



The countryside charity
Oxfordshire

Campaigning to protect our rural county

Andrew Thompson
Cherwell District Council
Bodicote House, Bodicote
Banbury
Oxon
OX15 4AA

17 March 2023

Dear Mr Thompson

Ref : 23/00173/OUT Outline Application for residential development of up to 147 dwellings on land South of Green Lane Chesterton

CPRE strongly objects to this development which is not on an allocated site in the development plan. Chesterton has recently been subject to a number of planning applications none of which were on allocated sites. Two of these applications (the Great Wolf development and Chesterton Sports Ground expansion) were initially refused only to be approved on appeal. These developments are principally for the benefit of those who do not reside in Chesterton and CPRE are disappointed that the currently approved local plan is not able to deliver developments that are meeting a local need as recognised by local residents. This planning application is speculative in nature and appears to have been developed on the basis that Cherwell is not meeting its housing delivery target

Five Year Housing Delivery Target

It is CPRE's contention that this development, if approved, will lead to an unacceptable overdevelopment of the village. Since the applicant submitted their application, CPRE has become aware that Cherwell District Council have declared that they have a 5 year housing land supply. This means that the presumption from the National Planning Policy Framework (NPPF) in favour of sustainable development, which renders Cherwell's housing supply policies as out of date, no longer applies in this instance. Given that Cherwell has demonstrated that it has met its five year land target, this should not be a material consideration in the determination of this planning application.

Community Involvement

CPRE is concerned at the way the findings of the applicant's planning consultation exercise were presented in their Planning Statement. It would have been helpful had the applicant taken the opportunity to summarise the results of the returned questionnaires by way of a table in their Planning Statement and demonstrate that their application has been meaningfully adjusted to take account findings from the consultation exercise. This perhaps was perhaps not entirely surprising as the main finding from questionnaire responses was that Chesterton did not have the necessary size or range of services and facilities to support the development as it is currently proposed.

The applicant dropped the originally planned total of 150 houses by three. It is not clear on the rationale behind this small reduction. The planned development, as it stands, is still greater than any of the recent housing developments within the village.

CPRE Cherwell District
c/o CPRE Oxfordshire
20 High Street
Watlington
Oxfordshire OX49 5PY

Tel: 01491 612079
campaign@cpreoxon.org.uk
cpreoxon.org.uk



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Local Plan Policy Village 1 states that only minor development or infilling should be considered as suitable for development within a category A village such as Chesterton. It goes on to state that small scale developments should be within the built up area of the village. CPRE would contend that this development is situated out in the countryside and outside of the built up limits of the village. CPRE would also contend that this is not a minor development as it is significantly larger than any previous housing developments and therefore cannot be construed as minor development in relation to the size of the village. If approved this development could result in an increase in Chesterton's resident population by up to a third

One of the other main concerns expressed in the questionnaires was the safety of walking and cycling routes both within Chesterton and to Bicester. It is disappointing that the applicant has not sought to report this and state whether they agree with this contention and if they do what action(s) they will take to remedy this. CPRE will expand on this further in this letter.

Environmental Impact Assessment

CPRE queries why this application was not accompanied by an environmental impact assessment (EIA). CPRE challenges the stated assumption in the applicant's Planning Statement (para 3.22) that the development would not be subject to any significant environmental effects. Even though the Council had not responded to the applicant's screening request, the applicant could have submitted an EIA voluntarily.

The Berkshire, Buckinghamshire and Oxfordshire (BBOWT), in their excellent screening request response, rightly point out that an EIA should evaluate the environmental impacts not only on the development site itself but the cumulative impacts of other plans and projects. The impacts of this development therefore need to be considered along with the impacts of other neighboring developments such as Great Wolf, the Chesterton Sports Ground expansion and the Siemens development. There are also other developments close by such as Bicester Gateway and developments along Howes Lane, Bicester. CPRE believes that this development, along with others, has the potential to cause a number of environmental impacts on air quality, noise and vibration and light pollution as well as potential impacts on flooding and sewage, both at a construction and operational phase of the development. CPRE would contend that consultees have not had the opportunity properly to challenge the applicant's response to environmental challenges as part of the consultation process.

CPRE consider below the applicant's development against the criteria set out in Local Plan Policy Village 2 for development of housing in villages:

The development is well located to services and facilities

CPRE contends that the proposed development is not well located to services and facilities. The nearest bus stops and village centre with main facilities are 1km away, based on existing pedestrian routes, which is twice the recommended walking distance as recommended by the Chartered Institution of Highways and Transportation (CIHT). The applicant has suggested that a direct and more convenient route will be provided as part of the development but CPRE cannot see any detail on this and therefore it is difficult to determine the extent to which this reduces the walking distance to bus stops and the village centre. In the absence of a satisfactory walking distance, that fits within the recommended guidelines proposed by CIHT, CPRE does not believe that the option of an infrequent bus service to, for example, the nearest main settlement in Bicester, is a sufficiently attractive travel option to using a motor vehicle and questions the extent to which the site can be made suitable for sustainable travel options.

Whilst Chesterton has a small pub, the village only has a limited range of services and facilities. The village does not have a local shop, hairdressers, a garage that dispenses fuel,



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a secondary school, a GP practice or a Post Office. Residents would be required to travel to Bicester if they want to access any of these services.

The development does not avoid use of best and most versatile agricultural land

The Applicant's analysis of composition of land indicates that the site is graded 3A which falls within the definition of best and most versatile. Therefore CPRE concludes that the development does not avoid the use of best and most versatile land. Para 174 in the NPPF encourages decision makers to recognise the economic and other benefits of best and most versatile land. CPRE is concerned that arable land that is 3A is being developed for housing given the national imperative to ensure future food security.

The development should utilise land previously used or of less environmental value

The proposed development cannot demonstrate that it will utilise either previously developed land or a brownfield site. The applicant's contention that there are no other previously developed sites in Chesterton is irrelevant in the context of this policy as the stated intention of the existing plan is to protect characterful villages such as Chesterton and promote development in urban centres, or on brownfield sites, that have been previously developed. The proposed development will be on a site that meets the NPPF definition of best and most versatile land.

The Development does not avoid significant landscape impacts

This development is situated within an agricultural setting overlooking open countryside. CPRE believes that if the proposed development proceeds, there will be an adverse impact on landscape. It will take time for the proposed mitigation of tree and hedges to provide the proposed screening of the site, even if one accepts that this will adequately mitigate the impacts of the landscape development in the medium, so there will be significant impacts in the short to medium term. CPRE believes that the contention of the applicant that there will be beneficial views for residential receptors in 15 year's time is somewhat optimistic.

CPRE believes that any proposed development on this site should be able to blend in with its setting and in this case the prevailing features are fields bounded by trees and hedges. Whilst the proposed biodiversity offering of the applicant may propose improved grassland and associated wildflower meadows, is this consistent with the current features of the site and its setting. CPRE contends that this development represents an unacceptable urbanisation of this part of Chesterton which will be exacerbated by increased traffic, dark skies and decreased air quality.

A further consideration is that the proposed development abuts Chesterton Conservation Area. Para B255 of the current development plan states that development proposals adjacent to conservation areas in villages should preserve their character and appearance as per ESD15. CPRE believes that allowing development of this scale next to a conservation area will have an inevitable impact on how the area looks and feels. This is further mentioned in Bicester Policy 3 where developments should respect the setting of Chesterton Conservation Area and the wider landscape area.



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The Development does not demonstrate that it would not have an adverse impact on flood risk

CPRE contends that the applicant has not sufficiently demonstrated that the development would not have an adverse impact on the risk of flooding in Chesterton and its environs. A number of responses to this application have cited ongoing flooding and sewage issues in Chesterton and the concern that this development, along with other proposed developments, will make an already unsatisfactory situation worse. The applicant has acknowledged in their planning statement that there is a risk of ground water flooding in lower lying areas of the site.

The Development does not demonstrate that it would avoid adverse impacts on wildlife

The applicant states that there will not be an adverse impact on wildlife assets and heritage. Local Plan Policy ESD 10 and NPPF para 174 require developments to demonstrate a biodiversity gain and there is an additional requirement from Cherwell District Council for developments to provide a 10% biodiversity gain. Having reviewed the applicant's biodiversity calculation, CPRE is concerned as to whether medium distinctive and moderate condition other neutral grassland can be achieved within 5 years for the 15.09 hectares site. CPRE believes that an assessment of the deliverability of the applicant's plan for the enhancement of the site's biodiversity could be better assessed by consultees if a landscape management plan was available to review. It would take only a minor shift in the categorisation of other neutral grassland to take it below the required 10% gain in biodiversity.

CPRE is concerned that a number of planning applications often make claims for biodiversity gains, particularly around the creation of moderate or good other neutral grassland within 5 years. These claims are often not supported by how this will be achieved and managed which would be evidenced by an accompanying landscape management plan. It is questionable whether this level of quality of grassland is achievable within the planned timescale from arable land which would have been heavily cultivated and fertilised.

CPRE is aware of a completed housing development in Chesterton where the claimed for gains in biodiversity have not seemingly materialised. The management regime for enhanced grassland will be significantly different from domestic lawn maintenance requiring the use of appropriately qualified professionals. It is not clear from the planning application where the ultimate responsibility for land management lies and who pays for this

CPRE believes that the suggested applicant's biodiversity enhancement of improved grassland is somewhat incongruent with what is a predominantly agrarian landscape. The current landscape attracts a number of farmland birds, some of which already are red listed. Skylarks and yellow wagtails that are red listed have been identified as resident on site. Defra guidance states that planning authorities should aim to provide habitat in areas where species naturally live. The applicant states in their ecological statement that on site habitat will not be suitable for skylarks and yellow wagtails. The fact that it may prove suitable for other species of birds, as claimed by the applicant, is irrelevant here. As per the BBOWT screening letter, off site compensation should be identified by the applicant to ensure that there would be habitat to maintain the same levels of population. CPRE were not able to identify any offer of off site compensation in the applicant's ecological statement.

CPRE cannot find any evidence that the developer has carried out a survey on the presence of the brown hairstreak butterfly as per para B237 of the current approved development plan despite there being suitable on site habitat. Para B237 also states that a development site should consider its suitability as a wildlife corridor and the contribution that it makes to



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ecological networks. CPRE can find no evidence that this has been considered in either developer's planning statement or their ecological statement.

The development does not provide the necessary infrastructure required

The proposed development of 147 houses is a major development for Chesterton with the potential to increase the existing population by potentially up to a third. One of the prevailing themes both at the pre consultation stage and in response to this application is whether the current infrastructure is good enough to meet the demands being placed on it, not only by this development, but others such as Great Wolf and the sports development in Akeman Street.

Chesterton does not have extensive pedestrian footways within the village or lighting. This is health and safety risk and is a deterrent to residents who want to use active travel options such as walking and cycling. Notwithstanding the applicant's dubious claim that Chesterton is a convenient distance for walking and cycling to Bicester, there is a lack of properly lit and adopted footpath and cycle routes between Chesterton and Bicester that are attractive enough alternatives to the motor car.

In addition to failing to meet the criteria outlined in Village Policy 2 CPRE contends that the development fails to meet the development plan in other respects.

Mitigating and adapting to Climate Change

The applicant's planning statement provides minimal reference to the mitigation and adaption to climate change. CPRE cannot see any evidence that the development will be built to a BREEAM very good standard using sustainable construction methods as per local plan policy ESD3. It is unclear as to what heating systems will be utilised and whether this development is considering use of combined heat and power systems, as required by local plan policy ESD4, and/or whether consideration has been giving to installing solar panels on property roofs.

A strategic objective of the current Cherwell development plan (para SO12) is to focus development in Cherwell's sustainable locations. As explained earlier it is CPRE's contention that because of this development's distance from facilities and services, this development is not well sited to reduce dependency on the private car as outlined in the development plan para SO 13. The District's climate emergency framework has as its central objective a zero carbon Cherwell by 2030 and one of its aims is to increasingly deprioritise journeys by single occupancy private car.

Conclusion

CPRE strongly objects to this housing development proposal. The proposed development is not an allocated development in the local plan and if approved would add to other recently unallocated developments in Chesterton and its environs. CPRE believe that the applicant has failed to address many of the concerns which were raised following the consultation meeting such as distance from services and facilities and infrastructure. Given the ongoing issues that residents are experiencing with flooding and the further impacts that this development will have on village infrastructure, CPRE would have expected an environmental impact assessment to accompany this application which hopefully would have highlighted some of these issues and the mitigations that would be put in place to address these concerns.

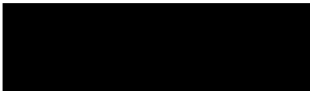


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The development does not appear to be meeting an existing need within the village nor is it required to meet any housing supply shortfall in Cherwell as the Council has announced that it now has adequate housing land supply. Measured against the requirements for housing development set in Local Plan Village Policy 2, CPRE believes that the development fails to meet this criteria. CPRE therefore contends that any benefits from this development will be more than outweighed by the harm that it will create and that this application should therefore be refused.

Yours sincerely



Nick Dolden

N Dolden
CPRE, Cherwell District

Copies to: Robin Oliver, Chairman Cherwell District CPRE
Helen Marshall, CPRE Director