

Andrew Thompson
Principal Planning Officer
Major Developments South Planning Team
Cherwell District Council
Bodicote House
Bodicote
Banbury
OX15 4AA

15th March 2023

Dear Mr Thompson,

**PLANNING APPLICATION REFERENCE 23/00173/OUT
LAND SOUTH OF GREEN LANE, CHESTERTON**

As residents of number 4 Flavian Close, Chesterton, we wish to strongly object to planning application reference 23/00173/OUT concerning the 'Outline planning application for up to 147 homes, public open space, flexible recreational playing field area and sports pitches with associated car parking, alongside landscaping, ecological enhancements, SuDs, green/blue and hard infrastructure, with vehicular and pedestrian/cycle accesses, and all associated works (all matters reserved except for means of access)' submitted to Cherwell District Council (CDC) and concerning land south of Green Lane, Chesterton ('the site').

We wish to highlight through this response that we have engaged with Wates Developments from an early stage in the process. Whilst they have continued to engage with us as neighbours of the site as part of the preparation of the planning application, our concerns have not been fully taken into consideration as part of this outline planning application. Given the close proximity of our property to the site, we remain concerned at the detrimental and irreversible impact that this development will have on our residential amenity. For reference, we attach a location plan of our property edged red at **Appendix A** of this letter.

Principle of Development

We acknowledge the need for housing growth in the District. However, the adopted spatial strategy set out in the CDC Local Plan 2011-2031 ('the Local Plan') sets out that development should be focussed within or immediately adjoining the main towns of Banbury and Bicester, followed by RAF Upper Heyford and Kidlington (paragraph A.10). The strategy states that 'growth across the rest of the District will be much more limited and will focus on meeting local community and business needs. It will be directed towards the larger and more sustainable villages within the district which offer a wider range of services and are well connected to major urban areas, particularly by public transport.' (Paragraph A.11).

Chesterton does not offer a wide range of services – it has a pub, a church, a primary school, a private preparatory and secondary school (Bruern Abbey), and a cricket/football pitch with a village hall; nor is it well connected by public transport – it has a one way, once-daily bus service (No.21 service, provided by Grayline, from Chesterton at 07:25 hours arriving in Bicester town centre at 07:55 hours), but residents are otherwise reliant on the private car to access amenities outside of the village and larger settlements such as Bicester that offer employment opportunities and public transport connections. The road into the village from the west (Green Lane) is relatively rural in that it is unmarked with grass verges either side and no pavement or safe

ability to cycle due to the narrow width and speed of the road. The road out of the village to the north (Alchester Road) adjoins the A4095 which is a busy and fast road which loses its pavements shortly after exiting the village, and is unsuitable for cyclists due to the speed and narrow width. Similarly, the road exiting the village to the south east also loses its pavements shortly past Bruern Abbey school, which prohibits pedestrian connectivity beyond the village. This is also a fast and narrow road which is unlikely to be a desirable route for the average cyclist.

There is, therefore, no ability to walk (and very limited ability to cycle) to or from Chesterton from higher order settlements such as Bicester where there is a greater range of services and facilities, as well as public transport connections such as bus and rail links. The proposed development does nothing to improve this situation and future residents will be as reliant on the private car as existing residents in the village. The illustrative masterplan supporting the planning application (drawing no. 1050 rev P2) shows indicative pedestrian and cycle access points in the north western and north eastern corners of the site, however, at the north-western corner there are no existing pedestrian or cycle links to connect to, and whilst the path at the north-eastern corner will adjoin the start of the village, it does not join a pavement or cycle link. Chesterton is therefore not a sustainable location for growth of the scale proposed, and the proposals conflict with CDC's Local Plan spatial strategy which directs growth to larger and more sustainable locations.

Moreover, Chesterton is classed as a Service Village under Local Plan Policy Villages 1 where proposals for residential development will be limited to 'minor development in addition to infilling and conversions.' The proposed development for up to 147 homes with a football pitch, four tennis courts, a basketball court, netball court, a neighbourhood equipped area of play plus parking and other associated infrastructure supporting the housing and sports provision cannot be described as 'minor development, infilling or conversion' and the proposals clearly conflict with this policy. There are more sustainable locations for growth in the District where new housing should be directed.

Layout and Urban Design

Impact on Residential Amenity

The layout proposed shows built development in the form of housing, a large play area, road infrastructure and parking close to the rear of properties on Flavian Close and Vespasian Way. The addition of built form so close to the rear of these properties presents significant concerns in terms of neighbour amenity and loss of privacy, which we elaborate on, below.

During the pre-application stages, the Applicant shared a layout of a lower density development which was more sensitively designed to respect the existing properties of Flavian Close and Vespasian Way, in that housing was set back from the rear boundaries of those properties, and the area now proposed for pitches previously showed proposed dwellings set back from the boundary. A further iteration of the layout at the pre-application stage introduced sports pitches where they are now shown on the illustrative masterplan supporting the planning application, albeit no road or parking area was shown linking to the sports pitches. Instead, the arrangement included two indicative footpaths to enable new residents to walk from the housing area to the area of pitches: one (too close to the existing boundary of Flavian Close/Vespasian Way) would have resulted in existing hedge removal, and one in the south eastern corner of the proposed housing, utilising an existing gap in the hedgerow. The inclusion of a footpath created a much more informal feel to the pitches, whereas they are now presented as a formal facility with parking and an access road situated at the back of a proposed (and existing) housing development. This is an entirely inappropriate location for a multi-sport facility of this nature.

The track and sports pitches parking area now proposed on the current masterplan gives rise to significant amenity concerns for residents of Flavian Close and Vespasian Way whose rear gardens face onto the development. The track itself is very close to those properties' boundaries and the daily movement of cars – particularly large volumes of vehicles associated with the use of the football pitch and sports courts on weekends and match days, which will inevitably lead to overspill parking along the track – will create disturbance for existing residents in the form of noise, dust and headlights from cars, as well as noise and lighting impacts from the use of the sports pitches. The noise will be amplified by the prevailing wind direction and also at night time particularly in winter when vegetation along the boundary adjacent to the parking is sparse, and lighting associated with car headlights and potentially floodlights for the sports pitches will spill onto the adjacent properties on dark nights. The images at **Appendix B** are views from the rear of 4 Flavian Close at night time and show the darkness of the landscape, undisturbed by any light pollution. The proposals and the resultant levels of light pollution are entirely at odds with Local Plan Policy ESD14 states that new development proposals should, inter alia:

- *'Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space; and*
- *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'*

This sentiment is echoed by the National Planning Policy Framework (NPPF) which sets out at paragraph 130 that *'planning policies and decisions should ensure that developments: a) add to the overall quality of the area; and f) create a high standard of amenity for existing and future residents'* and again at paragraph 185, that *'planning policies and decisions should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life; and c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.'*

The enclosed image (**Appendix C**) shows the view from the back garden of number 4 Flavian Close (although the situation is the same for neighbouring properties of Vespasian Way backing onto the development) and demonstrates how close this proposed track and parking area will be to existing back gardens. It is clear that this proximity will result in irreversible harm to existing residents' amenity. It seems entirely unjust that existing residents will suffer from the impacts associated with the introduction of the track and sports pitches, whereas future residents in the proposed development are set sufficiently far back and adjacent to open fields to not be affected.

The impact on existing residents could be significantly lessened by removing the road/track and parking area altogether. However, if it is deemed that both are required to serve the pitches (and if it is deemed that the pitches are required at all), a more suitable solution would be to expand the existing parking area south of the existing cricket/football pitches and community centre, which is set away from existing properties, and to bring an access road in from the road to the east of the existing playing fields where a spur into the field already exists. The plan and photograph at **Appendix D** illustrates how a potential access could be achieved from an existing spur from the road, utilising the existing gap in the hedgerow and the informal track into the field. Subject to necessary speed surveys confirming the low speed of vehicles turning this corner, this presents a far more logical solution than bringing volumes of cars through a convoluted road in a new housing estate, at the detriment of existing and future residents, to access pitches situated at the rear of a development; and utilises a car park which already exists and could potentially be expanded.

In addition to removing or relocating the access track and parking area, the layout could be improved by reinstating one of the two footpaths shown on earlier iterations of the layout, which spurs from the south-

eastern corner of the housing and heads eastwards towards the area of pitches. This arrangement would create more of a buffer between the rear boundaries of Flavian Close/Vespasian Way properties and the proposed built form, and would avoid the removal of existing vegetation. The impact could be further lessened by reinforcing the existing hedgerow along the rear boundaries of the Flavian Close and Vespasian Way properties backing onto the development and adding a landscaped buffer which sets any built development further back from existing dwellings and their gardens. The images in **Appendix C** show the existing hedgerow at the rear of these properties, when viewed from 4 Flavian Close.

Need for Sports Pitches

Notwithstanding the suggestions above, we question the need for additional sports pitch provision in Chesterton. The Bicester Sports Association (BSA) has planning permission to expand its facilities in Chesterton to provide a 'multi-sports centre' comprising new pitches for football, rugby and cricket and as part of that permission, financial contributions have been secured for the Town Council towards Whitelands Farm Sports Ground, located off Vendee Drive between Chesterton and Bicester. The details of the existing site and the consented scheme, not more than 10m from the western boundary of the site are shown at **Appendix E**.

Local Plan Policy Villages 4 deals with Meeting the Need for Open Space, Sport and Recreation and is in place to direct sports pitch provision to areas of the District where deficiencies and demands have been identified by the CDC 'Playing Pitch Strategy and Green Space Strategy' and 'Open Space Update'. Local Plan Policy BSC 10 works alongside this to ensure that *'sufficient quantity and quality of, and convenient access to open space, sport and recreation provision is secured'* and states that that new improved provision will be guided by the Council's evidence base.

The existing Local Plan evidence base – which sets out the pitch requirements to meet needs to 2026 - focusses on pitch need in Kidlington, as well as identifying needs in Adderbury, Bloxham and Bodicote, Cropredy, Gosford and Water Eaton, Kirtlington, Launton, Otmoor and Yarnton. As part of the emerging Local Plan evidence base, draft documents concerning pitch need and provision requirements in the district up to 2040 (the Cherwell Sports Studies report dated 7th November 2022 and Appendix 1 on the Summary of Key Findings) identify that in the 'Bicester Rural' area, there is currently a limited shortfall in youth football pitches (11 and 9 years) and that there will be an additional demand for 1 adult football pitch and 1 mini 5-a side pitch when projecting demand in the 'Bicester Rural' area to 2040. The report does not specify the area covered by 'Bicester Rural', however, if it taken to include the villages outside Bicester such as Chesterton, the permitted expansion of the BSA will more than adequately cover the provision required in this area. The sports pitches proposed as part of this planning application will clearly be surplus to requirement.

Biodiversity

As existing residents backing directly onto the site, we are well aware of its existing biodiversity which will be lost through the proposed development. This is rich biodiversity which cannot be translocated or offset merely through an off-site payment to satisfy Biodiversity Net Gain requirements. The photographs at **Appendix F** show the density of the existing mature hedgerow at the rear of our property, and the triangular area of land beyond our fence (see **Appendix C** and land edged red) which we understand is set aside for the purpose of the enhancement of biodiversity, contains thick vegetation and is frequented on a regular basis by wildlife such as birds and deer, and will be lost through the current proposals. This triangle of land has wider benefits in terms of the vegetative buffer that it provides for existing residents, but its ecological status should not be overlooked, particularly in the context of Local Plan Policy ESD10 which clearly states:

- *'Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site.'*

The further photographs at **Appendix G** demonstrate the extent of deer and migrating geese (which is an annual occurrence) in the existing fields where development is proposed.

In the context of Local Plan Policy ESD10, it cannot be argued that there are benefits associated with the proposed development that clearly outweigh the harm that would be caused to biodiversity, particularly when bearing in mind that the sports pitches proposed will be surplus to requirement in the context of the expansion of the BSA and the Council's emerging evidence base regarding pitch need in the District. Taking the pitches out of the proposals, we are left with a development of up to 147 homes in an unsustainable location, which offers no additional benefits to existing or future residents of Chesterton, and conflicts with the Local Plan's spatial strategy for growth in the District.

Summary

We therefore wish to strongly object to this planning application for the reasons set out above and we respectfully request that this planning application is refused.

Yours sincerely

Mr and Mrs N Hardcastle
Residents of 4 Flavian Close

Enc:

- Appendix A: 4 Flavian Close Location Plan
- Appendix B: Images of dark night skies at 4 Flavian Close
- Appendix C: Images of rear of 4 Flavian Close
- Appendix D: Alternative Access Proposal into site
- Appendix E: Bicester Sports Association expansion
- Appendix F: Images of existing hedgerow behind Flavian Close/Vespasian Way
- Appendix G: Images of biodiversity on application site (behind Flavian Close/Vespasian Way)

APPENDIX A

4 Flavian Close, Chesterton



APPENDIX B

APPENDIX B

The following photographs show the darkness of the night sky from the rear 4 Flavian Close.



APPENDIX C

APPENDIX C

Photographs 1-2 below show the view from the back garden of 4 Flavian Close and the proximity to the proposed track and parking area.



Photograph 1



Photograph 2 (marked image shared with Wates)

APPENDIX C

The images below show the close proximity of the proposed car park and its access road to the rear of 4 Flavian Close neighbors off Vespasian Way backing onto the development



Marked-up version of earlier plan, above, shared with Wates.

APPENDIX C

Photographs 3 - 6 show the view of the proposed development site from upstairs bedrooms at 4 Flavian Close and the potential impact on residential amenity.



Photograph 3



Photograph 4

APPENDIX C



Photograph 5



Photograph 6

APPENDIX D

APPENDIX D

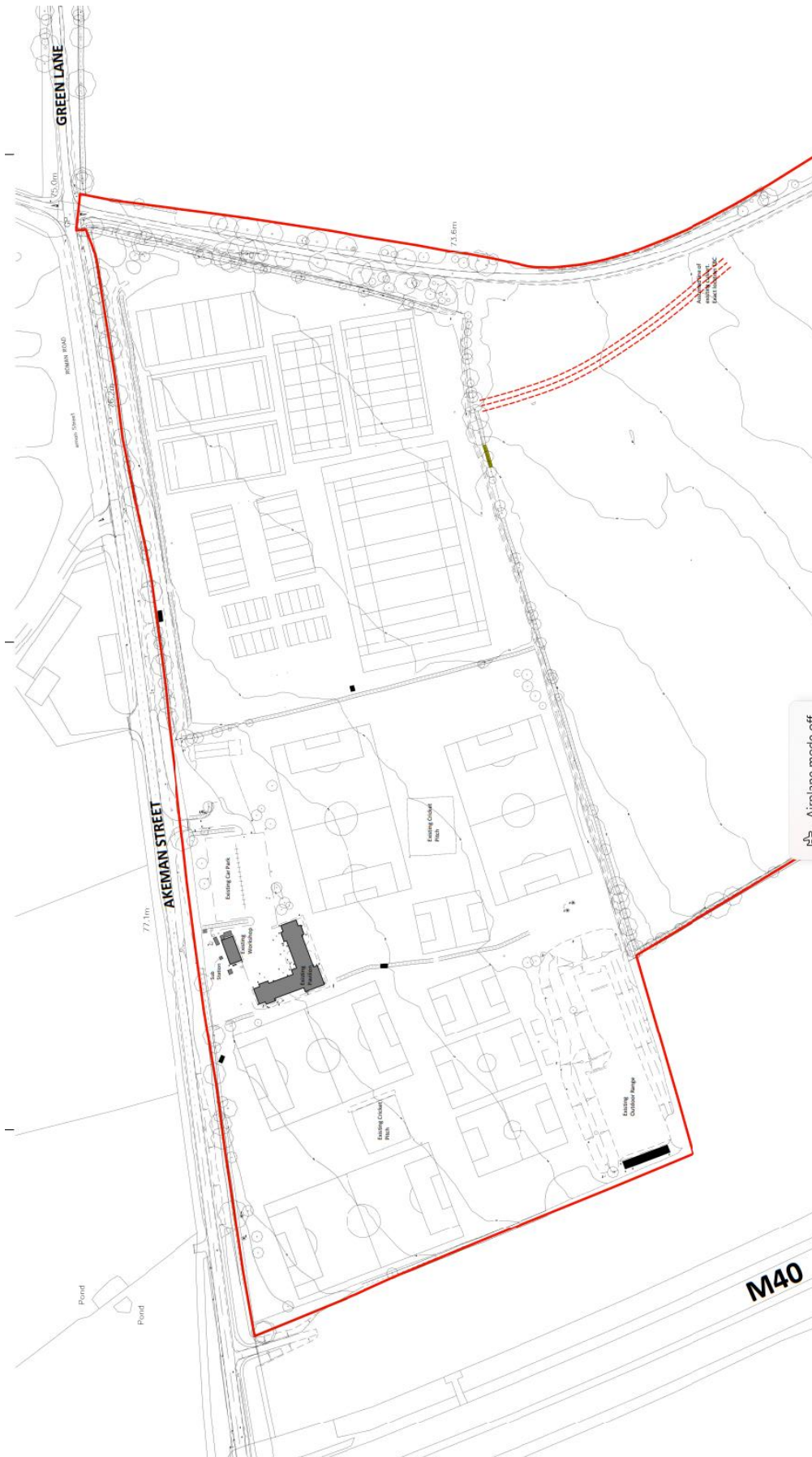


Photographs above/below showing existing spur off road into field of proposed sports pitches.



APPENDIX E

APPENDIX E



Bicester Sports Association (BSA) – Existing Sport Pitches

– Existing Sport Pitches



Bicester Sports Association (BSA) – Consented Expansion of Sports Pitches

APPENDIX F

APPENDIX F

The following photographs show the density of the existing hedgerow at the rear of our property and 'the triangular area of land' set aside for ecology and biodiversity enhancement



APPENDIX F



APPENDIX F



APPENDIX G

APPENDIX G

The following photographs show the Deer and Geese that frequent the application area



APPENDIX G

