

**TOWN AND COUNTRY  
PLANNING ACT 1990**

**PLANNING AND COMPULSORY  
PURCHASE ACT 2004**

**PLANNING ACT 2008**

**PLANNING APPLICATION ON BEHALF  
OF:**

**Richborough Estates**

**Proposed Residential Development  
at Land West of Fringford Road,  
Caversfield**

**PLANNING STATEMENT  
(INCLUDING AFFORDABLE  
HOUSING STATEMENT AND  
STATEMENT OF COMMUNITY  
INVOLVEMENT)**

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# 1. INTRODUCTION

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## Introduction

- 1.1 Richborough ("Richborough" / "The Applicant") are seeking to bring forward the development of land to the west of Fringford Road and north of Aunt Ems Lane, Caversfield ("the Site"). A planning application is being submitted by Richborough to develop the Site for residential use ("the Proposed Development"). This will see the delivery of up to 99 new dwellings on the Site.
- 1.2 Richborough have instructed Planning Prospects Ltd ("PPL") to assist with the application. PPL are responsible for this Planning Statement and also for working with the consultant team to help assemble the supporting documents.
- 1.3 The submission comprises an outline planning application for residential development with all matters reserved save for access. This means that at this stage agreement is sought for the principle of the proposed residential development as well as details of its access. Other details of the scheme – in terms of its layout, appearance, landscaping and scale – will be determined later via separate reserved matters submissions. This Planning Statement has been prepared in support of the planning application on this basis.

## Engagement

- 1.4 The Proposed Development has been informed by a program of pre-application engagement with stakeholders. The principal activities in this regard have included a formal pre-application process with officers, engagement with the Parish Council, and discussions with key consultees. This process is discussed in Section 2 and the Statement of Community Involvement provided in Appendix C.

## Content

- 1.5 The submission includes a comprehensive suite of supporting information. This is listed in the schedule provided in the application covering letter and reflects the scope of the application discussed with officers at the pre-application stage.
- 1.6 This supporting Planning Statement sets out the relevant background to the determination of the application by describing the Site and general locality, considering the planning history, and providing details of the Proposed Development. The Statement goes on to review planning policy and then the principle of development having regard to factors including the adequacy locally of housing land supply. It assesses the appropriate planning considerations relevant to the Proposed Development having regard to the provisions of the Development Plan, and in relation to all other material considerations. It

provides an overview of the wider technical information submitted in support of the application, the benefits of the scheme, and matters around conditions and the requirement for a legal agreement, before setting out conclusions.

### **Environmental Impact Assessment**

- 1.7 The Proposed Development has not been subject to Environmental Impact Assessment (EIA) and as such the application does not include an Environmental Statement. Previous proposals for more extensive development of the Site (discussed in Section 2) were screened and found not to constitute EIA development. It is assumed that the Council will reach the same conclusion through the validation of the current application for more modest development.
- 1.8 The application is nevertheless still supported by a comprehensive range of supporting technical documents which assesses the environmental implications associated with the Proposed Development to ensure that it can be accommodated on the Site without any undue environmental harm. Recommendations for mitigation made through this material can be secured via condition as appropriate.

### **The Applicant**

- 1.9 The planning application is submitted by Richborough. Richborough are based in Birmingham and operate across England and Wales. They work with landowners to help promote sites for development. Richborough have a good track record in Cherwell, including in terms of ensuring the rapid delivery of development, for example having sold for development the site they secured planning permission for at Lawton<sup>1</sup> on the day the S106 was completed. The Proposed Development is viewed by Richborough to be a high quality, sustainable proposal. Richborough are committed to progressing the Proposed Development and enabling its delivery promptly upon planning permission being granted so that new homes can be provided here as soon as possible.

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<sup>1</sup> Application reference 21/04112/OUT for 'Outline application for the erection of up to 65 dwellings, including up to 8 live-work dwellings (use class sui generis), public open space, access, infrastructure and demolition of existing buildings (all matters reserved except principle means of access from Station Road)' allowed at Appeal in April 2022.

## 2. THE SITE AND SURROUNDING AREA

### The Site

- 2.1 The Site is located on the western edge of Caversfield. The Site comprises about 7ha of agricultural grade 3b land. The topography is relatively flat.



- 2.2 The Site forms a roughly rectangle parcel of land. The Site is composed mainly of grassland. A farmhouse and equine buildings occupy part of the Site. The Site has existing access from both Fringford Road and Aunt Ems Lane.
- 2.3 The Site is bounded by mature woodland to the west and north east. Mature hedgerows line the eastern and southern boundaries, which abut Fringford Road and Aunt Ems Lane respectively, with the exception of the south-eastern corner which runs behind the back gardens of the four houses on Fringford Road. The northern boundary is fenced.
- 2.4 An existing right of way runs through the Site from Fringford Road (opposite Skimmingdish Lane) in a north westerly direction off-site towards a Public Right Of Way which runs east-west a few hundred metres north of the Site.

- 2.5 Beyond the Site boundary to the north is an expanse of open fields, and to the east is the village of Caversfield. To the south is an open field, whilst the new Eco-town is under construction a short distance to the west of the Site.

### **The Surrounding Area**

- 2.6 Caversfield is located about 2.4km to the north of Bicester town centre and 0.4km to the north of Bicester's urban edge, within a parish with a population of 2,214 (as at the 2021 census).
- 2.7 The settlement edge beyond Fringford Road is semi-rural in character and comprised typically of detached dwellings set back from the road within substantial plots. The rest of the village is typified by 20<sup>th</sup> Century estate type housing, particularly cul-de-sacs, and military accommodation. The ongoing implementation of the Eco-town development to the north-west of the Site has evolved the character of the area; the surrounding area is now made up of a mixture of older and new housing.
- 2.8 Shops, services and other facilities are concentrated in the northern part of Bicester a short distance to the south of the Site, and increasingly in the growing Eco-town a short distance to the west. The close proximity of the site to the Bicester North West Eco Town development means that as that strategic development is built out, the proposed site at Caversfield will benefit from access to further local facilities constructed as part of the development<sup>2</sup>.
- 2.9 The Site falls outside any settlement boundary and so (as with all such locations in Cherwell) is located in the open countryside. It is well related, indeed immediately adjacent, to Caversfield, and development here will read as an expansion of that settlement. The Site is physically separate and clearly distinct from both Bicester and the Eco-town, but the geography here is such that these elements are well related to one another. The Site's position means that it benefits from good access to both Bicester and the Eco-town, and their associated facilities, services and employment opportunities.

### **Site Opportunities and Constraints**

- 2.10 The Site is located just outside the defined settlement boundary. The Site is well related to the existing settlement, and benefits from existing accesses.
- 2.11 Caversfield is a modestly sized village and is close and well related to services and facilities, which would support a development of this scale.

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<sup>2</sup> As set out in section 2.18 of the accompanying Transport Assessment.

- 2.12 The Site is located in a low-risk flood zone (within Flood Zone 1 as defined by the Environment Agency Flood Risk Map for Planning). There is an area of Flood Zone 3 and 2 to the north-west of, but entirely outside and separated from, the Site.
- 2.13 The Site is free from any statutory land, habitat, heritage or indeed any other designations. There are two listed buildings within the surrounding area of the Site. Home Farmhouse (Grade II Listed Building) is located c.125m to the south-west and the Church of St Laurence (Grade II\* Listed Building) is located c.180m to the north-west. Both assets are beyond intervening hedgerows and existing buildings, which will remain in situ. There is also a Conservation Area to the east of the site beyond Fringford Road.
- 2.14 In this context there are no notable constraints to the development of the Site. It is readily deliverable for residential development.

### **Planning History**

#### *The Site*

- 2.15 A Screening Opinion (ref. 13/00044/SO) was sought and issued (5<sup>th</sup> July 2013) in relation to the proposed development for approximately 200 residential units on the Site, advising that Environmental Impact Assessment would not be required in circumstances where significant effects on the environment would be unlikely.
- 2.16 A planning application (ref. 13/01056/OUT) was subsequently submitted addressing the Site, for development described as, "OUTLINE – Up to 200 residential units, access, amenity space and associated works".<sup>3</sup> In a decision dated 4<sup>th</sup> October 2013 planning permission was refused for reasons relating to the countryside location of the Site, erosion of a green buffer and the effect on the setting of the nearby Conservation Area, adequacy of the access, and the absence of a satisfactory planning obligation.
- 2.17 An appeal was made against that refusal. In a decision dated 27<sup>th</sup> May 2014 (ref. APP/C3105/A/13/2208385) the appeal was dismissed.<sup>4</sup> Prior to the associated Inquiry the terms of a Unilateral Undertaking offered by the appellant were found acceptable by the Council who withdrew their previous objection around these matters. In terms of the Inspector's wider consideration of the appeal scheme:

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<sup>3</sup> This description appears on the decision notice. The application and subsequent appeal were determined on the basis the scheme also offered a new village shop / hall. However, the appeal Inspector found that the shop / hall might well not come to fruition.

<sup>4</sup> The appeal Inspector noted that the then emerging local plan identified a green buffer between Bicester and Caversfield. However, limited weight was given to any conflicts with policy in a draft plan, and this feature was ultimately excluded from the adopted plan. The Local Plan Inspector found that the proposed policy establishing buffers was unsound, with other policies dealing adequately with the relevant issues, and should be deleted. It was deleted; no such policy appears in the adopted Plan.

- Absent a 5 year supply of housing the Council's policies for the supply of housing were not considered up-to-date, diminishing their effect, and with the presumption in favour of sustainable development applied accordingly.
- He noted landscape harm would be caused, but the site and its landscape setting have no particular quality or importance.
- From a heritage perspective it was concluded that there would be no conflict in terms of policy concerned with the Conservation Area, but there would be harm arising from the effect on the setting of Listed Buildings.
- The appeal scheme, whilst in outline, was found to have deficiencies in terms of its permeability and effective integration with the surrounding area, so isolated and representing poor design, in the context of a large (200 dwelling) development with a single main entry point. That said, the access and accessibility were found to be acceptable.
- The loss of a sporting (equestrian) facility (or at least the prevention of reestablishing such a facility) counted against the appeal scheme.<sup>5</sup>
- Substantial positive weight was attached to the provision of housing and inclusion of 35% affordable housing.

2.18 Taken as a whole, it is striking that save (to a degree) for his conclusions on landscape the Inspector did not take the Council's points from their decision. The planning obligation had been resolved, any green buffer was not relevant, the effect on the setting of the Conservation Area was acceptable, and the access was also acceptable.

2.19 Whilst addressing the same site the appeal scheme anticipated around double the number of houses now offered by the Proposed Development. It is clear that a different decision to that reached by the appeal Inspector is capable of being reached<sup>6</sup>, in relation to such a different scheme, but that careful attention must be given to distinguishing the specific effects of the current proposal in relation to the effect on landscape, the setting of listed buildings, integration and permeability, and any implications for sporting facilities.

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<sup>5</sup> It is understood that at the time of the Inquiry no sporting / equestrian facility was operating from the land and there was no evidence of any likelihood of such a use being introduced. No such use has operated since that time; the land is in private ownership and the owners (the same party now, as then) do not operate a sporting / equestrian facility from the land, nor have they any intention of so doing. It is considered that this consideration should not have been material at the time of the appeal inquiry, and much less so now.

<sup>6</sup> The current proposal is materially different to that previously refused on appeal, but it is also the case that there have been other changes in circumstances since that decision. For example, the adoption of the Local Plan Review, Partial Review, challenges with aspects of delivery and the gradual provision of the Eco-town which is altering the relationship between Bicester and Caversfield and changing how the site is read geographically in relation to the wider surrounding area and built form both implemented and approved.



The current application has particular regard to these issues as well, of course, to housing land supply which influences the decision making process.

- 2.20 Pre-application advice (ref. 22/02734/PREAPP) was issued by the Council on 12<sup>th</sup> June 2023 in relation to the current proposals. It asserted that the Council could demonstrate a housing land supply in excess of 5 years, and referred to conflict with the Council's housing strategy. It pointed to difficulties in terms of the effect on the countryside, coalescence, the effect on the setting of listed buildings, and the sustainability of the location; it did not conclude favourably. As such there are overlaps between these topics and those raised by the appeal Inspector, and they are attended to through this application submission.
- 2.21 The pre-application advice attached significant positive weight to the provision of market housing and economic benefits through construction. Very significant positive weight was attached to the provision of affordable housing (then assessed at 30%, but offered at 35% by this application). Moreover, it is notable that no wider or additional issues were raised by the pre-application remarks. There was nothing objectionable (for example) in relation to flood risk, ecology, amenity, or indeed any other matter, save for those points noted above. This indicates the Council's acceptance that in very many respects development of this kind is readily capable of being brought forward here in an acceptable manner. The apparent differences between the Applicant and the Council in their initial assessment are quite narrow, and focused. The detailed supporting information now presented seeks to address those differences.

#### *Locally*

- 2.22 To the north-west of the site is the Bicester Eco-town development, which is being developed in accordance with Local Plan Policy Bicester 1. The policy states the mixed-use development at North-west Bicester Eco-Town will include 6,000 homes, alongside employment and associated infrastructure.
- 2.23 The supporting text for this policy includes (paragraph C.43) that, "The North West Bicester Eco-Town is central to both our District-wide strategy and our strategy for Bicester. Delivering an eco-town is considered to be one of the most sustainable means of accommodating strategic growth at Bicester to 2031". This notwithstanding, the Council have found it challenging to determine planning applications for the Eco-town in a timely fashion.<sup>7</sup>

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<sup>7</sup> For example, application reference 21/01630/OUT which sought outline planning permission for up to 530 dwellings at the Eco-town was recently (26<sup>th</sup> July 2021) allowed after an appeal (APP/Y0435/W/20/3252528) against non-determination. A Viability Assessment was submitted as part of the appeal, and as per the subject to viability caveat on policy BSC3 10% affordable housing was accepted.

## Summary

2.24 The Site comprises about 7ha of mainly grassland on the western edge of Caversfield, well related to that settlement as well as to Bicester and the emerging Eco-Town. The Site is free from any statutory land, habitat, heritage or indeed other designations, and is at low risk of flooding. Planning permission was previously (2013) refused for the Site for a scheme about twice the scale of the Proposed Development and that decision upheld at appeal (2014). Save (to a degree) for his conclusions on landscape the appeal Inspector did not take the Council's points from their decision, instead raising heritage and design points which the current application seeks to address. It is clear that a different decision to that reached by the appeal Inspector is capable of being reached, in relation to a different scheme of the type proposed here.

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## 3. THE PROPOSED DEVELOPMENT

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### Introduction

- 3.1 Planning permission is sought to develop the Site for residential use. This will see the delivery of up to 99 new dwellings on the Site. The Proposed Development has been informed through pre-application engagement with the Council.

### Approach to the Application

- 3.2 The submission comprises an outline planning application with all matters reserved save for access. This means that at this stage agreement is sought for the principle of the proposed residential development, allowing up to 99 dwellings, as well as details of its access. Other details of the scheme – in terms of its layout, appearance, landscaping and scale – will be determined later via separate reserved matters submissions. Extensive supporting information has been provided as part of this application to support the principle of development and the acceptability of the access, but also to demonstrate that the scheme can be brought forward in an appropriate manner having regard to all other technical considerations.

### The Proposed Development

- 3.3 The Proposed Development comprises the following main elements:
- A maximum density within the developed part of the scheme of 32 dwellings per ha.
  - A residential developable area to accommodate up to 99 dwellings
  - 35% of the new homes provided as affordable homes.
  - Formation of a main vehicular access from the east off Fringford Road.
  - The inclusion of the provision of heat source heat pumps, PV panels and electric charging points.
  - Reinforcement of the landscaped edge to Aunt Ems Lane and similarly strong landscaped borders to the north and east, with an extensive area of landscaping to the west including accessible open space and land reserved for wildlife.
  - Open facilities for play, community space, walking and cycle access.
  - Incorporation of Sustainable Urban Drainage including basins and pond areas.

3.4 The description of the Proposed Development is;

***“Demolition of existing structures and erection of up to 99 dwellings, access, open space and associated works (outline, all matters reserved save for access)”.***

3.5 The nature and extent of development proposed and what permission is sought for at this stage can most immediately be understood through reference to the submitted Framework Plan (ref. 501\_P07). This is attached here at Appendix A for ease of reference. An illustrative masterplan has also been prepared and submitted / included within the Design and Access Statement to provide one example of how development within the parameters expressed by the Framework Plan can successfully be accommodated on the Site.

3.6 The application scheme proposes the development of up to 99 dwellings comprising up to 65% open market homes and at least 35% affordable homes. It offers the opportunity to deliver a range of 1-, 2-, 3-, 4- and 5-bedroom homes.

3.7 This will positively contribute to the current housing stock within the village and wider area providing opportunities for first time buyers and families as well as those seeking to down or up size. Any preferences in terms of mix favoured by the Council or other parties can be discussed during the determination period.

3.8 The proposals include affordable housing, with the opportunity to provide a mix of sizes, types and tenures including shared ownership, affordable rented and social rented properties. Again, preferences in terms of mix and tenure favoured by the Council can be discussed during the determination period. It might be noted, though, that pre-application feedback from the Parish Council identified a need for larger, family sized affordable housing. This scheme would certainly be capable of contributing to that.

3.9 As discussed above, the scheme will offer at least 35% affordable housing. By way of comparison the Local Plan seeks 30% for schemes at the district's main towns (Banbury and Bicester). It is also often the case that developers seek to negotiate a reduction in this target on the basis of viability. This is a legitimate approach and policy allows for it, but in this instance the offer is simply a minimum of 35%.

3.10 Further details explaining the content and key features of the Proposed Development are provided in the Design and Access Statement and elsewhere in the suite of documents submitted in support of the application.

### **Summary**

3.11 Planning permission is sought to develop the Site for residential use. This will see the delivery of up to 99 new dwellings on the Site within an expansive landscaped setting. At least 35% of the new homes will be affordable. The Proposed Development represents a carefully

considered opportunity to contribute towards the market and affordable housing requirements of the area.

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## 4. PLANNING POLICY CONTEXT

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- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 4.2 This section identifies the relevant local and national planning policy and guidance for the Proposed Development. Topic specific aspects of policy are considered more fully elsewhere throughout the submission material where relevant.
- 4.3 The site falls within the administrative boundary of Cherwell District Council. The Development Plan for Cherwell District comprises of the adopted Cherwell Local Plan 2011-2031 ("CLP") 2015 and the saved policies of the Cherwell Local Plan ("CLL") 1996.
- 4.4 The National Planning Policy Framework (September 2023) is a material consideration of principal relevance to the Proposed Development.
- 4.5 Supplementary Planning Guidance documents relevant to the proposed development include the Cherwell Residential Design Guide SPD (July 2018); Developer Contributions Supplementary Planning Document SPD (February 2018); and North West Bicester SPD (February 2016).
- 4.6 There is no adopted Neighbourhood Plan for the application site.

### **The Cherwell District Council Local Plan (CLP) (2011-2031)**

- 4.7 The Cherwell District Council Local Plan was formally adopted by the Council on 20 July 2015. Policy Bicester 13 was re-adopted on 19 December 2016.
- 4.8 The Local Plan underwent a Partial Review to address Oxford's unmet housing need. The Partial Review was adopted in September 2020. Its coverage and purpose are such that its policies are not directly relevant to the current proposals. The Partial Review was not a new plan; rather, it constitutes a supplement or addendum to the adopted Local Plan. It remains the case that the Local Plan was adopted in 2015 and re-adopted in 2016; it is over 5 years old, regardless of the Partial Review.
- 4.9 The CLP sets out the vision for the District up to 2031. The CLP sets out the planning policies for the District and how they are expected to be applied.
- 4.10 The CLP identifies a housing requirement for the delivery of 22,840 homes across the District in the plan period and sets the overall distribution across the District, with 10,129 homes to be provided at Bicester (policy BSC 1). The CLP sets out the Council's vision which includes the need to focus the bulk of the proposed growth in and around Bicester and Banbury.

4.11 The aspects of CLP policy primarily related to the determination of this application include:

- **Policy PSD1 – Presumption in Favour of Sustainable Development**

The policy states, “when considering development proposals the Council will take a proactive approach to reflect the presumption of favour of sustainable development as contained in the National Planning Policy Framework”.

- **Policy BSC1– District Wide Housing Distribution**

This policy echoes the NPPF which seeks to boost significantly the supply of housing to deliver a wide choice of high quality homes. It states, “the Council is committed to meeting housing needs and accelerating delivery”. It sets out the identified need for 1,140 dwellings per annum equating to 22,840 dwellings from 2011 to 2031 (as identified by the 2014 SHMA). The policy emphasises that the Council is committed to meeting the district's objectively assessed needs.

- **Policy BSC2 – The Effective and Efficient Use of Land**

The policy sets out that “New housing should be provided on net developable areas at a density of at least 30 dwellings per hectare unless there are justifiable planning reasons for lower density development”.

- **Policy BSC3 – Affordable Housing**

The policy confirms that in Banbury and Bicester, all proposed development that includes 11 or more dwellings (gross), or which would be provided on sites suitable for 11 or more dwellings (gross), will be expected to provide at least 30% of new housing as affordable homes on site. In other locations the expectation is for at least 35% of new housing to comprise affordable homes on site. The policy allows for lower levels of affordable housing to be agreed where development providing the full requirement would be unviable.

- **Policy BSC4 – Housing Mix**

The policy sets out that new housing will be expected to provide a mix of homes to meet current and expected future requirements. The policy states that “the mix of housing will be negotiated having regard to the Councils most up-to-date evidence on housing need and available evidence from developers on local market conditions.”

The SHMA 2014 conclusions regarding the Mix of Homes is provided below. The SHMA advised that there is a greater need for 3-bed properties in Cherwell and that the overall mix identified is focused more towards smaller properties than the existing mix

of homes in Oxfordshire. The SHMA forms a starting point for negotiations on housing mix in new developments.

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4-bed</b>
Market	5%	25%	45%	25%
Affordable	25-30%	30-35%	30-35%	5-10%
All Dwellings	15%	30%	40%	15%

Policy BSC4 reiterates the requirement for affordable housing in accordance with policy BSC3.

- **Policy SLE 4 – Improved Transport and Connections**

The policy confirms that the District has excellent road and rail links. It states, “new developments in the district will be required to provide financial and / or in-kind contributions to mitigate the transport impacts of development”.

The policy echoes the NPPF by noting where possible, ‘all development should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling’.

It also states that ‘development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported’.

- **Policy ESD 1 – Mitigating and Adapting to Climate Change**

The policy emphasises the importance of Climate Change and states that measures will be taken to mitigate the impact of development within the District on climate change. This includes distributing growth to the most sustainable locations as defined in the Local Plan; delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport; designing development to reduce carbon emissions more efficiently<sup>8</sup>; and promoting the use of decentralised and renewable or low carbon energy where appropriate<sup>9</sup>.

4.12 Other relevant policies of the CLP include:

- CLP Policy EDS10 - Protection and Enhancement of Biodiversity and the Natural Environment
- CLP Policy EDS13 – design

<sup>8</sup> Policy ESD3 Sustainable Construction.

<sup>9</sup> Policies ESD4 Decentralised Energy Systems and ESD5 Renewable Energy



- CLP Policy C30 – the design of new residential development.
- CLP Policy BSC10 – open space, outdoor sport and recreation provision, with policy BSC11 setting out the local standards for outdoor recreation.
- CLP Policy ESD13 - Local landscape protection and enhancement.
- CLP Policy EDS15 – Character of the built and historic environment, including village categorisation.
- CLP Policy ESD6 – Sustainable Flood Risk Management, with CLP Policy SD7 centralising on Sustainable Drainage Systems (SuDs).
- CLP Policy ESD10 – The protection and enhancement of biodiversity and the natural environment.
- CLP Policy ESD2 – Energy hierarchy and allowable solutions.
- CLP Policy ESD3 – Sustainable Construction.
- CLP Policy ESD5 – Renewable Energy.
- CLP Policy INF1 – Infrastructure.

### **The Cherwell Local Plan (CLL)**

4.13 Saved policies of the adopted Cherwell Local Plan 1996 remain part of the statutory Development Plan for the district. Relevant saved policies of the CLL include:

- CLL saved Policy C15 – advises that the council will prevent the coalescence of settlements by resisting development in areas of open land, which are important in distinguishing them. The supporting text provides examples of areas of particular vulnerability in this regard; Caversfield is not mentioned here.
- CLL saved Policy H18 controls the provision of new dwellings in the open countryside.
- CLL saved Policy C28 regards the layout, design and external appearance of new development.
- CLL saved Policy TR1 - focuses on transportation funding required to support new development.

### **Emerging Policy**

4.14 The Local Plan review is at a relatively early stage and the weight to attach to it is limited accordingly.

4.15 The currently anticipated timetable for preparing the plan includes Regulation 18 consultation during Autumn 2023, Regulation 19 in Summer 2024 and submission for examination in Winter 2024. Representations were made to the Regulation 18 consultation event on behalf of the Applicant.

4.16 Whilst the emerging Plan is at an early stage its draft policies indicate the direction of travel being taken by the Council. An overview of those emerging policies of most relevance to the current proposal and how the Proposed Development responds to them is provided here at Appendix B.

### **National Planning Policy Framework**

4.17 The National Planning Policy Framework (NPPF) was revised and updated in December 2023. It sets out the Governments planning policies for England and how they are expected to be applied and is a material consideration to the determination of planning applications. The following summarises some of the principally relevant elements of Government policy in the Framework to this development proposal.

4.18 Paragraph 7 provides that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three interdependent overarching objectives as set out in paragraph 8, these are economic, social and environmental. Paragraph 9 states that planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.19 Paragraph 10 states, "So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development."

4.20 For decision taking, in accordance with paragraph 11, this means:

- Approving development proposal that accord with an up-to-date development plan without delay; or
- 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:
  - 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

- 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.

4.21 In terms of decision making, the Framework states that LPA's should approach decisions on proposed developments in a positive and creative way. Decision makers at every level should seek to approve applications for sustainable development where possible (paragraph 38).

4.22 Paragraph 60 sets out the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 63 provides that the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies.

4.23 In respect of sustainable transport, paragraph 108 emphasises that transport issues should be considered from the earliest stages of development. Sustainable transport is also encouraged at Paragraph 109. Paragraph 115 is clear that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be "severe".

4.24 Paragraph 123 sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

4.25 Paragraph 131 emphasises that the importance of the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 states that planning decisions should ensure that developments will function well and add to the overall quality of the area and over the lifetime of the development. As well as being visually attractive, sympathetic to the local character and history including the surrounding built environment and landscape setting. They should also establish and maintain a strong sense of plan and optimise the potential of a site through accommodating and sustaining an appropriate amount and mix of development. Development should also ensure that it creates places that are safe, inclusive and accessible, and which promote health and wellbeing.

4.26 **Other material Considerations**

4.27 The Cherwell Residential Design Guide SPD (July 2018) is a material consideration for the Proposed Development. The SPD provides further explanation and guidance and expands upon Policy ESD15 of the adopted Local Plan, explaining what high quality design means

and why it matters in the Cherwell context. The document forms a technical guide to provide clarity on the required design standards.

4.28 The SPD states that new development in Cherwell should promote “Development which is located appropriately in response to landscape and topography”.

4.29 The Developer Contributions Supplementary Planning Document is also relevant. It sets out the Council’s approach to seeking Section 106 planning obligations in the absence of a Community Infrastructure Levy (CIL) Charging Schedule within the District.

4.30 The Site is located outside but close to the defined allocation for North-West Bicester (site reference LPR33 in the Emerging Local Plan), and is in proximity to the area addressed by the North West Bicester SPD (February 2016). In summary The SPD confirms that when fully delivered North West Bicester will provide:

- Up to 6,000 “true” zero carbon homes;
- Employment opportunities providing at least 4,600 new jobs;
- Up to four primary schools and one secondary school;
- Forty per cent green space, half of which will be public open space;
- Pedestrian and cycle routes;
- New links under the railway line and to the existing town;
- Local centres to serve the new and existing communities; and
- Integration with existing communities.

4.31 The Site’s location, separate from but well related to the North-West Bicester Eco-town, means that it will be well positioned to benefit from the facilities, services and employment opportunities provided through this development alongside the sustainable transport and travel opportunities and provisions.

### **Summary**

4.32 Applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise. One such material consideration is Government policy expressed through the NPPF. The Development Plan for Cherwell District comprises the adopted Cherwell Local Plan 2011-2031 and the saved policies of the Cherwell Local Plan 1996.

4.33 The Site is located outside of the settlement boundary but is well related to Caversfield, Bicester, and the growing Eco-town. The Local Plan is committed to meeting housing needs, with a particular focus on development at Bicester.

- 4.34 National planning policies, expressed in the NPPF are framed as a positive and enabling to facilitate sustainable development, significantly boost the supply of housing, make efficient use of land, and achieve well-designed places.

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## 5. PRINCIPLE OF DEVELOPMENT

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5.1 This section considers the principle of development. It explains why development such as this, proposed outside a settlement, should be allowed. The Strategy of the Local Plan seeks to control development in the open countryside. However, it is also concerned with meeting the housing needs of the whole community and accelerating delivery. This section explains how this tension should be resolved in favour of the Proposed Development. The other development management and policy considerations arising from the technical assessment of the Proposed Development are assessed in the following section.

### **Status of the Site**

5.2 The Local Plan seeks primarily to direct residential development to the main towns of Bicester and Banbury, and elsewhere to sustainable locations. An allowance is made for locations in the rest of the District and policies (notably Villages 2 and Villages 3) are in place which allow housing development outside settlements in certain circumstances, but not those that apply here. The Site is regarded as open countryside and does not benefit from direct Local Plan policy support.

5.3 However, the Site is nonetheless well and sustainably located. Development here would relate well to the existing settlement of Caversfield. The Site is also well related to Bicester and the Eco-town and the existing and growing provision of shops, services, facilities and employment opportunities that exists in those places. The Proposed Development has been designed as an expansion of Caversfield but otherwise with clear and well-defined boundaries and careful buffering and landscaping to ensure the character of the village is maintained and adequate separation is provided relative to Bicester and the Eco-town. It is a place well suited to receive residential development.

### **Housing Land Supply and the Presumption in Favour of Sustainable Development**

5.4 The Government has been clear over an extended period that housebuilding is critical to boosting the country's economic growth. There is a long held, and regularly stated, Government commitment to delivering 300,000 homes a year by the mid-2020s. This context is important in understanding a number of reforms that have taken place in planning and in the national policy approach to housing land supply. The approach is to ensure that housing land supply is used as a tool positively to support and ensure delivery of the homes that people need in line with the Government's objectives to boost supply to significantly greater levels than seen in the past. The clear policy is to favour an approach which seeks to increase housing delivery.

- 5.5 The NPPF at Paragraph 11 (Footnote 8) makes clear that the presumption in favour of sustainable development, often referred to as “the tilted balance” in favour of sustainable development, applies where an authority cannot demonstrate a 5 year housing land supply (5YHLS) (or 4 year housing land supply if applicable as set out in paragraph 226) of deliverable sites, subject to the provisions of paragraphs 76 and 77. In such circumstances, unless any policies in the NPPF that protect areas or assets of particular importance provide a clear reason (as defined at NPPF Footnote 7) to refuse the development proposed, any adverse impacts of approving the development, when assessed against the NPPF's policies when taken as a whole, must significantly and demonstrably outweigh its benefits for it not to be approved.
- 5.6 In this case there are no Footnote 7 reasons why the proposed development should be refused. As expressed throughout the application submission the benefits of the scheme are numerous, and significant, and the adverse impacts are few, and capable of mitigation. The absence of an adequate supply of housing and the application of the tilted balance provide one route through to the grant of planning permission in this case.
- 5.7 The NPPF (paragraph 76 – 77) requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites, plus the relevant buffer, sufficient to provide a minimum of five years' worth (or four years, if paragraph 226 applies) of housing against their housing requirement either set out in its adopted strategic policies, or against their local housing need derived through the application of the Government's Standard Method where the strategic policies are more than five years old. Exceptions to this (in terms of having an adopted Plan less than five years old which showed an adequate supply on adoption) do not apply here.
- 5.8 Where a housing land supply is identified that is deficient of the minimum required by NPPF paragraph 77, there is then a particular need for the local planning authority to deliver more housing and Footnote 8 of the NPPF is clear that the presumption in favour of sustainable development applies.
- 5.9 As such, and notwithstanding the provisions of the Local Plan, development of the type proposed in this location is readily capable of being supported in principle. Maintaining an adequate supply of housing is important. Where an adequate supply is not evident policies involving the provision of housing may be regarded as out of date inviting a positive determination unless particular protections apply or the adverse impacts of doing so would “significantly and demonstrably” outweigh the benefits.
- 5.10 This is one route, but not the only route, to the grant of planning permission in the current circumstances. The Proposed Development is also capable of being supported through a balancing exercise in circumstances where its significant benefits outweigh its few negative impacts (discussed below). Both routes should have regard to the benefits of the

scheme. Elsewhere in the District Officers have been prepared to recommend the approval of speculative schemes where they found the specific circumstances persuasive, irrespective of the housing land supply position.

### **Housing Land Supply in Cherwell**

5.11 Having regard to the discussion of National Policy set out above, and the current circumstances in Cherwell:

- The provisions of paragraph 76 do not apply. The adopted plan is more than five years old.
- In paragraph 226 terms, Cherwell is a five year, rather than a four year, authority – the emerging Plan has reached Regulation 18 stage but does not include a Proposals Map.
- Irrespective of that distinction, the deliverable supply of housing in the district is deficient. A series of appeal inquiries is currently in progress where aspects of supply are being considered. Once those appeals have been determined it is anticipated that further submissions will be made in relation to the current application, but it is noted that the available evidence from those inquiries all points to a deficiency of supply, and that the deficiency is particularly acute when understood in the context of the extent to which Cherwell must meet some of Oxford's needs.
- It is also noteworthy that the current supply is particularly deficient relative to the requirement suggested in the emerging plan. As discussed above the weight to attach to the emerging plan is limited by the early stage it has reached in its preparation, but it is material that the Council's position is one of increased need such that greater pressure will be placed on the already inadequate supply.

5.12 In NPPF paragraph 11 and Footnote 8 terms the development plan policies concerned with the delivery of housing are out of date.

### **Benefits**

5.13 The benefits of the Proposed Development are summarised as follows:

- Sustainable development – The proposed development will contribute positively to each of the social, economic and environmental dimensions set out in the NPPF and echoed in policy PSD1 of the adopted Local Plan, as well as contributing toward meeting the Challenge of Climate Change and Ensuring Sustainable Development theme as set out in the Emerging Plan.
- Housing supply – The Proposed Development will deliver up to 99 dwellings, contributing towards providing the 22,840 dwellings as set out in policy BSC1



and towards supporting the Government's objective of significantly boosting the supply of homes (in accordance with Chapter 5 of the NPPF). This should weigh heavily in favour of the scheme.

- Affordable housing provision – The proposed development includes affordable housing at a rate of at least 35%, contributing significantly towards meeting local requirements. This too should weigh heavily in favour of the scheme.
- Housing Mix – The proposed development provides the flexibility to include a mix of housing types, sizes and tenures to meet a wide range of market and affordable housing needs.
- Availability and deliverability – the Site is available, readily deliverable; there are no impediments to the rapid submission of reserved matters following the grant of outline planning permission and then the construction of new housing swiftly to contribute to meeting market and affordable housing needs in Cherwell<sup>10</sup>.
- Climate change mitigation – The proposed scheme proposes to utilise a good thermal envelope to minimise heat loss, as well as efficient heating and lighting systems, which will drive energy efficiency in the building, in line with the Policy ESD1 objective of promoting development which minimises carbon emissions and increases energy efficiency.
- Landscape and ecology – The inclusion of extensive and well planned landscape areas allows for a range of benefits in relation to open space, recreation and ecology, including the opportunity for c.10% biodiversity net gain, which exceeds the requirements of the adopted policy and strives towards the emerging policy (CP11 and CP12).
- Economy – jobs will be created during the construction phase and supported when the Proposed Development is occupied. Spending by the new residents can be expected to support a wide range of local businesses.

5.14 The benefits of the scheme are considerable and should weigh heavily in its favour. In contrast, the negative effects will be slight.

5.15 The Site is located outside the defined settlement boundary of Caversfield, adjacent to the village but physically separated from Bicester and the Eco-town. However, in reality

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<sup>10</sup> The ability to do so has been demonstrated through the development at OS Parcel 2778 Grange Farm North West Of Station Cottage Station Road Launton (application reference 21/04112/OUT, whereby RM are currently been worked up following the approval of Outline planning in April 2022 and immediate disposal for development following the signing of the S106 agreement.

the Site's location should be regarded as sustainable due to its proximity to the defined settlement of Caversfield plus the Eco-town and Bicester, and associated services and facilities in these places.

- 5.16 The scheme will result in the removal of some vegetation and involve the development of greenfield land. However, this will be notably compensated through the proposed landscape scheme. Moreover, none of the land to be developed is classified as "best and most versatile", so limiting the effect of this loss. The submitted Agricultural Land Classification shows the relevant land in its entirety to be Grade 3b.
- 5.17 There is some tension with the Local Plan strategy which is focused primarily on delivery at the main towns. However, this opposition is only to a limited extent given that the majority of new housing in Cherwell is and will continue to be directed in the towns and the Site is still well related to Bicester.

### **Decision Making**

- 5.18 Having regard to paragraph 11 of the NPPF the Local Plan policies concerned with the provision of housing are rendered out-of-date in this instance by the absence of the required supply of deliverable housing sites and the weight to attach to those policies is reduced accordingly. There are no protected areas or assets of particular importance that would be affected by the Proposed Development. The benefits of the scheme are numerous and substantial; they far outweigh the adverse impacts which are few and slight. In accordance with the presumption in favour of sustainable development, planning permission should be granted.
- 5.19 If, and wrongly, the view is reached that the presumption in favour is not engaged then planning permission should still be granted here. In those circumstances such a decision would be otherwise than in accordance with the Local Plan but again the positive material considerations – principally the benefits enumerated above – are such, and the adverse impacts so limited and few, that the grant of planning permission can be supported in this instance.

### **Summary**

- 5.20 The Local Plan seeks primarily to direct residential development to the main towns of Bicester and Banbury, and elsewhere to sustainable locations. Whilst the site is located outside the settlement boundary it is nonetheless well and sustainably located. The Proposed Development has been designed as an expansion of Caversfield but otherwise with clear and well-defined boundaries and careful buffering and landscaping to ensure the character of the village is maintained and adequate separation is provided relative to Bicester and the Eco-town. It is a place well suited to receive residential development.

5.21 Policies concerned with the provision of housing, including those which might otherwise limit housing in this location, are rendered out-of-date in this instance by the absence of the required supply of deliverable housing sites. The weight to attach to those policies is reduced accordingly. There are no protected areas or assets of particular importance that would be affected by the Proposed Development. The benefits of the scheme are numerous and substantial; they far outweigh the adverse impacts which are few and slight. In accordance with the presumption in favour of sustainable development, planning permission should be granted.

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## 6. PLANNING CONSIDERATIONS

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6.1 The previous sections of this Statement have set out the background to the Site, the application and the relevant planning policies that are pertinent to its determination, as well as the approach to decision making and why the principle of development should be supported here. This section considers the other development management and policy considerations arising from the technical assessment of the Proposed Development, and the requirement for conditions and a legal agreement.

### **Technical Assessment**

6.2 The application is supported by a comprehensive suite of supporting material addressing each of the issues arising from the Proposed Development. These documents should be referred to directly for a full understanding, but a summary of the main findings and conclusions in each case is set out below.

#### *Design and Sustainability*

6.3 The proposed development is consistent with the definition of sustainable development as set out in the NPPF.

6.4 Paragraph 8 of the NPPF emphasises that the three objectives (economic, social and environmental) “are interdependent and need to be pursued in mutually supportive ways”. Paragraph 9 goes on to state that “decisions should play an active role in guiding development to sustainable solutions”. In economic terms the Proposed Development will contribute towards a strong, responsive and competitive economy providing jobs during the construction phase, and later through increased expenditure from the residents of the scheme. In social terms it will help support a strong, vibrant and healthy community, by providing a range and choice of house types and tenures in a high-quality environment, accessible to surrounding services and infrastructure. In environmental terms it will develop land with a moderate ecological and agricultural value but protect and enhance landscaping, and offer habitat enhancements and sustainable drainage features. In turn, this will provide ecological benefits with amenity spaces to be enjoyed by residents.

6.5 The development utilises good design principles so that the proposals can make a valuable contribution to the local environment, landscape and wider character and setting of the Eco-town and village of Caversfield. The Site forms a logical and suitable location for future development and makes effective use of sustainably located land. Whilst the application is submitted in outline the framework design material offers a layout sympathetic to the existing surrounding properties, character and landscape.

- 6.6 The framework demonstrates how the proposals relate positively to the surrounding development taking care to ensure maintenance of existing boundary treatments. The quantum and density of dwellings proposed is accommodated comfortably on the site, in accordance with policy BSC2 and complementary to development in the surrounding area.
- 6.7 Saved CLL policy C28, emphasises the importance of layout, design and external appearance of new development. In addition to this, the proposed dwellings have been designed with respect to scale, layout and appearance, in accordance with paragraph 126 of the NPPF which emphasises the importance of creating high quality, beautiful and sustainable buildings and places. It is expected that the affordable units will be integrated throughout the Site, so that the dwelling is tenure blind. The affordable homes should be of the same high-quality design as the open market properties.
- 6.8 These themes are explored in more detail in the submitted Design and Access Statement (DAS).

#### *Landscape and Visual*

- 6.9 The proposed new homes will not be intrusive to the open countryside to the north of the site and will form a logical expansion of the existing village of Caversfield, without offending the gaps with the Eco-town or Bicester. Landscaping has been central to the design approach and the submitted material shows extensive provision in this regard along the boundaries, within the main body of the Site and, in particular, to the west.
- 6.10 The submitted Landscape and Visual Assessment and Landscape Strategy demonstrate that the proposed scheme would not lead to unacceptable levels of effect on landscape resources, visual amenity, and any influence the scheme may have, would be largely imperceptible.

#### *Flood Risk and Drainage*

- 6.11 The Site is located within flood zone 1 (lowest risk) as defined by the Environmental Agencies Flood Risk Map for Planning. There is an area of flood zone 2 and 3 to the north-west, but this is entirely separate from the Site.
- 6.12 The accompanying Flood Risk Assessment and Drainage Strategy demonstrates that the proposed development is not at significant risk of flooding and the drainage proposals for the site can manage surface water in sustainable systems, in accordance with policy ESD7.
- 6.13 The disposal of foul water from the site will be via the existing connection into the foul water sewer within Fringford Road at MH5901. Given the levels on site, foul water will discharge via gravity, subject to a formal S106 agreement.

- 6.14 The accompanying Flood Risk Assessment and Drainage Strategy states that the peak foul flow rate arising as a result of the development was estimated as, approximately, 5.0l/s – assuming a foul load rate of 0.05 l/s/dwelling.
- 6.15 As also set out in the accompanying Flood Risk Assessment and Drainage Strategy, in terms of surface water, in accordance with the drainage hierarchy, surface water will be stored, treated, and discharged via gravity, at a controlled rate of 2.0l/s, into the existing public surface water sewer within Fringford Road. Furthermore, permeable paving will act as a first treatment stage for any run-off and will ensure adequate surface water treatment is provided.
- 6.16 In turn the proposed development accords with policy ESD6 and paragraph 173 of the NPPF.

#### *Highways and Access*

- 6.17 The proposed development will be accessed via a junction formed onto Fringford Road.
- 6.18 The accompanying Transport Assessment explains the transport, travel and traffic implications of the proposed development to confirm that there are no impediments to the Site's development from a transport perspective. This shows that highway access is suitable, the additional traffic can be accommodated and sustainable transport choices of walking, cycling and public transport can be embraced by the scheme.
- 6.19 The Transport Assessment concludes that the National Planning Policy Framework (NPPF) states that opportunities to promote sustainable transport modes should be taken up and that safe and suitable access to the site should be achievable for all users. The development is located to make use of existing infrastructure and services and is suitable in transport terms; it will promote the use of sustainable modes of transport, and the site provides safe and suitable access for all users.
- 6.20 The submitted Framework Travel Plan explains the ways in which sustainable travel can be encouraged here. Its provisions can be secured via condition.

#### *Amenity*

- 6.21 The submitted design material shows that a suitable layout can be achieved on the site that avoids overlooking or overshadowing to the existing properties to the east of the site, whilst maintaining and enhancing suitable boundary treatments.
- 6.22 The amenity of existing residents and new residents in the development during the construction phase can be suitably preserved through the operation of a Construction Management Plan. This can set out times of construction activities and deliveries, arrangements for compound areas, construction personnel parking and amenities. It can

also ensure measures are in place to limit noise, vibration and dust from construction activities.

6.23 The site is not located within a designated Air Quality Management Area (AQMA) and is located at a significant distance from 'Air Quality Management Area No.4 (Cherwell District Council)', which is located some way to the south.

6.24 An Air Quality Assessment (AQA) has been submitted with the application and evaluates the potential for air quality implications for the Proposed Development. The assessment concludes that the annual mean air quality objectives will be met at the majority of the most exposed receptor locations and will not lead to any new exceedances of the annual mean objective levels, and the Site is acceptable for residential development. It is therefore considered that development-specific mitigation will not be required.

6.25 Therefore, according with policy EDS10 and paragraph 180(e) of the NPPF.

6.26 The submitted Noise Assessment considers the noise implications. It concludes that Acoustic modelling has demonstrated that BS 8233's lower-level criterion of 50 dB LAeq, will be satisfied at all garden locations on the Site without the need for mitigation. With regards to internal acoustic conditions, all dwellings will satisfy the criteria in BS 8233 and ProPG through the provision of standard thermal double glazing and direct airpath window mounted trickle ventilators to achieve the whole-dwelling ventilation requirements of AD-F.

6.27 The proposed development as a result accords with paragraph 185(a) of the NPPF.

*Natural Environment (Ecology and Trees)*

6.28 The accompanying Preliminary Ecological Assessment (PEA) sets out the ecological implications of the Proposed Development.

6.29 The supporting Biodiversity Metric has demonstrated that the proposed development, albeit submitted in outline, is capable of delivering a net gain in biodiversity. This comprises a net gain of c.10% in Habitat Units and c.70% in Hedgerow Units, thereby meeting the requirements of the NPPF and Policy ESD 10 of the Cherwell Local Plan.

6.30 An Arboricultural Impact Assessment has been completed for the scheme. This shows that the design has sought to incorporate the existing trees and minimise the requirement for tree removal. However, having regard to the Parameter Plan there is conflict between the proposed development and existing trees which is considered unavoidable. However, none of the trees proposed for removal are considered aged or veteran and therefore the principles for refusal within the NPPF would not be considered applicable.

*Historical Environment (Heritage)*

- 6.31 The accompanying Heritage Assessment affirms that the Proposed Development would not impact on the two nearby listed buildings. It concludes, in regards to the archaeological potential of the site, the geophysical survey did not record anomalies suggestive of significant archaeological remains, and the remains recorded in the vicinity did not suggest specific archaeological potential. A few linear anomalies were recorded, which are considered most likely to relate to field systems of medieval or later date. The potential for significant archaeological remains to be present within the site is considered to be low.
- 6.32 Whilst with regards to built heritage assets in the vicinity, the site is considered to make a minor contribution to the heritage significance of the St Laurence Church Grade II\* Listed building, Home Farm Grade II Listed building, and Caversfield House and outbuildings non-designated heritage asset.
- 6.33 Overall, the Heritage Assessment concludes that the proposed scheme has been designed to respect the heritage significance of the built heritage assets, specifically, through the retention of the driveway through the site, and the placement of development away from the north-western areas of the site, closest to the heritage assets. Taking this into account, the harm to the Listed buildings is anticipated to be less than substantial and at the low end of the spectrum, and there would be a low level of harm to the non-designated heritage asset.

*Ground Conditions*

- 6.34 The potential for contamination here is low but as the application is for housing an assessment has been made of the ground conditions to identify any potential for contamination and any associated mitigation. The accompanying Geo-Environmental Report confirms that the environmental risk at the site is low to moderate with the principal risk drivers relating to Made Ground around the existing stables, former quarry in the west and the infilled pond in the south-east.

*Utilities*

- 6.35 The accompanying Utilities Report establishes how the proposed development will be serviced with key utility supplies, whether diversion or protection of existing apparatus may be required and estimated costs for service connection and diversion works, where available.

*Statement of Community Involvement*

- 6.36 A statement of community involvement has been submitted as part of this application. It has been included here at Appendix C.



6.37 It concludes that the Applicant and the development team have consulted relevant parties in line with the principles of Cherwell District Councils Statement of Community Involvement (SCI) guidance.

### **Planning Conditions and S106 Planning Obligation**

6.38 The requirement for planning conditions and consideration of a planning obligation in relation to development of the type proposed here is routine. These aspects are considered in turn below.

#### *Conditions*

6.39 Paragraph 56 of the NPPF states that, "Planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. Agreeing conditions early is beneficial to all parties involved in the process and can speed up decision making. Conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification."

6.40 Discussions with the Council are expected in respect of conditions, and the conditions required will evolve throughout the determination process. However, some of the principally relevant conditions are expected to address:

- Time limit for submission of reserved matters and commencing the development
- The development to be undertaken in accordance with the approved plans
- Any phasing arrangements
- Materials
- Further detail in terms of landscape and habitat provision, management and maintenance
- Further details in terms of the full engineering of the access points
- Precise details of surface and foul water drainage proposals to be submitted
- Boundary treatments for the site
- Full travel plan to be agreed
- Details of sustainability measures to be incorporated within the scheme
- The submission of a Construction Environmental Management Plan including, inter alia, measures to control dust during construction

*Planning Obligation and Affordable Housing*

- 6.41 The NPPF provides (paragraph 57) that planning obligations must only be sought where they meet each of the following tests. They must be:
- a) necessary to make the development acceptable in planning terms;
  - b) directly related to the development; and
  - c) fairly and reasonably related in scale and kind to the development.
- 6.42 The NPPF sets out the approach to be adopted to viability in planning decisions. It indicates that where up-to-date policies have set out the contributions expected from the development, planning applications that comply with them should be assumed to be viable, and it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage.
- 6.43 Discussions with the Council are expected in respect of conditions, and it is considered that the conditions required will evolve throughout the planning process.
- 6.44 In terms of Section 106 contributions, the applicant guarantees provision of at least 35% affordable housing and acknowledges that the LPA are likely to require further contributions as set out in the officer's pre-application response, albeit noting those requirements related to a quantum of development slightly different to that now proposed here. The applicant will work with the council to agree any necessary contribution, in turn, complying with paragraph 34 and 58 of the NPPF and the Councils Developer Contributions Supplementary Planning Document SPD (February 2018).

**Summary**

- 6.45 The detailed technical issues raised by the Proposed Development are addressed in a comprehensive suite of documents covering matters including design, sustainability, landscape and visual, flood risk and drainage, highways and access, amenity, ecology and trees, heritage, ground conditions, agricultural land, utilities and consultation. Read as a whole, this material demonstrates that the Proposed Development can be brought forward in an acceptable manner.
- 6.46 The requirement for planning conditions and consideration of a planning obligation in relation to development of the type proposed here is routine. Key conditions to ensure that appropriate control and mitigation are secured by a planning permission are suggested.
- 6.47 The proposed development can be described as sustainable development contributing positively in consideration overall to each of the social, economic and environmental dimensions set out in the NPPF.

In these circumstances, the proposed development should be considered favourably when assessed against the Framework as a whole, and planning permission should be granted.

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## 7. SUMMARY AND CONCLUSIONS

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- 7.1 This Statement has been prepared in support of an outline planning application made by Richborough Estates for the erection of up to 99 dwellings at Land West of Fringford Road, Caversfield. In making the planning application, it is submitted that the proposal represents a high quality, sustainable development which will assist in the supply of new homes in the District.
- 7.2 The Site comprises about 7ha of mainly grassland on the western edge of Caversfield, well related to that settlement as well as to Bicester and the emerging Eco-Town. The Site is free from any statutory land, habitat, heritage or indeed other designations, and is at low risk of flooding. Planning permission was previously (2013) refused for the Site for a scheme about twice the scale of the Proposed Development and that decision upheld at appeal (2014). Save (to a degree) for his conclusions on landscape the appeal Inspector did not take the Council's points from their decision, instead raising heritage and design points which the current application seeks to address. It is clear that a different decision to that reached by the appeal Inspector is capable of being reached, in relation to a different scheme of the type proposed here.
- 7.3 Planning permission is sought to develop the Site for residential use. This will see the delivery of up to 99 new dwellings on the Site within an expansive landscaped setting. At least 35% of the new homes will be affordable. The Proposed Development represents a carefully considered opportunity to contribute towards the market and affordable housing requirements of the area.
- 7.4 Applications for planning permission should be determined in accordance with the Development Plan unless material considerations indicate otherwise. One such material consideration is Government policy expressed through the NPPF. The Development Plan for Cherwell District comprises the adopted Cherwell Local Plan 2011-2031 and the saved policies of the Cherwell Local Plan 1996.
- 7.5 The Site is located outside of the settlement boundary but is well related to Caversfield, Bicester, and the growing Eco-town. The Local Plan is committed to meeting housing needs, with a particular focus on development at Bicester.
- 7.6 National planning policies, expressed in the NPPF are framed as a positive and enabling to facilitate sustainable development, significantly boost the supply of housing, make efficient use of land, and achieve well-designed places.
- 7.7 The Local Plan seeks primarily to direct residential development to the main towns of Bicester and Banbury, and elsewhere to sustainable locations. Whilst the site is located outside the settlement boundary it is nonetheless well and sustainably located. The

Proposed Development has been designed as an expansion of Caversfield but otherwise with clear and well-defined boundaries and careful buffering and landscaping to ensure the character of the village is maintained and adequate separation is provided relative to Bicester and the Eco-town. It is a place well suited to receive residential development.

- 7.8 Policies concerned with the provision of housing, including those which might otherwise limit housing in this location, are rendered out-of-date in this instance by the absence of the required supply of deliverable housing sites. The weight to attach to those policies is reduced accordingly. There are no protected areas or assets of particular importance that would be affected by the Proposed Development. The benefits of the scheme are numerous and substantial; they far outweigh the adverse impacts which are few and slight. In accordance with the presumption in favour of sustainable development, planning permission should be granted.
- 7.9 The detailed technical issues raised by the Proposed Development are addressed in a comprehensive suite of documents covering matters including design, sustainability, landscape and visual, flood risk and drainage, highways and access, amenity, ecology and trees, heritage, ground conditions, agricultural land, utilities and consultation. Read as a whole, this material demonstrates that the Proposed Development can be brought forward in an acceptable manner.
- 7.10 The requirement for planning conditions and consideration of a planning obligation in relation to development of the type proposed here is routine. Key conditions to ensure that appropriate control and mitigation are secured by a planning permission are suggested.
- 7.11 The proposed development can be described as sustainable development contributing positively in consideration overall to each of the social, economic and environmental dimensions set out in the NPPF.
- 7.12 In these circumstances, the proposed development should be considered favourably when assessed against the Framework as a whole, and planning permission should be granted.

# Appendix A

## Proposed Framework Plan

Caversfield House

St Lawrence's Church

The Courtyard

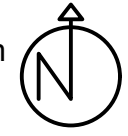
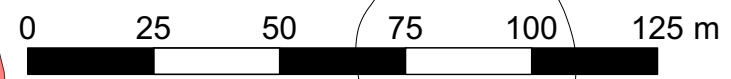
Green Acres

The Old Vicarage

Aries

Prosperity House















South Lodge



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### PLANNING

-  Site boundary (6.87ha)
-  Existing site access point to be retained for pedestrian/cycle access
-  Bus stops
-  Speed limits
-  Existing trees/hedgerows (incl. areas of undergrowth) to be retained (where possible)
-  Historic track
-  Proposed vehicular access point
-  Retained agricultural access
-  Indicative primary route
-  Indicative recreational routes
-  Residential development area
-  Proposed public open space (incl. proposed new landscape, sustainable drainage and children's play)
-  Area to be fenced off for ecology/wildlife
-  Green corridors



Rev.	Date	Description





Land West of Fringford Road  
CAVERSFIELD

### Framework Plan

Job ref: 501	Drawing number: P01	Revision: -
Scale: 1:1,500 @ A3	Date: January 2024	



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# Appendix B

## Overview of Emerging Development Plan Policies



## Overview of Emerging Development Plan Policies

The new timetable for preparing the plan is Regulation 18 this autumn, regulation 19 in summer next year and submission for examination in winter next year.

Therefore, for the purpose of this review, the most recent Regulation 18 Consultation Draft has been used.

Policy		Comments
Core Policy 1: Mitigating and Adapting to Climate Change	<p>All development proposals (including new buildings, conversions and the refurbishment of existing buildings) will be required to ensure and demonstrate that development is resilient to climate change impacts and that the impact of the development on climate change is mitigated. This will include:</p> <ul style="list-style-type: none"> <li>i. Distributing growth to the most sustainable locations as defined in this Plan;</li> <li>ii. Making the most efficient use of land and buildings, having regard to the character of the locality;</li> <li>iii. Delivering development that seeks to reduce the need to travel and which prioritises sustainable travel options, including active travel;</li> <li>iv. Designing and delivering developments that, wherever possible, have zero carbon emissions and use resources efficiently, including water. All new residential development will be required to meet a water efficiency of no more than 110 litres/person/day mains water consumption;</li> <li>v. Promoting the use of decentralised and renewable energy where appropriate;</li> <li>vi. Taking account of known physical and environmental constraints when considering locations for development;</li> </ul>	<ul style="list-style-type: none"> <li>i) Please refer to section 5.2 which confirms that despite the Site being regarded as open countryside and does not benefit from direct Local Plan policy support, the Site is nonetheless well and sustainably located. Development here would relate well to the existing settlement of Caversfield. The Site is also well related to Bicester and the Eco-town and the existing and growing provision of shops, services, facilities and employment opportunities that exists in those places. The Proposed Development has been designed as an expansion of Caversfield but otherwise with clear and well-defined boundaries and careful buffering and landscaping to ensure the character of the village is maintained and adequate separation is provided relative to Bicester and the Eco-town. It is a place well suited to receive residential development.</li> <li>ii) Efficient use of land and relates well to the surrounding area.</li> <li>iii) Please refer to the accompanying Transport Statement submitted as part of this application, which confirms that the development is located to make use of existing infrastructure and services and is suitable in transport terms; it will promote the use of sustainable modes of transport, and the site provides safe and suitable access for all users.</li> <li>iv) Please refer to the accompanying documents submitted as part of this application.</li> </ul>

	<p>vii. Delivering developments that are designed to be resilient to climate change impacts including the use of passive solar design for heating and cooling;</p> <p>viii. Minimising the risk of flooding and using sustainable drainage methods;</p> <p>ix. Minimising the effects of development on the microclimate through the provision of green infrastructure, including open space, water, planting and green roofs;</p> <p>x. Minimising energy demands and energy loss through design, layout, orientation, landscaping, materials and the use of technology;</p> <p>xi. Using recycled and energy efficient materials, and</p> <p>xii. Minimising waste and making adequate provision for the reuse and recycling of waste; and causing no deterioration and, where possible, achieving improvements in water or air quality.</p>	<p>v) The proposed development includes the provision of heat source heat pumps, PV panels and electric charging points.</p> <p>vi) Please refer to the main body of this Planning Statement which considers site constraints.</p> <p>vii) Please refer to the accompanying Energy Statement.</p> <p>viii) The proposed includes the Incorporation of Sustainable Urban Drainage including basins and pond areas. Please also refer to the accompanying FRA.</p> <p>ix) The application is submitted in outline, the illustrative masterplan shows how green infrastructure and open space can be accommodated on the site. The details of which will be confirmed through subsequent Reserved Matters applications.</p> <p>x) The application is submitted in outline, however please refer to the accompanying DAS, plans and Energy Statement.</p> <p>xi) No comment, as materials to be dealt with at a later stage.</p> <p>xii) No comment, as application submitted in outline.</p>
<p>Core Policy 2: Zero or Low Carbon Energy Sources</p>	<p>All new dwellings and new non-residential development of 1,000 sqm or more should deliver zero and low carbon energy technologies onsite to achieve on-site net zero operational carbon (regulated and unregulated energy) wherever possible. This energy demand to be met with renewable technologies should be calculated using the following methodologies:</p> <ul style="list-style-type: none"> <li>• Regulated energy: SAP or SBEM methodologies (latest versions available);</li> </ul>	<p>The application is submitted as Outline.</p> <p>Please refer to accompanying Energy Statement.</p>

	<ul style="list-style-type: none"> <li>• Unregulated energy: SAP Appendix L or BREDEM (homes) or CIBSE TM54 (non-residential buildings), and/or</li> <li>• Alternatively, total energy demand may be calculated using CIBSE TM54 or the Passivhaus Planning Package.</li> </ul> <p>Where full compliance is not feasible or viable proposals must:</p> <p>i. Demonstrate through the energy statement that additional renewable, zero and low carbon energy technologies have been provided to the greatest extent feasible and viable, and ii. Incorporate ‘zero carbon ready’* (as opposed to immediately providing ‘low/zero carbon’) technologies.</p> <p>*This may include off site existing or planned zero, low carbon or renewable energy generation or heat network provision where there 26 is a direct off-grid connection to the development which has capacity to serve the development.</p>	
<p>Core Policy 3: The Energy Hierarchy and Energy Efficiency</p>	<p>All major development proposals will be required to be supported by a detailed energy statement that demonstrates how the net zero carbon target will be met within the framework of the energy hierarchy.</p>	<p>No comment.</p>
<p>Core Policy 4: Achieving Net Zero Carbon Development</p>	<p>All new dwellings and new non-residential development of 1,000 sqm or more should achieve net zero operational regulated carbon emissions by implementing the energy hierarchy.</p>	<p>Please refer to the accompanying Energy Statement.</p>
<p>Core Policy 5: Carbon Offsetting</p>	<p>All new dwellings and new non-residential development of 1,000sqm or more that cannot achieve net zero carbon (regulated and unregulated energy uses) will be required to address any residual carbon emissions forecast over a period of 30 years, by a financial contribution to the Council’s carbon offsetting fund.</p> <p>Contributions to an offsetting scheme shall be secured through Section 106 Agreements and will be required to be paid prior to the occupation of the development.</p>	<p>The applicant will engage in discussions with the LPA to agree the relevant S106 contribution.</p>

Core Policy 6: Renewable Energy	The Council supports renewable and low-carbon energy provisions providing any adverse impacts can be addressed satisfactorily.	Not relevant for the proposed development.
Core Policy 7: Sustainable Flood Risk Management	The Council will manage and reduce flood risk in the district using a sequential approach to development, and where necessary, the exceptions test in accordance with national policy and guidance and locating vulnerable development in areas at lower risk of flooding.	The site is located in Flood Zone 1 (low risk). Application submitted in Outline, please refer to accompanying FRA.
Core Policy 8: Sustainable Drainage Systems (SuDS)	All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.	The proposed development incorporates sustainable Urban Drainage including basins and pond areas.
Core Policy 11: Protection and Enhancement of Biodiversity	<p>All new development proposals will be expected to make a positive contribution to Cherwell’s nature recovery through the protection, restoration and expansion of protected sites, habitats and species.</p> <p>Any development with the potential to impact on a SAC, SPA and/or Ramsar site within the district will be subject to Habitats Regulations Assessment and will not be permitted unless it can be demonstrated that there will be no adverse effects on the integrity of the international site, either alone or in combination with other plans and projects, or that effects can be mitigated to avoid any effect on integrity.</p> <p>Development proposals will be expected to incorporate features to enhance biodiversity such as green and brown roofs, green walls, Sustainable Drainage Systems (SuDS), soft landscaping and nest boxes, in addition to retaining and where possible enhancing existing features of nature conservation value within the site. Existing ecological networks including those identified in the Green and Blue Infrastructure Strategy should be maintained to avoid habitat fragmentation and ensure habitat connectivity.</p> <p>Planning conditions/obligations will be used to help deliver the Conservation Target Areas habitat and species targets and the wider</p>	Please refer to the accompanying Ecology Assessment submitted as part of this application.

	<p>Nature Recovery Network where appropriate. Any new development will be required to secure the long-term management and monitoring of biodiversity features created on-site and those created off-site to compensate for development impacts, through a Biodiversity Improvement and Management Plan.</p> <p>*Unless it meets the relevant subsequent legal tests (Imperative Reasons of Overriding Public Interest and No Alternatives) and provides adequate compensation.</p>	
<p>Core Policy 12: Biodiversity Net Gain</p>	<p><b>Development will be required to demonstrate a minimum of 10% net gain in biodiversity</b> (measured using the DEFRA biodiversity metric 3.1 or successor) by protecting and enhancing sites of biodiversity value or geological value and soils, in addition to recognising the wider benefits from natural capital and ecosystem services. At least 20% biodiversity net gain will be sought in the Nature Recovery Network Core and Recovery zones, and new urban extensions will be required to achieve 20% biodiversity net gain. All major applications should be accompanied by a Biodiversity Net Gain Assessment and Ecological Enhancement Scheme, setting out how the site will be improved and maintained over a thirty-year period. Delivery of biodiversity net gain should follow the mitigation hierarchy with gains delivered on site as first preference. Where the required delivery of biodiversity net gain is not possible on-site, gain should be delivered as close as possible on projects identified in the Green and Blue Infrastructure Strategy or within the core zone or recovery zone of the Nature Recovery Network, where they can secure the greatest benefits to Oxfordshire’s wildlife and ecosystems.</p>	<p>The proposed development achieves 10% biodiversity net gain, please refer to accompanying Ecology Assessment and BNG calculations.</p>
<p>Core Policy 14: Natural Capital and Ecosystem Services</p>	<p>The Natural Capital Map of Oxfordshire will be expected to be used to inform the planning of development sites to ensure the protection of those areas with high value natural capital assets. All new major development proposals will be supported by a natural capital assessment to demonstrate the impact of the development on the environment and any environmental net gain to be secured.</p>	<p>No comment.</p>

Core Policy 15: Green and Blue Infrastructure	The Council will promote the protection and enhancement of sites that form part of the existing green and blue infrastructure (GBI) network and will support improving sustainable connections between sites in accordance with relevant policies within this Plan. The Council will work with developers and other relevant parties to encourage the inclusion of meaningful and integrated GBI in development proposals.	No comment, policy not relevant.
Core Policy 16: Air Quality	Development proposals that are likely to have an impact on local air quality, including those in, or within relative proximity to, existing or potential Air Quality Management Areas (AQMA) will need to provide design mitigation measures to minimise any impacts associated with air quality.	The site is not within an AQMA. The proposed development. In turn the policy is not considered relevant to this application.
Core Policy 17: Pollution and Noise	Development will not be permitted if it results in an unacceptable risk to public health or safety, the environment, general amenity or existing uses due to the potential of air pollution, noise nuisance, vibration, odour, light pollution, surface / ground water sources or land pollution.	The proposed development will not result in an unacceptable impact on amenity in terms of pollution and noise, as confirmed by the supporting documents.
Core Policy 18: Light Pollution	In determining planning applications, the Council will seek to avoid unnecessary light pollution. Proposals for any external lighting scheme that requires planning permission will need to demonstrate that: <ul style="list-style-type: none"> <li>i. The lighting scheme is the minimum required for its intended use;</li> <li>ii. Light pollution is minimised, and</li> <li>iii. There is no unacceptable impact on residential amenity, the character and appearance if the landscape, nature conservation or highway safety.</li> </ul>	Please refer to the accompanying lighting plan and lighting impact report, which confirms that the proposed external lighting minimises light pollution and kept to the minimum required for the proposed use. It also confirms that there is no unacceptable impact on residential amenity, the character and appearance if the landscape, nature conservation or highway safety as a result of the proposed development from a lighting perspective.
Core Policy 19: Soils, Contaminated Land and Stability	Development proposals will not be permitted where the land is contaminated and not capable of appropriate remediation without compromising development viability or the delivery of sustainable development. For sites where land contamination is suspected, an adequate site investigation survey will need to be prepared (by a competent person) to demonstrate that land contamination issues have been fully addressed or can be satisfactorily addressed through the development.	The site is not known to be contaminated due to its current and historical agricultural use.

<p>Development Policy 1: Waste Collection and Recycling</p>	<p>Proposals for new development should include adequate facilities into the design to allow occupiers to separate and store waste for recycling and recovery unless existing provision is adequate.</p> <p>All major development proposals must be accompanied by a Waste Management Plan which demonstrates how the criteria set out in i to Viii of development policy 1 be achieved.</p>	<p>Application submitted in Outline, specific details to be dealt with at subsequent RM stage.</p>
<p>Core Policy 21: Sustainable Transport and Connectivity Improvements</p>	<p>The Council will support measures identified in the Oxfordshire Local Transport and Connectivity Plan and the area travel plans and work with Oxfordshire County Council to ensure that transport improvements contribute positively to the attractiveness and safety of our places, quality of life in Cherwell, and respond sensitively to our natural and historic environment.</p> <p>The Council will give priority to the movement of people according to the following hierarchy and this should be reflected in development proposals and infrastructure provision:</p> <ul style="list-style-type: none"> <li>i. walking (including running, mobility aids, wheelchairs, and mobility scooters)</li> <li>ii. cycling and riding (bicycles, non-standard cycles, e-bikes, cargo bikes, e-scooters and horse riding)</li> <li>iii. public transport (bus, scheduled coach, rail, and taxis)</li> <li>iv. iv. motorcycles</li> <li>v. v. shared vehicles (car clubs and carpooling), and</li> <li>vi. vi. other motorised modes (cars, vans, and lorries)</li> </ul> <p>Cycle, motorcycle and car parking provision, including electric charging points, in new development should be made in line with Oxfordshire County Council parking standards and street design guidance and, where relevant, the Area strategies for Cherwell’s Places and Neighbourhood Plan policies<sup>1</sup>.</p>	<p>Please refer to the accompanying Transport Statement submitted as part of this application.</p> <p>The applicant will work with Oxfordshire County throughout the determination process.</p> <p>One of the main elements of the proposed development is the inclusion of EV chargers.</p>

<sup>1</sup> There is no adopted Neighbourhood Plan for the application site.

<p>Core Policy 22: Assessing Transport Impact/Decide and Provide</p>	<p>The Plan supports Oxfordshire’s Local Transport and Connectivity Plan ‘decide and provide’ approach to help the delivery of public transport and active travel improvements as well as to manage the County’s road network in a manner which reduces traffic and congestion.</p> <p>Development that generates a significant number of trips will be required to be located in an area with an appropriate level of public transport accessibility and where public transport capacity can accommodate the proposed increase in the number of trips, or where capacity can be increased to an appropriate level through contributions, or other infrastructure funding.</p>	<p>Please refer to accompanying Transport Statement.</p>
<p>Core Policy 23: Freight</p>	<p>Development proposals for logistics and distribution</p>	<p>Not considered a relevant policy to the proposed development.</p>
<p>Core Policy 24: The Effective and Efficient Use of Land– Brownfield Land and Housing Density</p>	<p>Housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations. On all new housing developments, the following minimum densities (hectares – net) will be required unless specific local circumstances indicate that this would have an adverse effect on the character of the area, highway safety or the amenity of neighbours. Higher densities will be encouraged in locations where it will result in the optimum use of land, where there is good access to services and public transport routes, and where it would contribute to enhancing the character and legibility of a place.</p>	<p>Please refer to the main body of the Planning Statement and accompanying LVA and Transport Statement.</p>
<p>Core Policy 36: Affordable Housing</p>	<p>The HENA analyses the need for affordable housing in terms of social/affordable rented housing and affordable home ownership<sup>2</sup>.</p> <p>All proposed developments that include 10 or more dwellings (gross), or which would be provided on sites suitable for 10 or more dwellings (gross), will be expected to provide at least 30% of new housing as affordable homes on site.</p>	<p>The proposed development includes 35% affordable housing.</p>

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<sup>2</sup> Policy 37 housing mix.



First homes should make up 25% of all homes on sites and should have a discount of 30%. The majority of first homes should be 2 bedroom. Affordable housing is expected to be met on site unless there are exceptional circumstances and where off-site provision or an appropriate financial contribution in lieu can be robustly justified. Where this policy would result in a requirement that part of an affordable home should be provided, a financial contribution of equivalent value will be required for that part only. Otherwise, financial contributions in lieu of on-site provision will only be acceptable in exceptional circumstances. All qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of affordable homes. It is expected that these requirements will be met without the use of social housing grant or other grants.

Core Policy 37:  
Housing Mix

The Housing and Economic Needs Assessment (2022) examines the mix of homes that are needed by tenure and identifies the following mix:

Type	1- bedroom	2- bedrooms	3- bedrooms	4+ bedrooms
Social/Affordable Rented	35-40%	25-30%	20-25%	10-15%
Affordable Home Ownership	20-25%	40-45%	25-30%	5-10%
Market Housing	5-10%	35-40%	35-40%	15-20%

**Table 10: Mix of housing by size and type**

The proposed development provides the flexibility to include a mix of housing types, sizes and tenures to meet a wide range of market and affordable housing needs.

Core Policy 37:  
Housing Mix

New residential development will be expected to provide a mix of homes to meet current and expected future requirements in the interests of meeting housing need and creating socially mixed, vibrant and inclusive communities. This should be in accordance with the Council’s current evidence unless an alternative approach can be demonstrated to be more appropriate through the Housing Register or where proven to be necessary due to viability constraints agreed through ‘open book’ scrutiny.

As per above comment.

<p>Core Policy 38: Specialist Housing</p>	<p>Housing sites will be expected to provide extra care dwellings (C3 use class) as part of the overall mix. The proportion of extra care housing units is to be agreed with the Council based on the nature of the site and proposals in question and having full regard to the evidence of need for these units.</p>	<p>No comment and not included in scheme.</p>
<p>Core Policy 39: Residential Space Standards</p>	<p>Internal Residential Space All new dwellings will achieve compliance with the nationally described space standards (or any successor standards/policy) as a minimum.</p> <p>External Residential Space New residential dwellings will be expected to have direct access to an area of private and/or communal amenity space. The form of amenity space will be dependent on the form of housing and could be provided as a private garden, roof garden, communal garden, courtyard balcony, or ground-level patio with defensible space from public access. The amount of outdoor amenity space should be appropriate to the size of the property and designed to allow effective and practical use of and level access to the space by residents.</p>	<p>Application is submitted as Outline, but the accompanying illustrative masterplan shows what could be achieved on site, with ample space internal space and amenity space standards.</p>
<p>Core Policy 43: Protection and Enhancement of the Landscape</p>	<p>Development proposals will be expected to preserve the character and appearance of the landscape through the restoration, management and enhancement of existing areas, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.</p> <p>Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:</p> <ul style="list-style-type: none"> <li>i. Cause an unacceptable visual intrusion into the open countryside;</li> <li>ii. Be inconsistent with local character;</li> <li>iii. Introduce disturbances to areas with a high level of tranquillity;</li> <li>iv. Cause coalescence between settlements;</li> <li>v. Harm the setting of natural and built landmark features, or</li> <li>vi. Reduce the historic significance of the landscapes.</li> </ul>	<p>Please refer to the accompanying LVA submitted as part of this application.</p> <p>Aswell as the Planning Statement and accompanying Heritage Statement.</p>

	<p>All major developments proposals must be supported by a Landscape and Visual Impact Assessment. Smaller development proposals may also require an assessment to be submitted if deemed appropriate, having regard to the type, scale, location and design of the proposed development. In determining development proposals within or adjacent to the Cotswolds National Landscape, great weight will be given to conserving and enhancing the area’s scenic beauty and landscape qualities, including its wildlife and heritage.</p> <p>The Cotswolds AONB Management Plan will be used as supplementary guidance in decision making relevant to the National Landscape.</p> <p>Development proposals within the National Landscape will only be permitted if they are small scale, sustainably located and designed, and would not conflict with the aim of conserving and enhancing the scenic beauty of the area</p>	
<p>Core Policy 44: The Oxford Green Belt</p>	<p>The Oxford Green Belt boundaries within Cherwell District will be maintained in order to:</p> <ul style="list-style-type: none"> <li>i. Preserve the special character and landscape setting of Oxford;</li> <li>ii. Check the growth of Oxford and prevent ribbon development and urban sprawl;</li> <li>iii. Prevent the coalescence of settlements;</li> <li>iv. Assist in safeguarding the countryside from encroachment, and</li> <li>v. Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.</li> </ul> <p>Development proposals within the Green Belt will be assessed in accordance with current government policy and other relevant Development Plan policies.</p>	<p>The site is not located within the defined Green Belt, therefore not considered a relevant policy to the proposed development.</p>

Core Policy 45: Settlement Gaps	<p>Development proposals will need to demonstrate that the settlements character is retained, and physical and visual separation is maintained between settlements.</p> <p>Development proposals, will only be permitted where:</p> <ul style="list-style-type: none"> <li>i. The physical and visual separation between the two separate settlements is not diminished;</li> <li>ii. Cumulatively, with other existing or proposed development, it does not compromise the physical and visual separation between settlements, and iii. It does not lead to a loss of environmental or historical assets that individually or collectively contribute towards their local identity.</li> </ul>	The character of the area has been changed through the granted permission to the north in association. Therefore, the appearance of the surrounding area has changed.
Core Policy 46: Achieving Well Designed Places	<p>All new development will be expected to complement and enhance its surroundings through sensitive siting, layout and high-quality design. Poorly designed developments will not be permitted.</p> <p>[criteria ranges from (but not exclusive) Be designed to deliver high quality, safe, attractive, durable and healthy places for living and working; to of its locality; iii. Deliver buildings, places and public spaces that can adapt to changing social, technological, economic and environmental conditions, including resilience to the effects of climate change; to Demonstrate a holistic approach to the design of the public realm to create high-quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles set out in The Manual for Streets should be followed<sup>3</sup>.</p>	The application is submitted in Outline but the illustrative masterplan and DAS submitted as part of this application shows how the development could be delivered on the site.
Core Policy 47: Active Travel – Walking and Cycling	The Council will support the delivery of public realm improvements and infrastructure designed to create attractive places that make walking and cycling a safer, healthier, and more attractive as a travel choice.	No comment, n/a.

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<sup>3</sup> Refer to Manual for Streets

Core Policy 48: Public Rights of Way	Public rights of way will be protected and enhanced to ensure access to public rights of way and the connectivity of these networks.	There are no rights of way within the site. There is a public footpath to the north, the proposed development provides connections to the existing PROW to the north, as shown on the accompanying plans.
Core Policy 49: Health Facilities	The Council will support the provision, extension and co-location of health facilities in sustainable locations.	Not considered a relevant policy to the proposed development.
Core Policy 50: Creating Healthy Communities	The Council will support and promote developments that aim to reduce health inequalities, promote healthier lifestyles and improve the health and well-being of our existing and new communities...	Please refer to DAS and Illustrative masterplan submitted as part of this application.
Core Policy 51: Providing Supporting Infrastructure and Services	All new development will be required to provide for the necessary on-site and, where appropriate, off-site infrastructure requirements arising from development proposals. Infrastructure requirements will be delivered directly by developers and/or through an appropriate financial contribution prior to, or in conjunction with, new development.	Please refer to main body of Planning Statement.
Core Policy 55: Open Space, Sport and Recreation	All open spaces, sport and recreation facilities will be protected and where necessary enhanced to ensure access to a network of high quality sport, play and recreation provision.	Please refer to accompanying DAS and Illustrative Masterplan.
Core Policy 56: Local Green Space	Development will not be permitted within a designated Local Green Space unless consistent with the national policy approach to development within the Green Belt. Inappropriate development within a designated Local Green Space will not be permitted except in very special circumstances.	Not considered a relevant policy to the proposed development.
Core Policy 57: Historic Environment and Archaeology	All development proposals should conserve and/or enhance the special character, appearance and distinctiveness of Cherwell District's historic environment, including the significance of its designated and non-designated heritage assets, in a manner appropriate to their historic character and significance and in a viable use that is consistent with their conservation, in accordance 154 with legislation, national policy and guidance for the historic environment.	Please refer to the main body of this Planning Statement and the accompanying Heritage Assessment.
Core Policy 58: Conservation Areas	Proposals for development in a Conservation Area or affecting the setting of a Conservation Area must conserve or enhance its special interest, character, appearance and setting	Not considered a relevant policy to the proposed development.

<p>Core Policy 70: Bicester Area Strategy</p>	<p>Our over-arching priority for this area is to secure the aligned delivery of housing and infrastructure required to achieve sustainable development along with supporting the enhancement of the town centre.</p> <p>Development in the Bicester Area should be in accordance with the Settlement Hierarchy set out in Core Policy 34:</p> <p>Housing Delivery 9,100 homes will be delivered at Bicester between 2020 and 2040 including the following strategic site allocations:</p>	<p>Figure 12 Bicester Area Strategy Map, places the site in the Local Plan Review 2040: preferred residential site allocation (2) North-West Bicester (LPR33).</p> <p>The applicant has a very good track record and the proposed dwellings could be delivered quickly following approval and subsequent RM applications.</p>
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# Appendix C

## Statement of Community Involvement

## **Statement of Community Involvement**

In accordance with Cherwell District Council's Statement of Community Involvement document (Adopted on 18 October 2021) and the National Planning Policy Framework (NPPF), the appointed development team have undertaken pre-application discussions and consultation with the local community and relevant Statutory Consultees.

Following the pre-application response (received 12<sup>th</sup> June 2023), Planning Prospects Ltd (PPL) were instructed to prepare a full planning application. In October 2023 PPL contacted the Parish Council to arrange a meeting, the purpose of the meeting was to discuss the proposed development and to welcome any questions. A meeting with the Parish Council was held on 15<sup>th</sup> November, both PPL and the applicant Richborough were in attendance. The slides used for the presentation are included at the end of this appendix.

During the meeting, there were positive comments such as 'Understand what you have done here' and 'Best scheme you could do'. Alongside discussions on coalescence, access, landscaping and highways.

It should be noted that a representative from the Action Group was present at the parish council meeting, extending apologies on behalf of the owners of Caversfield House, who was unable to attend due to unforeseen circumstances. The meeting featured the attendance of the Cherwell portfolio holder for housing, who underscored the pressing need for affordable housing, particularly emphasising the demand for 4-bedroom homes which currently has a two-year waitlist.

In conclusion, the applicant and development team have consulted in line with the Cherwell District Council's Statement of Community Involvement document and the National Planning Policy Framework (NPPF).

Overall, the meeting held with the Parish Council was considered to be productive in helping all parties understand the proposal and the issues in the area to take into consideration when finalising the scheme.



Slides used for presentation

# Land at Fringford Road / Aunt Ems Lane

Caversfield Parish Council

15 November 2023



 Richborough

Content



- Richborough Estates
- Site Location
- Proposed Development
- Illustrative Plan
- Q & A

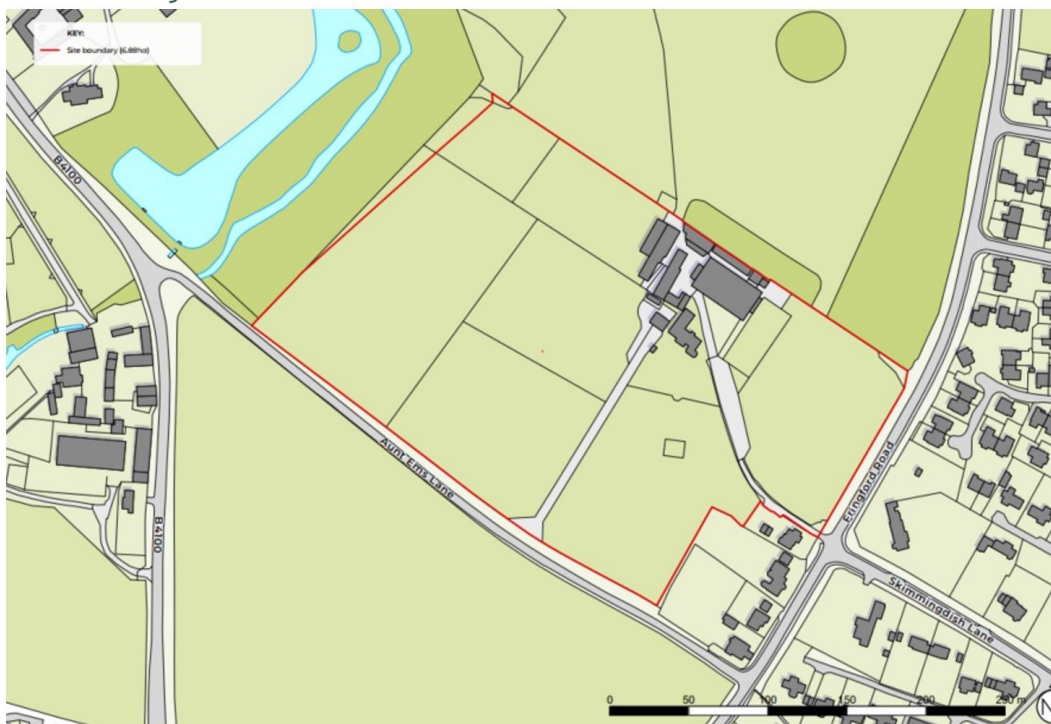


Established 2003, and now one of the UK's most successful land promotion companies

Portfolio of around 140 projects across the UK, including housing, commercial and mixed-use developments

Our team includes planning, urban design and technical professionals, many of whom have housebuilder experience

Strong advocates of high-quality urban design – an appropriate approach to character and place making are guiding principles in each scheme we promote



Up to 110 new homes

Policy compliant affordable housing

Extensive landscaping and play areas

Aunt Ems Lane hedgerow retained

Vehicular access from Fringford Road



Any Questions?