodes. The closest railway stations are Bicester Village and Bicester North, both of which are located approximately 3 miles away and provide connections to Oxford, Reading and London. The site is also accessible (by foot and cycle) to the nearby Bicester Park and Ride, which provides frequent routes into Bicester and Oxford (and associated train stations).
- 6.16 It is recognised that the village itself is currently served only by an infrequent bus service. However, existing public transport options in Chesterton are to be enhanced. The approved Great Wolf Resort scheme (through S106 provisions) will be required to provide a financial

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<sup>4</sup> The Red Cow, which is temporarily closed following the departure of the existing landlord.

contribution, for 10 years, which will allow for the provision of a frequent public bus service between Bicester and Chesterton.

- 6.17 Whilst the Great Wolf development is not yet complete, the developer has submitted (and had approved) details to demonstrate compliance with S106 obligations<sup>5</sup>, with another compliance application<sup>6</sup> currently being considered. Likewise, an application to vary the detailed design of the development was approved in March 2022<sup>7</sup> and a number of applications to discharge planning conditions have recently been submitted for approval, including pre-commencement conditions. The Great Wolf development is now currently under, with this triggering planning obligations relating to public transport subsidies. This would align with announcements made on the developer's website.
- 6.18 As such, existing and future residents in Chesterton will benefit from this new bus service in the future, which will enhance local accessibility by public transport. Moreover, there is a clear opportunity for the development proposed on Land South of Green Lane to provide additional contributions towards this bus service. This contribution, alongside the increase in residential population at Chesterton, will help to secure the long-term viability of the new bus connection.
- 6.19 In considering the overall locational sustainability of the proposals, the proximity of Bicester and the village's functional relationship to it should not be ignored. Chesterton is not an isolated settlement and residents living there have (within walking / cycle distance) access to a significant number of facilities, public amenities and employment opportunities. As explained, the application proposals provide an opportunity to contribute to sustainable transport patterns. This is consistent with NPPF paragraph 105, which states that;
- “The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”*
- 6.20 Following from this, we would also draw attention to the Great Wolf appeal decision in Chesterton<sup>8</sup>, which recognised that the opportunities to travel by sustainable modes will differ between urban and rural areas. As such, account should be taken of opportunities for sustainable travel modes, depending on the nature and location of the site.
- 6.21 Noting the above, it is considered that the proposed development accords with Policy PSD 1 and SLE 4, and Section 9 of the NPPF.

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<sup>5</sup> Ref. 21/03164/OBL

<sup>6</sup> Ref. 22/02070/D106

<sup>7</sup> Ref. 21/04158/F

<sup>8</sup> Ref: APP/C3105/W/20/3259189 – Great Wolf Leisure Resort

### Policy Villages 2 - Category A Villages

- 6.22 Whilst the proposals are to be considered in the context of the presumption in favour of sustainable development, it is relevant that Policy Villages 2 identifies a requirement for 'Category A' villages (such as Chesterton) to cumulatively accommodate 750 new homes across the Plan-period.
- 6.23 The policy wording envisaged that sites would be allocated through a 'Local Plan Part 2' or Neighbourhood Plans (where applicable) "*and through the determination of applications for planning permission.*" CDC has confirmed the previously envisaged Part 2 Local Plan will not be progressed. Likewise, a Neighbourhood Plan for Chesterton Parish has never been prepared.
- 6.24 As detailed below, the application proposals are capable of responding to each of the Policy Villages 2 criteria for considering such sites, as is explained in Table 5 below.

Table 5: Responses to Each Criteria set out in Policy Village 2

Policy Villages 2 Criteria	Response
Whether the land has been previously developed or is of a lesser environmental value.	The site is not previously developed land, but (as arable farmland) neither is it of high ecological value. Areas of biodiversity interest are restricted to hedgerows and trees along the site's boundaries, which are proposed to be retained and enhanced (wherever feasible). It should be noted that there are no previously developed sites available at Chesterton.
Whether significant adverse impact on heritage or wildlife assets could be avoided.	<p>As confirmed within the accompanying technical assessments, adverse impacts on heritage and wildlife assets can be avoided and appropriate mitigation measures taken.</p> <p>In terms of heritage, the easternmost boundary of the site borders the Chesterton Conservation Area and Chesterton Lodge (part of the Bruern Abbey School to the east) is Grade II Listed.</p> <p>The setting of these heritage assets is preserved by directing development away from the eastern boundary and containing all residential development on the western parcel of land and the eastern parcel is proposed as an area of public open space.</p> <p>With regards to below-ground heritage, the accompanying Desk-based Heritage Assessment states that "<i>based on available evidence the potential for significant remains of all</i></p>

	<p><i>periods is considered low.</i>” Further on-site investigative works have confirmed that none of the archaeological finds at the site represent a constraint to the proposed development.</p> <p>Ecology - As noted within the supporting Ecological Appraisal Report, biodiversity interest is generally restricted to hedgerows and small areas of woodland at the site’s boundaries.</p> <p>An Extended Phase 1 Habitat Survey suggested that the site could have some potential to support protect species, with Great Crested Newts and dormice populations having been identified in the wider area. However, subsequent surveys confirmed that the site does not support these. Indeed, though significant new habitat creation, the proposals create the potential for colonisation at a later date.</p> <p>Further to the above, the accompanying Ecological Appraisal indicates that it is possible to develop the site without undue impact to ecology interests. It will also be possible to achieve a positive biodiversity net gain.</p>
<p>Whether development would contribute in enhancing the built environment.</p>	<p>The proposed approach to design is set out in the accompanying DAS. It is envisioned that development would comprise high quality housing, within a walkable neighbourhood, set around green corridors and areas of open space, and providing new recreational playing fields and sporting pitches for the village and surrounding area.</p> <p>As explained in the DAS, the proposals draw heavily on precedents from the existing village, such as the lanes off Alchester Road. The housing typologies could include courtyard garden cottages, home garden studios and ground level living. The materiality of the new dwellings would draw on that of the existing buildings found within the Conservation Area.</p>
<p>Whether best and most versatile agricultural land could be avoided.</p>	<p>To support this application an Agricultural Land Classification (ALC) assessment was instructed. The ALC identified that most of the site (14.5 hectares) was classified as Grade 3a good quality with a small area (0.3 hectares) was identified as Grade 3b moderate quality.</p>

	<p>Whilst good quality agricultural land would be lost as a result of the development, much of the land surrounding the settlement is of a similar status. It is also remarked that no available previously developed sites are found at Chesterton, which could be brought forward to meet housing needs.</p>
<p>Whether significant adverse landscape impacts could be avoided.</p>	<p>The site is not subject to any statutory landscape designations, is generally level and is well-bounded by trees and vegetation on most of its boundaries. However, views from the south west (looking into the site) are relatively open.</p> <p>To address this, significant new areas of mosaic scrub woodland are envisaged within the southern part of the site and existing boundary planting will be reinforced. An area for open space and sports pitches is proposed at in the eastern extent of the site, which provides a transition to the countryside beyond.</p> <p>In addition, the area of the site which is proposed to be developed for housing will include landscaped lanes and meadow walks. Areas of public open space and green infrastructure will also intersect the housing parcels. This will ensure that the development is rural in character.</p> <p>The accompanying LVA provides a detailed analysis of the site's sensitivity and the affects of the proposed development, in landscape and visual terms.</p>
<p>Whether satisfactory vehicular and pedestrian access/egress could be provided</p>	<p>With reference to the accompanying TA, it is proposed to improve the current site access with an enhanced simple priority junction into the site from Green Lane. This will provide vehicular access into the site, with 2.4m x 120m visibility spays in both directions in accordance with observed vehicle speeds on Green Lane.</p> <p>With respect to pedestrian connectivity, access points will tie in with the existing footway network on Green Lane, shared surface access within the development and to the north, as well as informal connections to the unnamed road to the east (beyond which access can be gained to the PROW network to the south). As such, the development will provide a well-connected and permeable layout, which will</p>

	<p>minimise the distance future residents will need to walk to access local facilities and services.</p>
<p>Whether the site is well located to services and facilities.</p>	<p>With reference to details in the Transport Assessment and the DAS, the site lies in proximity to a range of local facilities. These include a primary school, a nursery, existing sports facilities and play areas, community centre, a public house and (in future) additional facilities at the Great Wolf Lodge resort and BSA sport sites.</p> <p>The site is also accessible to Bicester, via an existing footpath and PROW, as well as to the Bicester Park and Ride facility. This provides very frequent services between Oxford and Bicester. In addition, the S106 Agreement for the Great Wolf Lodge consent confirms that a subsidy is to be provided to sustain a bus service, which serves the village directly.</p> <p>As discussed earlier, the applicant proposes to provide S106 contributions to further enhance and improve the new bus route into Chesterton.</p>
<p>Whether necessary infrastructure could be provided.</p>	<p>Development of Land South of Green Lane would not require extensive new infrastructure to facilitate the scheme.</p> <p>TW have confirmed that they currently have sufficient sewerage capacity in the adjacent foul water sewer network to serve the development. Sewerage undertakers have a legal obligation under the Water Industries Act 1991 to provide developers with the right to connect to public (foul) network.</p> <p>With respect to surface water drainage, on-site investigations confirm that infiltration feasible. However, a SuDS design has been devised, with runoff first being attenuated in a network of swales and basins, before discharging into a surface water body. The is explained in the accompanying FRA and Drainage Strategy.</p> <p>Regarding transport infrastructure, a safe and suitable vehicular access can be formed. It is also expected that any off-site highway works will be secured by means of Section 106 and Section 278 Agreements. There are ample opportunities to provide enhanced connectivity through the scheme design.</p>



	<p>Regarding open space, the proposals make significant provision for flexible recreational areas and additional sports pitches, within the format of a new area of parkland. This has been designed to meet local needs, with associated car parking.</p> <p>Affordable housing including First Homes, will be provided on-site, in accordance with adopted policies, and other contributions (for example, to support education provision) will be secured through the S106 Agreement.</p>
<p>Whether land considered for allocation is deliverable now or whether there is reasonable prospect that it could be delivered within the Plan period.</p>	<p>As indicated, Land at Green Lane is not subject to extensive constraints. Nor are there any major infrastructure requirements that would need to be overcome before development could proceed. Accordingly, the site could be built-out within 3 to 4 years of outline planning permission being granted.</p>
<p>Whether land the subject of an application for planning permission could be delivered within the next five years.</p>	
<p>Whether the development would have an adverse impact on flood risk.</p>	<p>The site lies entirely within Flood Zone 1, which indicates it is a low probability of flooding from fluvial sources.</p>

6.25 It should be further noted that appeal decisions have confirmed that the 750-dwelling figure cited in Policy Villages 2 does not represent a ‘cap on development’. This was confirmed, for example, by the Inspector considering the appeal on Land at Trappers Farm, Bodicote<sup>9</sup>, at paragraph 11 of their Decision;

6.26 *“Policy Villages 2 contains no requirements in respect of the distribution of housing across the Category A villages, as well as no timeframe or trajectory for their delivery. Both main parties agreed that the 750-figure provided in the policy is not a ceiling or limit. It is also noteworthy that the policy requires the delivery of 750 units, not just a requirement to grant planning permission for this number.”*

6.27 Likewise, in a recent Planning Committee Report (dated 07 April 2022) concerning a proposed residential development in Launton (Ref. 21/04112/OUT), it was stated at paragraphs 9.22 and 9.23 that;

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<sup>9</sup> PINS Ref. 3222428

*“The achievement of the requisite 750 homes is a material consideration in considering developments of more than 10 dwellings at the Category A villages. However, in the context of policy BSC1 and the need to meet overall district housing requirements by 2031, it does not mean that there is a moratorium on future development in the rural areas. It has been accepted at a number of appeals relating to the application of PV2 that, while unconstrained growth in the rural areas could undermine the overall housing strategy, the 750 figure is not a ceiling or a cap.*

*Furthermore, at the present time there is a need to consider the district’s 5-year land supply position. The lack of a 5-year supply renders Policy Villages 2 ‘out-of-date’. As such this policy is given lesser weight in the consideration of planning applications. In the absence of a 5-year land supply and in the context of the NPPF objective to significantly boost the supply of homes there is clearly a current housing need to be met.”*

6.28 That the figure is not a cap, is a position further reinforced by the current inability of CDC to demonstrate the required 5YHLS and the resultant application of the presumption in favour of sustainable development, which is activated in the case of this planning application.

6.29 Furthermore, appeal decisions have also confirmed that Policy Villages 2 does not only apply to sites within settlement boundaries. This was indicated clearly by the Inspector considering a conjoined appeal in Deddington<sup>10</sup>, who stated at paragraph 17 of their Decision that;

*“Policy Villages 2 of the Cherwell Local Plan Part 1 2015 (CLP1), does not include a limiting spatial dimension and development can be delivered at category A villages (such as Deddington) both within and outside of built-up limits. So long as development has at least some relationship with the village and its pattern of development, it would be permitted in principle subject to the criteria set out within the policy.”*

6.30 Accordingly, the application proposals find support not only in the provisions of the NPPF and the presumption in favour of sustainable development. They also find support in Policy Villages 2, which is permissive of proposals at Category A Villages that address the criteria identified in Table 5 above. We maintain that the proposed development does indeed satisfy each of the listed Policy Village 2 criteria.

### **Affordable Housing**

6.31 Within Cherwell, the latest Office of National Statistics (ONS) figures (2021) indicate a lower-quartile housing affordability ratio of 10.57. This figure is above the national average for England (8.04) and England and Wales (7.85). It is notable also that the 2021 ratio for Cherwell has risen from the 2011 figure of 8.13. The unaffordability of lower-quartile housing is therefore a salient issue within the district. The new affordable housing, that the proposal will provide, will help to address this.

6.32 Within the context of settlements such as Chesterton, it is also materially relevant that a

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<sup>10</sup> PINS Ref. 3242236 and Ref. 3247698:

development of the scale proposed is able to viably support the provision of new affordable homes. This contrasts to smaller-scale schemes, that might come forward within the settlement bound, but which would likely fall below the 11-unit threshold for providing affordable dwellings (as set out at Policy BSC 3). The proposed development will indeed provide 35% affordable housing in accordance with Policy BSC 3, which will equate to approximately 51 homes (if 147 dwellings were provided overall).

- 6.33 All affordable dwellings required will be erected on-site, with this provision being secured through a Section 106 Agreement. All affordable homes erected at the site will be tenure blind, will comply with the Nationally Described Space Standards (NDSS) and will be arranged into appropriately sized clusters throughout the site.
- 6.34 The affordable housing mix is a reserved matter and will subject to appropriate discussions with CDC. However, the Illustrative Masterplan presents an affordable housing mix which is broadly based on the estimation of need within Cherwell District, as presented at Table 67 of the Oxfordshire Strategic Housing Market Assessment (SHMA) (2014). This is set out in Table 6 below.
- 6.35 The tenure of the affordable housing will include 25% First Homes (in accordance with the NPPF), alongside affordable / social rented and intermediate formats (such as shared ownership). It is expected that CDC’s Housing Officer will advise on requirements during the determination period.

Table 6 – Indicative Affordable Housing Mix

Type	Illustrative Affordable Housing Mix	SHMA 2014 Affordable Housing Mix
1 bed	24%	25 to 30%
2 bed	35%	30 to 35%
3 bed	30%	30 to 35%
4 bed	11%	5 to 10%

- 6.36 Accordingly, the strategy for providing affordable housing at the site is judged to accord with policies BSC 3 and BSC 4.

**Market Housing Mix**

- 6.37 In the context of the current 5YHLS position, the supply of market housing is an important material consideration and a key benefit of the proposals. It is notable also that the median house price affordability ratio (for 2021) in Cherwell is 10.28. This compares to 8.93 across England and Wales, and 9.05 across England, with the Cherwell figure therefore exceeding the national average. The 2021 ratio (for Cherwell) has also increased from the 2011 figure of 7.81, demonstrating that affordability is worsening in respect of open-market housing. New housing adds to the overall size and variety of the local ‘housing stock’, providing flexibility

within the market and helping to meet needs.

- 6.38 Consequently, whilst the housing mix is a consideration for the reserved matters stage, it is highly relevant that the scheme envisages that a mix of dwelling types and formats shall be provided, addressing the varied demographics of the settlement and wider area. As indicated in the accompanying DAS, these include flats, detached and semi-detached homes, of varying sizes.
- 6.39 As indicated in Table 7 below, the proposed mix of market housing has been configured to broadly conform to that presented in the SHMA 2014. However, the market housing mix has been slightly weighted towards 2, 3 and 4-bedroom homes. This reflects market trends which (following Covid) indicate a preference for additional space / slightly larger properties. In this context, it is notable also that Illustrative Masterplan identifies a number of properties with ancillary home offices, located within rear gardens.
- 6.40 Policy BSC 4 acknowledges local market conditions as a relevant factor when determining housing mix, so the minor deviation from the SHMA mix is justified (particularly when recognising the increasingly dated nature of the SHMA). It should equally be noted that the scheme does not propose large 5-bedroom+ properties. This follows discussions with Chesterton Parish Council and feedback from the community, which highlighted a need for family homes and properties for first-time buyers, rather than large ‘executive homes’.

Table 7 – Indicative Market Housing Mix

Type	Illustrative Market Housing Mix	SHMA 2014 - Market Housing Mix
1 bed	0%	5%
2 bed	30%	25%
3 bed	39%	45%
4 bed	31%	25%

### Public Open Space and Parkland

- 6.41 Whilst the application seeks outline planning permission, an Illustrative Landscape Plan and a Landscape Strategy accompany this proposal. These documents confirm that a key benefit of the proposals is the creation a large area of parkland within the eastern field parcel. Extending to approximately 3.6 ha, this area will include a NEAP, alongside recreational playing fields, as well as mown paths / routes, fitness trail and informal areas.
- 6.42 Recognising that this planning application would include a large park, Chesterton Parish Council conducted a local survey (in August 2022) to establish what recreational and sporting amenities residents felt were most needed. Taking account of the feedback provided by the Parish Council in August 2022, it is expected that the proposed playing field / recreational space will include a football pitch(es) to help address the identified requirements

of Chesterton Football Club, alongside other sporting pitches such as tennis courts and/or a MUGA<sup>11</sup>.

- 6.43 Because it is proposed to expand the range of sporting pitches, the proposals also indicate that an additional car parking area (surfaced in gravel or permeable 'grasscrete') will be provided. The Parish Council have suggested this is necessary, particularly to help accommodate 'match day' / sports-related parking. This car parking area will be secured with a gate to prevent vehicular access at night, in order to deter inappropriate / anti-social behaviour. The access to this new car park will be drawn from the west, through the proposed residential development<sup>12</sup>.
- 6.44 Wates' and Chesterton Parish Council have met on several occasions to discuss the new sporting pitches that could be provided, and the Parish Council have a clear understanding of what is required based on their recent survey. Noting this, it is the applicant's understanding that (were the application to be approved) the Parish would wish to merge the two areas of open space to create on large park / recreational area. Consequently, it is expected that the fence that currently separates the site from the existing village green to the north may be removed in-full or in-part, by the Parish Council (should the application be approved).
- 6.45 Areas of informal open space are also provided within the western parcel, with these including routes through the envisaged 'mosaic scrub / woodland', which is proposed at the southern extent of the site. A network of pedestrian routes is also provided throughout the green corridors that characterise the proposed residential area, with these connecting with open 'meeting spaces' and LEAPs and LAPs, as well as providing permeability through the site. These green corridors and routes are integrated with the proposed SuDS arrangements and the wider green infrastructure strategy. The overall effect will be to create a high-quality, walkable and interesting environment, for existing and future residents to enjoy.
- 6.46 The application proposals therefore accord within policies BS10 and BS11, which outline that development should provide sufficient quality and quantity of open space, sports and recreation provision.

### **Sustainable Design and Energy**

- 6.47 An Energy and Sustainability Statement has been submitted alongside this application. The report samples SAP calculations across the development to establish baseline energy demands of the development and reviews the potential renewable energy solutions.
- 6.48 A combination of demand-reduction measures, energy-efficiency measures, low carbon heating and renewable energy will deliver on site reduction in CO2 emissions.

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<sup>11</sup> Noting the increase in sporting pitches, there may be a case for a financial contribution to be made to support the extension or improvement of the changing room building immediately to the north. This building is owned by Chesterton Parish Council and (during our discussions) they have indicated that improvements would be welcomed, should the application be approved.

<sup>12</sup> At present, the illustrative masterplan identifies 24 bays within this proposed car parking area. The Transport Assessment suggests that this is a reasonable level of provision. However, there is scope to expand this further if appropriate.

- 6.49 Fabric first: demand-reduction and low carbon and renewable energy measurements are proposed to be incorporated within the design to deliver a total reduction in CO2 emissions of 50.2% compared to the TER ADL 2021.

### **Proposed Layout and Design Principles**

- 6.50 The outline application seeks approval for the quantum of development and the proposed access, with matters of layout, scale, appearance and landscaping reserved for future consideration.
- 6.51 However, to demonstrate the suitability of the site and the level of development proposed, the application is supported by a range of technical studies, including an Illustrative Masterplan and a DAS. The Illustrative Masterplan is based on the following design principles:
- Community benefits, including providing the eastern field parcel as new parkland, and further open / plays spaces within the development area to the west.
  - Green Infrastructure and biodiversity prioritised, with green SuDS features (i.e., swales and green corridors) being designed into the scheme ahead of the residential layout;
  - Landscape-led approach, prioritising the retention and enhancement of existing landscape of the site including tree belts and hedgerows;
  - Heritage response, which directs the residential development to the west and open space to the east, to preserve the setting of heritage assets; and,
  - New single vehicular point of access to the site from Green Lane, located centrally along the site frontage, and strong pedestrian permeability throughout.

### Layout

- 6.52 The layout is generally orientated to respect the Chesterton Conservation Area which is located adjacent to the eastern boundary of the site. Consequently, the proposed residential development is entirely contained to the western field parcel. The eastern parcel is to be characterised by open space, informal pedestrian routes, sports pitches, and playing fields, which address community needs.
- 6.53 Proposed residential areas will be organised into small blocks accessed primarily from secondary streets as well as shared surface routes. Each block of residential development will be separated by green corridors used as swales / basins to mitigate ground water flooding and to incorporate green spaces and landscaped borders (in accordance with Saved Policy C28).
- 6.54 The illustrative layout makes provision for a network of paths and trails, including trim trail, which are intended to facilitate movement and permeability through the proposed residential development and proposed park, and into the surrounding area. In addition to the pedestrian footway associated with the main access onto Green Lane, further points of pedestrian / cycle access are proposed to the unnamed road to the west and to Green Lane

at a point near to the access to Vespasian Way. The internal access / movement strategy is complemented by off-site pedestrian and cycle improvements, as described below.

- 6.55 On and off-street parking will be designed into the scheme in accordance with the Cherwell Residential Design Guide SPD. No large parking areas / courts are envisaged within the residential layout, and parking bays will be provided in conjunction with appropriate landscaping, softening their appearance and reducing the visual prevalence of cars within the development. Each dwelling will be provided with an electric vehicle charging point.
- 6.56 The masterplan includes a new car parking area which is to serve the proposed parkland to the east. The access to this car park will be taken via an access road that links into the envisaged residential layout, and which will ultimately be accessed from, and egressed to, the proposed new priority junction onto Green Lane.

#### Scale and Density

- 6.57 Consistent with existing built form within the settlement and to preserve local character, proposed building heights will not exceed 2 storeys. All proposed dwellings will have a typical pitch roof, approximately 8m in height to the ridge. Garages and home offices are proposed as single storey and pitch roofed, either as lean-to or free-standing structures.
- 6.58 The proposed development envisages up to 147 homes across a net developable area of 4.9 ha. This gives rise to a net density of approximately 30 dwellings dph. This density is an appropriate response to the character of the area and would not result in an inappropriate over-development of the site. This is demonstrated through the wide green corridors placed throughout the development, along with the entire eastern field being proposed for open space, landscaping and recreational / sports pitches. The development would be restricted to two storeys, again emphasising the appropriateness of the density proposed.
- 6.59 This scale of development will provide an efficient use of land, balanced with the wider objectives of the proposals, as required by the NPPF and Local Plan. This notably includes a landscape-led approach and achieving biodiversity and social benefits, through the provision of open space.

#### Landscaping

- 6.60 Whilst landscape design represents a reserved matter, the proposed development will seek to retain all mature trees where possible and will incorporate these into the design scheme. The accompanying Arboricultural Impact Assessment (AIA) anticipates the loss of only a small number of trees and sections of existing hedgerows, with these being removed to facilitate the proposed single track vehicular access and to form an access between the two field parcels.
- 6.61 As indicated on the accompanying Illustrative Landscape Masterplan, a significant number of new trees will be introduced through the proposals, far exceeding the very limited losses specified. New planting and feature landscaping will be provided within the layout, in order to soften the visual appearance of new streets and private driveways providing a verdant

street scene, in keeping with the edge of settlement context.

- 6.62 Reinforcement planting will be provided along the sites' northern, western, and eastern boundary to help provide natural screening to the development on approach to the village. A new area of mosaic woodland is proposed to the southern extents of the site, intended to provide a soft boundary to the development and area beyond.

#### Appearance

- 6.63 Whilst 'appearance' will be addressed at the reserved matters stage, the proposed development will include a wide range of dwellings types and sizes, with a number of dwellings also including a home office / garden studio. As detailed in the accompanying DAS, the dwellings will be incorporate materials that are reflective of the character of Chesterton and Cherwell more widely, drawing on the Cherwell Residential Design Guide SPD.
- 6.64 Overall (and with reference to the details provided below), it is considered that the proposals address and accord with policies ESD 15, BSC 2, ESD 13, ESD 17, ESD 10 and saved policies C23 and C28. It is also maintained that the proposals will result in a well-designed and beautiful development, which carefully integrates new built form with green infrastructure and open spaces, thereby addressing NPPF Section 12.

#### **Access, Connectivity, Parking and Highways**

- 6.65 It is proposed that there will be a singular vehicular point of access to the site from Green Lane, located centrally along the site frontage, and positioned carefully to mitigate the impacts on the more important trees fronting Green Lane. The proposed access onto Green Lane will take the form of a simple priority junction. The access road will measure 5.5m in width, with 6.0m radii. Swept path analysis were undertaken at the proposed access which demonstrates that a super large refuse vehicle can safely access and egress the junction.
- 6.66 In terms of parking the proposed illustrative layout provides a total of 292 spaces (based on the illustrative layout, which depicts 147 dwellings and includes provision for 24 car parking spaces to serve the new playing fields). Further to this, each dwelling will be provided with an electrical vehicle charging port. As detailed in the TA secure cycle spaces within the dwellings and alongside the playing field car parking spaces, will also be provided in accordance with standards. In response to concerns from the existing residents on Vespasian Way and to avoid any log jam at the Community Hall car park, the additional playing field car parking will be accessed via the new development road and not via Vespasian Way. This was a specific design response to address residents comments as part of the public consultation and on advice of the applicant's transport consultant.
- 6.67 With respect to connectivity, the pedestrian and cycle connections are proposed to the local highway network which will provide a permeable and well-linked development for future residents. This includes pedestrian / cycle access points to the north and west, which will provide connections to the committed footway improvements along the site frontage which



were consented as part of the Great Wolf resort development (planning permission ref: 19/02550/F). The committed footway improvements will provide a link between the Bicester Hotel Golf Club and Spa and the existing footway (on the south side of Green Lane), which currently commences to the east of Vespasian Way.

- 6.68 Proposed off-site improvements include the reinforcement of the 20mph speed limit along Green Lane through the provision of 20mph speed limit roundels. It is also proposed to provide 'route recommended for pedal cycles on the main carriageway' signage, wayfinding signs and cycle road markings, in both directions on Green Lane, The Hale and the unnamed road to the east, to make drivers more aware of the potential presence of cyclists using the road.
- 6.69 These proposed improvements will provide a cycle connection to consented cycleway on the A4095 to the west of the Hale to be provided as part of the Great Wolf resort development and along the Oxygen Cycle Route along the unnamed road, which also provides a connection to the National Cycle Route 51 (NCN51), which runs towards Bicester. In turn this will promote travel by bicycle / electric bicycle, as sustainable transport and commuting modes.
- 6.70 As indicated, whilst Chesterton is accessible to the Bicester Park and Ride site, the village itself only benefits from a very limited bus service (one outbound service to Bicester in the morning). However, the Great Wolf resort development will provide a substantial financial contribution to support a new bus service, which will connect Chesterton to Bicester and the railway stations. Additionally, the Oxfordshire Bus Service Improvement Plan was submitted to the Department for Transport in October 2021 and identified a potential new bus route which would serve Chesterton.
- 6.71 Noting the limitations of existing public transport in Chesterton, and consistent with other development proposals, the applicant proposes to make a financial contribution to the improvement of public transport services in the local area. This contribution, in addition to the patronage of new residents living at the site, will help to support the viability of the new bus service.
- 6.72 The application is supported by appropriate analysis in the TA which includes through-traffic modelling and an assessment of nearby junctions, and confirms that assessed junctions generally operate within their theoretical capacity. It is further concluded that the addition of development traffic (arising from the development) does not materially worsen the operation of the junctions.
- 6.73 Therefore, it is considered that the proposals accord with Local Plan Policy SLE 4 and NPPF Section 9.

### **Landscape and Visual Impact**

- 6.74 The application is supported by an LVA. This assessed the landscape characteristics of the site from various receptors and advises on those landscape and visual issues, which have informed the approach to design.

6.75 With respect to prevailing policies and designations, the LVA notes that the site and the immediately surrounding area is not contained within, nor openly visible from any designated landscape, such as AONB or Special Landscape Area. Its most valued landscape feature are the mature hedgerows and trees which form its boundaries and provide a sense of containment.

6.76 In terms of landscape character, at a national level the site falls within National Character Area (NCA) 108 'Upper Thames Clay Vales' and NCA 107 'The Cotswolds', whilst at a regional level, the 'Oxfordshire Wildlife and Landscape Study' (OWLS) identifies the site as falling within 'Wooded Estatelands'. The LVA then applies a set of localised 'Landscape Character Zones' to better define the character of areas in and around Chesterton. This identifies the site as falling within 'Chesterton Arable' and defines this category as follows;

*"An open, medium scale arable landscape with moderate condition hedgerows containing occasional mature trees. The noise from the M40 and A41 detract from any remoteness or tranquillity. The land south of the Site is more intimate in scale and contains public rights of way which add local value. The landscape is relatively flat and exposed where field boundary vegetation is lacking or degraded."*

6.77 The analysis in the LVA identifies the site as being of 'moderate' sensitivity overall, with a 'medium' sensitivity to change.

6.78 With regard to visibility, the LVA sets out a 'Zone of Visual Influence' around the site. This demonstrates that "that the majority of views are contained to within 1km of the Site boundary. Beyond that the views are distant and filtered / obscured by intervening vegetation associated with the level landscape."

6.79 The assessment then considers visual receptors that a 'near', 'middle' and 'long-distance', in respect of their proximity to the site. The sensitivity of the identified receptors is then evaluated as follows;

*"It can be concluded that the most sensitive visual receptors are those overlooking the Site at Vespasian Way and the Green and walkers and motorists passing the Site on its northern and western boundaries. Visitors to Abbey Gruern School, which is within the Conservation Area boundary, are assessed as high, although off-site vegetation obstructs views to the Site."*

6.80 The scheme design has been configured to respond accordingly. As such, the LVA indicates that the proposals will result in a 'residual beneficial' effect on site features, with this being achieved through the retention of existing trees and hedgerows, alongside enhancements. Proposed new landscape features and a built form which is responsive to context, are also judged to present an 'overall benefit' to the local landscape associated with the settlement edge.

6.81 These benefits outweigh the only 'residual adverse effect' on landscape, which is the replacement of open arable farmland with a housing development. Consequently, the LVA concludes that there are no residual adverse effects on Landscape Character, at a national

to local scale.

- 6.82 With regard to visual effects, as indicated the most notable effects will be on views from Vespasian Way, and in particular private views from the existing properties. However (following feedback from residents), the proposals have evolved to ensure that development is set back from the existing settlement edge, to allow for structure planting along the rear and side boundaries of the properties, and to allow for retention and enhancement of the central hedge which divides the site in two. New areas of mosaic scrub, woodland, native trees and community orchards will bring positive elements into the views and filter views to the new housing.
- 6.83 The LVA indicates that there will remain a 'residual adverse effect', as a result of the loss of rural land. However, positive features will be introduced into the view (from Vespasian Way) to mitigate these effects. At year 15, once structure planting has established, the significance of any effects will be reduced and the positive elements in the view will outweigh the loss of the arable land.
- 6.84 Accordingly, the proposals accord with Local Plan Policy ESD 13 and the NPPF, at Section 15.

#### **Agricultural Land**

- 6.85 An ALC report has been prepared to assess the agricultural land at the site. The ALC identified that the majority of the site (14.5 hectares) was classified as Grade 3a good quality with a small area (0.3 hectares) was identified as Grade 3b moderate quality.
- 6.86 Whilst good quality agricultural land would be lost as a result of the development, much of the land surrounding the settlement is of a similar quality. It is also the case that no available previously developed sites are found within Chesterton, which could be brought forward to meet housing needs and to provide the large area of parkland proposed.
- 6.87 Accordingly, the loss of a quantum of agricultural land would not result in unacceptable impacts, particularly when accounting the level of housing need within CDC, the suitability of the site for residential development, as well as the community and environmental benefits of the scheme.

#### **Flood Risk and Drainage**

- 6.88 An FRA and Drainage Strategy accompanies this application and surface water flood risk has been a key consideration in the development of the proposals. As set out within the FRA, the site is located within Flood Zone 1 and therefore is not considered to be at risk of flooding from fluvial sources. This includes when accounting for the forecast effects of climate change.
- 6.89 The FRA makes reference to the surface water flood maps, which indicate that there is 'low' to 'high risk' of surface water flooding in the low-lying southern areas of both fields. As the Illustrative Masterplan demonstrates, development is proposed to be situated away from the

affected southern sections of the site. The risk from groundwater flooding is assessed as low, across the site.

- 6.90 Regarding the surface water drainage strategy (SuDS), groundwater monitoring and available geological and hydrological information, confirms that infiltration drainage will not be feasible. Consequently, the strategy will seek to discharge into a surface water body. Runoff will be collected and conveyed (via gravity) into retention basins, and filtered via a network of swales and filter drains.
- 6.91 Discharge from the basins will be restricted (attenuated) to a maximum rate of 6.3 L/s, for a 1.0% Annual Exceedance Probability (AEP) storm event, with a 40% allowance for climate change. Overall, the drainage strategy has been designed so that flooding will not occur in any building or utility feature, which is susceptible to water, for all events up to '1 in 100 years', with an additional 40% climate change uplift.
- 6.92 The swales and basins have been designed to be multifunctional and to accommodate landscape and biodiversity enhancements. The detention basins are visible and have been designed to reduce risk to end users. The banks of the basins will be no steeper than a '1 in 3' gradient and are therefore not expected to be fenced.
- 6.93 The above accords with Local Plan policies ESD 6, ESD 7 and ESD 8, and NPPF Section 14, as well as OCC's 'Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire (2021)'.

#### **Ground Conditions / Geo-Environmental**

- 6.94 A Phase II Geo-Environmental Report accompanies this submission. This included desk-based research, intrusive investigation, laboratory testing and monitoring.
- 6.95 The document confirms that no elevated concentrations of contaminants were recorded at the site, with there being no identified risks to human health arising as a consequence. The report further establishes that the proposals give rise to no risk to controlled waters, nor are any ground gas protection measures identified
- 6.96 As noted previously, the presence of very shallow groundwater (typically within 1m of the surface) indicates that infiltration drainage will not be feasible. The report goes on to recommend specific construction methods owing to "*the cohesive nature of near-surface soils*", notably suspended ground floor slabs for all new structures.
- 6.97 The proposals are therefore judged to accord with Policy ESD 8 and Saved Policy ENV 12

#### **Ecology and Biodiversity**

- 6.98 An Ecological Appraisal accompanies this application, incorporating the findings of an extended Phase 1 Habitat Survey and subsequent protected species surveys.
- 6.99 The Appraisal confirms that there are no European or internationally designated sites within 5km of the site, or nationally or statutory designated sites within 2km of the site. The closest

designated sites are 'Wendlebury Meads' and 'Mansmoor Closes' Site of Specific Scientific Interest (SSSI), located 2.7km to the south.

- 6.100 A Phase 1 Habitat Survey identified that the two arable fields are of low intrinsic ecological value and are not Habitats of Principle Importance (HPIs) as defined by the NERC Act 2006. There are two small pockets of existing woodland within the site's boundary. The woodland located to the south east falls under the definition of Lowland Mixed Deciduous Woodland HPI. Further to this, there is a single stretch of species rich hedgerow present on the site which is proposed for retention within the Illustrative Masterplan.
- 6.101 Regarding protected species, the Phase 1 Habitat Survey identified no suitable breeding habitat within the site for Great Crested Newts on-site. There are two ponds located outside of the settlement boundary which were identified as having the potential to provide suitable breeding habitats for Great crested newts. However, further surveys confirmed the species is not present.
- 6.102 The site is assessed as being of 'Low Suitability' for foraging and commuting bats. Most of the site is also of 'Low Suitability' for roosting bats, apart from two trees which have 'Moderate Suitability'. The site's features were also identified as having potential to support dormouse and reptiles. However, subsequent surveys did not record the presence of these species.
- 6.103 In terms of other species, no badger setts were recorded within the site during the survey, although foraging may occur on the field margins and nearby wooded areas. Further to this, the site has suitability to support brown hare. However, due to the size of the site, it is unlikely that there is a significant population. Surveys identified the presence of breeding birds, including skylark and yellow wagtail.
- 6.104 The Appraisal confirms that the majority of the site supports habitats of low intrinsic value (i.e., intensively farmed arable land). Their loss is considered of negligible impact. However, the retention and protection of all boundary features (where possible) within the proposed development, will prevent any adverse effects on potential habitats and species present on the site.
- 6.105 Regarding opportunities for enhancement, the development proposals include large areas of mixed scrub, new meadows, attenuation basins (seeded with appropriate grass mixes) and community mosaic woodlands. These have been located in order to maximise connectivity with existing off-site habitats, such as the southern boundary of the western field. Further measures will be incorporated to provide habitats for birds.
- 6.106 The details of the habitat creation and management will be set out in a Landscape and Ecology Management Plan (LEMP) or similar document, secured by an appropriately worded planning condition.
- 6.107 A positive biodiversity net gain is comfortably achievable as outlined within the Ecology Report.

6.108 Overall, it is considered that the proposed approach accords with Policy ESD 10, as well as Section 15 of the NPPF, as well as all relevant environmental legislation.

### **Arboriculture**

6.109 A tree survey of existing trees has been undertaken and the application is supported by an AIA. This confirms there are no TPO trees on-site. However, along the boundaries of the site there are several high and moderate-quality mature trees.

6.110 The location of the trees allows for the retention of appropriate specimens within the scheme design. Limited tree and hedgerow removal will only be necessary to enable vehicular access from the north, and to facilitate the internal layout (specifically to connect the western and eastern fields). As indicated, significant levels of new planting and biodiversity enhancements are envisaged.

6.111 Overall, the proposed development will retain and protect all trees that contribute to the area's character and local distinctiveness. The scheme also incorporates significant tree planting, resulting in a net increase in tree numbers within the site. The proposals therefore comply with Policies ESD10, ESD13 and ESD15, and NPPF Section 15.

### **Heritage**

6.112 A Heritage Assessment (informed by an accompanying Archaeological Evaluation) is submitted in support of this application. The report considers the potential effects of the proposed development on the significance of any built heritage asset in the vicinity.

6.113 No designated or non-designated archaeological assets were identified within the study site and no statutory designations are located within or adjacent to the site boundary. The study site lies immediately south of the course of a Roman road however the site is considered to have low potential for significant remains.

6.114 On-site archaeological investigations were undertaken in accordance with a Written Scheme of Investigation, which was agreed with Oxfordshire County Archaeological Services. The accompanying 'Archaeological Evaluation' confirms that there are two areas of occupation in the south-west and north-west of the site, with the balance of the land being largely clear of archaeological remains.

6.115 Based on these findings, it is expected that a planning condition will be applied to any forthcoming planning permission, requiring mitigation (in the form of recording) should specified parts of the site be developed or used for tree planting. There are no archaeological remains that are required to remain in-situ or which could inhibit the proposed development.

6.116 Regarding above ground heritage, two Grade II\* listed buildings and seven Grade II listed buildings are located within 1km of the site (none are located on the site itself). The assessment further identified no non-designated built heritage assets sensitive to change by the proposed development.

6.117 Further to the above the following designated assets were identified as having potential to be affected by the proposed development:

- Chesterton Conservation Area immediately west of the site;
- Grade II\* Church of St Mary c. 300m north of the study site; and,
- Grade II Chesterton Lodge including forecourt balustrade immediately west c.170m east of the study site.

6.118 It was further concluded that the study site makes a very limited contribution to the setting of Grade II\* Church of St Mary and Grade II Chesterton Lodge.

6.119 The boundary of the Conservation Area is well screened by dense mature vegetation and no clear views of the built form within the Conservation Area was identified and any views to the north of the site are screened by new development within the Village.

6.120 To respond to the proximity of the Conservation Area to the site, it is envisioned that the proposed development will be limited to the western parcel to respect the setting of the Conservation Area ensuring that views towards or from the Conservation Area are not harmed.

6.121 The above demonstrates that the proposed development will accord with policy ESD 15 and the NPPF at Section 16.

### **Infrastructure: Education, Medical Services and Utilities**

#### Education

6.122 In terms of primary-level education, Chesterton CoE School falls within the Bicester South West Primary Area, as defined in the report 'Pupil Place Plan 2021' (published by Oxfordshire County Council). The catchment for the school incorporates the village and parts of the surrounding area. The report indicates that (as of 2020/21<sup>13</sup>) the school has a total capacity of 210 places across all years (Reception to Year 6), with 149 places filled. The school expanded to one form entry in 2020.

6.123 The next nearest primary school is St Edburg's CoE School, which is situated in the Kingsmere development to the east of Bicester. The school is identified as having a total capacity of 421 places, of which 370 were filled (as of 2020/21). However, it is further indicated that this school is to expand from two to three form entry in 2023. The Pupil Place Plan 2021 does not identify a need for additional primary schools within the Bicester South West Primary Area.

6.124 Regarding secondary-level provision, Bicester accommodates three secondary schools. These are the Bicester School (as merged with the Bicester Technology School), the Cooper School and Whitelands Academy, a new school which opened in 2020. The Heyford Park School (an 'all-through years' school) is also located within the Bicester Secondary Area.

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<sup>13</sup> The latest year for which published data is available.

This school is expected to expand to address local population growth at Upper Heyford.

- 6.125 New secondary level provision is anticipated to come forward within the North West Bicester development. However, the Pupil Place Plan suggests that it will take some years for the expansion in primary level places to feed into new secondary-level requirements. There is therefore sufficient secondary-level capacity in the area.
- 6.126 In addition to existing and planned state-school provision, the Bruern Abbey School to the east of the site provides specialist education for boys diagnosed with dyslexia, dyspraxia or other learning difficulties.
- 6.127 As the development involves the creation of new residential dwellings, it is anticipated that a financial contribution (secured through a S106 Agreement) may be sought by OCC, as the Local Education Authority.

#### Healthcare

- 6.128 Chesterton does not accommodate a GP surgery or dental practice. The nearest surgery is located at the Bicester Health Centre, within the west of the town. A large 'Health and Wellbeing Hub' is also to be erected within the Graven Hill development, which is situated to the south of Bicester. Both of these facilities are situated approximately 2.5km from the application site.
- 6.129 It should be noted that GP services within Bicester and surrounds have been consolidated into a smaller number of locations, in accordance with a new structure for primary care provision within the area. This reform has been led by the Oxfordshire Clinical Commissioning Group (OCCG).
- 6.130 At this stage, it is not known if the OCCG or the NHS Foundation Trust will request a contribution towards healthcare-related infrastructure. However, it is anticipated that CDC may consult either of these organisations, when considering the application.

#### Utilities

- 6.131 With regard to electricity, Scottish and Southern Electricity Networks (SSE) is the electricity supplier for the local area. Pre-application communications with this party have not identified issues concerning electrical load, nor a requirement for network reinforcement (capacity). However, confirmation of this will occur following any grant of planning permission and a subsequent formal feasibility study application. There may also be scope to realign or 'under-ground' the overhead line in the eastern field, although again this would be confirmed after any grant of outline planning permission. A requirement for three electricity sub-stations was identified, with these being depicting indicatively on the Illustrative Masterplan.
- 6.132 Regarding water supply, Thames Water (TW) is the potable water supplier for the local area. Asset plans provided by TW confirm that no existing infrastructure passes through the site and no diversion works are required. Once planning permission is granted, TW has an obligation to supply potable water to the development and take the necessary steps to



ensure that there is sufficient capacity in its network.

- 6.133 In terms of foul water, TW is the foul drainage undertaker for the area. TW have confirmed that they currently have sufficient sewerage capacity in the adjacent foul water sewer network to serve the development. TW has confirmed that proposed foul flows from the development can be discharged to the nearest existing manhole (SP5521811D), located on Vespasian Way. A foul water pumping station will be required to serve the development. The pumping station (and associated cordon sanitaire). The location of this facility is indicatively identified on the Illustrative Masterplan.
- 6.134 Noting the above, the proposals are judged to accord with Local Plan policies, BSC 9, ESD 8 and INF 1.

## 7. PLANNING OBLIGATIONS

### Draft Heads of Terms

7.1 This Section sets out the contributions that may be sought in respect of the proposed development. It is expected that the scope and nature of any contributions will be established during the determination period, taking account of responses provided by statutory consultees. However, at this stage we anticipate that contributions will be required for the following;

- Off-site highway works and other transport improvements;
- Contributions to public transport (to complement the obligations associated with the Great Wolf development);
- Travel Plan monitoring;
- Education contributions (both primary and secondary);
- Ongoing landscape maintenance;
- Contributions to support an Employment Skills Plan;
- Provision of parkland and sporting pitches; and
- Potential contributions to support the upgrading of the changing room building immediately to the north of the site (i.e., to address the new sports pitches envisaged within the application proposals).

7.2 The actual sum, triggers and precise wording for any contributions is to be agreed during the application process. However, all contributions must be substantiated and justified in the context of the NPPF and Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended).

### Affordable Housing

7.3 With respect to affordable housing, all such homes will be provided on-site, in accordance with adopted Local Plan policies (as applicable at the point of determination). The tenure mix will be agreed with CDC's Housing Team, taking account of input from a registered social landlord.

7.4 A Section 106 Agreement will be concluded before the planning application is formally determined. This will secure the provision of required infrastructure and set out schedules to govern future reserved matters submissions.

## 8. PLANNING BALANCE

- 8.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement that planning applications are to be determined in accordance with the Development Plan, unless other material considerations indicate otherwise.
- 8.2 As CDC cannot demonstrate a five-year housing land supply, the policies most important to the determination of the application (those relating to housing supply) are out-of-date and the tilted balance is engaged. This states that planning permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole.
- 8.3 The NPPF recognises a tripartite definition of sustainable development, which includes economic social and environmental dimensions. Below, it is explained how the application proposals at Land south of Green Lane contribute to the achieving of sustainable development, and provides benefits across these three elements.

### **Economic, Social and Environmental Benefits**

#### Economic Benefits

- 8.4 As indicated on the accompanying 'Economic Benefits Infographic', the proposals will give rise to the following beneficial economic outputs;
- Up to 147 new homes to meet the identified housing need and contribute to the vibrancy and vitality of the area, including 35% affordable homes;
  - Provision of temporary construction jobs, sustained over a 4-year build period;
  - Indirect jobs in the wider supply chain during the construction phase;
  - First occupation expenditure (i.e., monies spent by people to furnish and outfit their new homes);
  - Support local jobs resulting from increased expenditure within the local economy;
  - Support the new frequent bus service for Chesterton envisaged to be subsidised by Great Wolf resort; and,
  - An agreed financial contribution through S106 of agreed monies towards improving the local infrastructure.

#### Environmental Benefits

- 8.5 As set out in the various technical assessments that support this application, the proposals will generate a range of environmental benefits;
- New housing which is net zero carbon, exceeding current policy requirements;
  - Electric vehicle charging points for every dwelling;
  - A positive net biodiversity gain, exceeding current policy requirements;
  - New habitat areas to support a variety of species;
  - New planting around the boundary of the site and new habitat creation and;

- A high-quality and beautiful development, designed around extensive green spaces, which will contribute positively to the character of the settlement.

#### Social Benefits

8.6 With respect to societal benefits, the proposals will generate the following;

- Helping to meet the identified need for both market and affordable housing, in the context of a current and significant housing supply shortfall;
- Delivery of a range of type and tenures, which will facilitate mobility within the local housing markets. This will allow (for example) first time buyers to secure new homes, whilst older residents will be presented with opportunities to 'down size';
- The provision of a new parkland, which respond to local needs and which will incorporate recreational sports and playing fields, alongside a NEAP and a new car park via the new access road, to help cater for home sporting matches including football;
- Significant new areas of informal public open space, including new scrub and woodland areas, providing new scenic pedestrian routes through the site; A number of proposed homes that include home offices, to address the need for suitable home working environments;
- Highway improvements including a 20mph speed restriction to Green Lane, and,
- Financial contributions (Section 106) towards the provision of infrastructure within Chesterton.

## 9. SUMMARY AND CONCLUSIONS

9.1 This Planning Statement is submitted on behalf of Wates to support an outline planning application relating to Land South of Green Lane, Chesterton.

9.2 The proposed development comprises;

*“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)”*

9.3 The site is in a sustainable location adjacent to the settlement boundary of Chesterton, with access to a range of services and amenities within the settlement and at nearby Bicester. The proposals also meet the criteria set out in Policy Villages 2, which applies to development proposals at Category A Villages, given that this policy is out-of-date, owing to the lack of a 5YHLS.

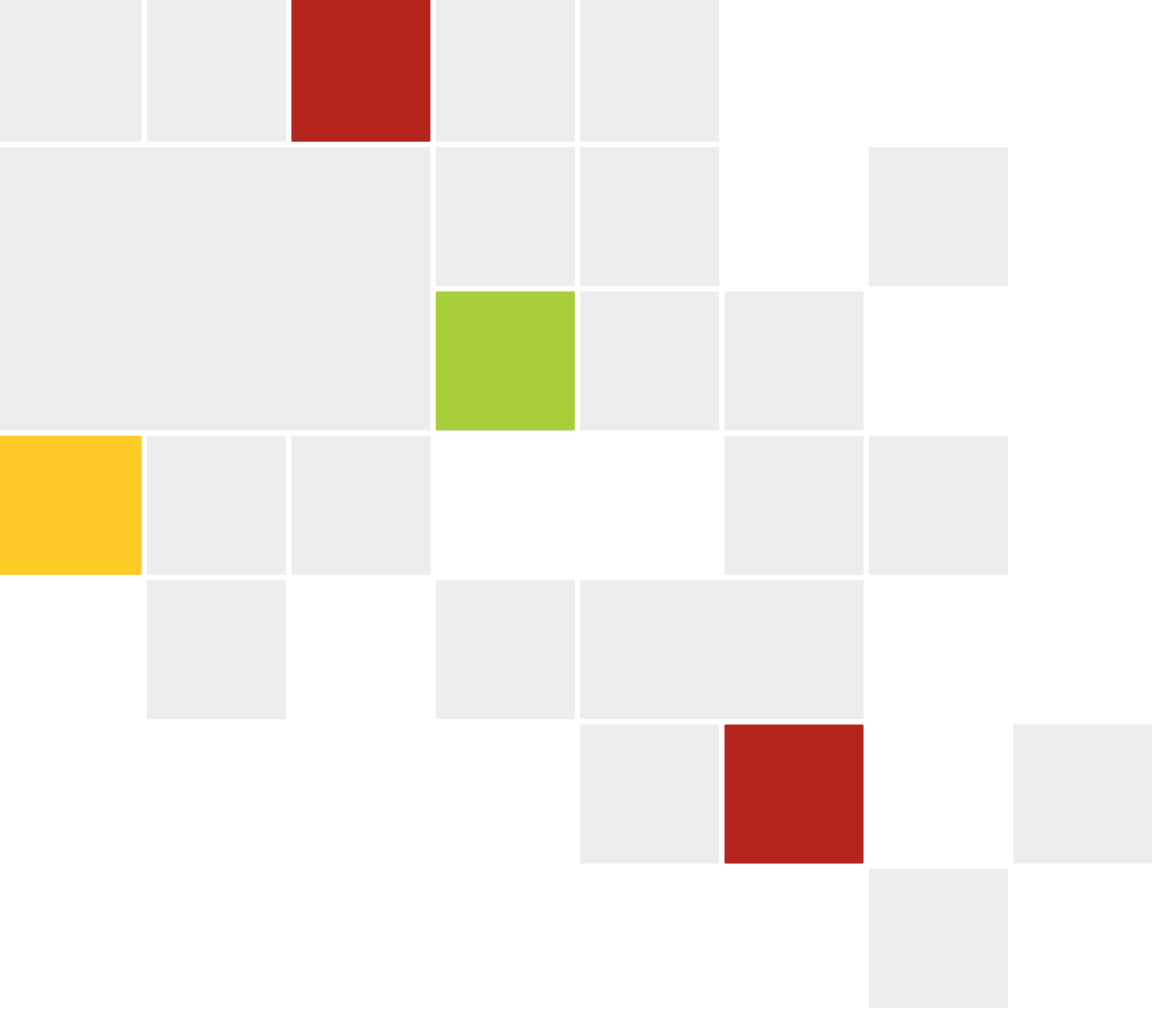
9.4 The proposed development has been subject to community engagement, including detailed discussions with Chesterton Parish Council, particularly concerning the proposed parkland and the associated flexible recreational and sports pitches and associated car parking. An on-site pre-application meeting was held with a senior officer in the Development Management Team, who indicated that the proposals would likely attract a recommendation for approval in the current context.

9.5 As explained, design matters have been carefully considered and the envisaged development provides an appropriate response to the site’s context, taking account of the identified characteristics of the settlement and surrounds. The Illustrative Masterplan and Illustrative Landscape Plan in particular demonstrate how the site could be developed appropriately, whilst the accompanying technical report indicate how all constraints can be suitably addressed.

9.6 A substantial number of benefits will be provided should the application be approved. The proposed park and sporting pitches respond directly to the needs of the village, as identified through discussions with local stakeholders. The new sporting and recreational amenities shall provide provisions not currently available to the village and will also help to address the needs of the popular and successful local football club as well as providing variety to the sports provision on offer to the local residents.

9.7 The park is provided alongside other areas open space, including within the residential development are. Overall, the proposals are characterised by well-integrated green corridors, landscaping and permeability, and significant environmental enhancements (including a positive biodiversity net gain). Likewise, in providing new zero-carbon dwellings the proposals go beyond adopted policy requirements and to CDC’s declared climate emergency.

- 9.8 New market and affordable homes provided at the site will help to address the current housing shortfall and support CDC in restoring its 5YHLS. Cherwell is also an area where housing unaffordability (for both market and affordable homes) is more severe than the national average. Housing has also become less affordable over time. In this context, the provision of new homes represents a very significant benefit in this context.
- 9.9 As CDC are currently unable to demonstrate a five-year supply of housing land, in accordance with Government requirements, the 'tilted balance' is engaged. The LPA are therefore required to determine whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole.
- 9.10 It has been demonstrated throughout this Planning Statement, and the suite of technical documents which support the submission, that the proposals would not result in any adverse impacts that would justify a refusal of the application. Furthermore, there are no specific policies within the NPPF that indicate the development should be restricted. Planning permission should therefore be granted without delay.
- 9.11 Overall, the proposed development comprises a suitable and sustainable development. In light of the planning benefits and the limited harm resulting from the proposed development, planning permission should be granted without delay. The planning application and proposals contained therein are therefore commended to CDC for due consideration.



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