



RIDGE

**PLANNING STATEMENT FOR
NEW STADIUM DEVELOPMENT**

**ON BEHALF OF OXFORD UNITED
FOOTBALL CLUB**

February 2024

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Prepared for

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1. INTRODUCTION

1.1. This Planning Statement has been Prepared by Ridge and Partners LLP on behalf of Oxford United Football Club (the applicant) to accompany a full planning application (EIA development) for a new stadium development at Land East of Stratfield Brake and West of Oxford Parkway Station, known as The Triangle (the Site).

1.2. The application seeks permission for the following development:

'Full planning permission for the erection of a stadium (Use Class F2) with flexible commercial and community facilities and uses including for conferences, exhibitions, education, and other events, club shop, public restaurant, bar, health and wellbeing facility/clinic, and gym (Use Class E/Sui Generis), hotel (Use Class C1), external concourse/fan-zone, car and cycle parking, access and highway works, utilities, public realm, landscaping and all associated and ancillary works and structures'

1.3. This Statement should be read in conjunction with the following documents:

- Environmental Statement (ES) the scope of which has been agreed with the LPA. Topics scoped in, and considered within the ES include:
 - Non-Technical Summary
 - Volume 1: Main Text, comprising of the following:
 - Introductory Chapters, prepared by Ridge and Partners;
 - Landscape and Visual Impact, prepared by Fabrik
 - Ecology and Nature Conservation, prepared by Ecology Solutions
 - Cultural Heritage and Archaeology, prepared by Cotswold Archaeology
 - Transport and Access, prepared by Ridge
 - Noise and Vibration, prepared by Mott Macdonald
 - Air Quality, prepared by Mott Macdonald
 - Lighting, prepared by Mott Macdonald
 - Flood Risk and Drainage, prepared by Mott Macdonald
 - Socio-Economics, prepared by Ekosgen

- Climate Change, prepared by Mott Macdonald
 - Waste, prepared by Mott Macdonald
 - Major Accidents and Disasters, prepared by LUC
 - Cumulative Effects, prepared by Ridge and Partners
 - Summary, prepared by Ridge and Partners
- Volume 2: Figures
 - Volume 3: Appendices

1.4. In addition, the application is accompanied by the following documents:

- Sequential and Retail Impact Assessment, prepared by Ridge and Urban Shape
- Design and Access Statement, prepared by AFL
- Geo-Environmental Report, prepared by Ridge
- OUFC Vision Statement/Executive Summary, prepared by Ridge and OUFC
- Alternative Site Assessment, prepared by Ridge with input from Savills, Fabrik, and Cotswold Archaeology
- Sustainability Statement (including Energy Statement), prepared by Ridge
- Tree Survey and Arboricultural Impact Assessment, prepared by Fabrik
- Statement of Community Involvement, prepared by JBP
- Utilities Statement, prepared by Mott MacDonald
- Health Impact assessment, prepared by Ekosgen
- Economic Benefits Statement, prepared by Ekosgen
- Desk Based Assessment, prepared by Mott Macdonald
- Biodiversity Net Gain Assessment, prepared by Ecology Solutions

Statement Structure

- 1.5. Section 2 introduces Oxford United Football Club (OUFC) and provides a summary of the Club's history, the need for a new stadium and its work in the community.
- 1.6. Section 3 details the site and surrounding area including designations, planning history and relevant allocations in the vicinity.
- 1.7. Section 4 details the development proposals.
- 1.8. Section 5 provides a draft Heads of Terms.
- 1.9. Section 6 provides a summary of pre-application discussions held with the local planning authority.
- 1.10. Section 7 provides the planning policy context for the proposals including the development plan and other material considerations.
- 1.11. Section 8 follows by providing the emerging legislation on football governance.
- 1.12. Section 9 assesses the proposals compliance with Green Belt policy by providing the policy context, assessing the impact on the Green Belt and setting out the 'very special circumstances' of the proposals.
- 1.13. Section 10 assesses the remaining material considerations of proposals.
- 1.14. Section 11 concludes by undertaking the planning balance exercise and demonstrating how the recognised harm to the Green Belt, and other harm resulting from the proposal, is clearly outweighed by the substantial benefits of the proposals.

2. ABOUT OXFORD UNITED FOOTBALL CLUB

Oxford United's History

- 2.1. OUFC has origins that can be traced back to its formation in 1893 as Headington United. Initially, it competed in local leagues, but in 1949, it made the significant step of joining the Southern Football League. In 1960, the Club underwent a name change to Oxford United, reflecting its growing supporter base from the broader Oxfordshire region.
- 2.2. OUFC's most illustrious period came during the 1980s, primarily under the management of Jim Smith. The Club enjoyed remarkable success, achieving successive promotions and ascending to the First Division (the topflight) for the 1985/86 season. This achievement made OUFC the first club to rise from the Fourth Division to the First Division in just four years. In 1985/86, it secured its highest-ever league finish at eighth place.
- 2.3. The Club successfully returned to the Football League (now the EFL) in 2010. OUFC continues to be an integral part of the English football scene.

Need For a New Stadium

- 2.4. OUFC has played football at The Kassam Stadium since 2001, following a move from The Manor Ground. However, from 30th June 2026, OUFC will have no legal right to use or occupy the Kassam Stadium.
- 2.5. The Kassam Stadium is owned and operated privately by a stadium company "Firoka (Oxford United Stadium) Limited". The stadium company is separate from the football club and owned by Firoz Kassam. Oxford United hold a license to use the stadium which ends on the 30th June 2026.
- 2.6. OUFC is restricted under the terms of the current licence agreement to use the Kassam Stadium for first team home league and cup matches, some friendly games and specified testimonial games. OUFC has use of some office space and the ticket office at the stadium but is not permitted to use the rest of the stadium outside of those allowed match days.
- 2.7. The Club has held three licences since the Stadium was constructed. These are:
 - An Original licence dated 21st March 2006 that was originally due to expire in 2026 but was terminated by Firoka (Oxford United Stadium) Limited on 9th May 2021;
 - A short licence that permitted use until June 2021 to allow a play-off match to be played in May 2021; and

- The current licence which started on 1st July 2021 and expires on 30th June 2026.
- 2.8. The current licence does not include any renewal rights or renewal requirements within it. In certain circumstances, the Landlord and Tenant Act 1954 provides security of tenure and a statutory right to a renewal of a lease where premises have been occupied for business purposes. These rights do not apply under the terms of the current licence and the correct statutory procedure to exclude them was followed.
- 2.9. There is a restrictive covenant that was put in place by Oxford City Council when the land was first released under the terms of a Development Agreement with Firoka (Oxford United Stadium) Limited to construct the Kassam Stadium. This requires the site to be used primarily for football until 14th October 2026. This does not provide any right for OUFC to use the Stadium, only that football is required to be a primary use at the site until 14th October 2026.
- 2.10. Therefore, after 30th June 2026, OUFC will have no legal right to use or occupy the Kassam Stadium, there is no right of renewal in the licence, and there is no statutory security of tenure. As such, there is an urgent need to develop a new stadium in order to protect the future existence of one of the oldest football clubs in the UK.
- 2.11. Much like the county of Oxfordshire, Oxford United comes from a proud heritage and rich history. The Club has aspirations for a new, modern, sustainable stadium which is a significant community landmark that contributes meaningfully to the economy and society of Oxfordshire. This is a once in a generation opportunity to provide a new home for sport, entertainment, business, education and tourism which the whole county can be proud of.
- 2.12. The vision is to deliver on the key issues identified by local residents and fans, to ensure that this is both a stadium for elite sports and community use. The proposals will provide significant and sustained benefits to Kidlington and Gosford and Water Eaton residents, fans and the wider Oxfordshire community.

Oxford United in the Community (OUitC)

- 2.13. Oxford United in the Community (OUitC) is an independent charity delivering various OUFC community programmes. The charity's core purpose is to harness the power and appeal of football to inspire people to live healthier lives and build a more inclusive and aspirational community. Working collaboratively with local and county-wide delivery partners, OUitC uses the power of football to inspire the people and communities of Oxfordshire to have positive aspirations for their futures and to have the health, wellbeing, self-confidence, opportunities and resources to achieve them.

- 2.14. The charity's most recent accounts (2021) show a turnover of over £340,000, which funds its seven staff, plus fifteen part-time coaches, enabling work based at the Club's training ground and at partner sites across Oxfordshire. OUtC engages with over 10,000 people per year on non-matchdays, with over 3,000 participating directly in its programmes. There are ambitious plans to expand the reach and impact of the charity.
- 2.15. The projects currently being implemented fall into three categories as follows:
- Football in the Community - there are four projects in place
 - Social Impact - there are ten projects currently in place
 - Health and wellbeing – currently four projects being delivered.
- 2.16. OUtC's new strategy "Oxfordshire – A Community United" includes a goal to be operationally present in ten towns across Oxfordshire as well as Oxford, adopting a 'hub and spoke' approach to reach more people and communities. The charity is based at the OUFC Training Ground, its Oxford-focused hub. It also has an established town spoke in Banbury and is currently setting up and delivering projects in a further three town spokes in Abingdon, Bicester and Didcot. Work is ongoing to identify a further six town spokes, which will include Kidlington.

3. SITE AND SURROUNDING AREA

Site and Surrounding Area

- 3.1. The Site is approximately 7.17 ha and is situated approximately 6 km to the north of Oxford and at the gateway of Kidlington. The Site consists of a broadly triangular field, surrounded by linear vegetation associated with the A4260 Frieze Way to the west and Oxford Road to the east. Short sections of these routes adjacent to the field fall within the Site boundary, including the slip roads to Stratfield Brake Sports Ground to the west. The Site boundary extends south along Oxford Road to include the ramped access and embankment down to Oxford Parkway Station.
- 3.2. The main part of the site is a triangular shape and comprises of a willow plantation of relatively recent origin (less than 20 years) bounded by hedgerows and trees, with a strip of neutral grassland located between the boundaries and plantation. A woodland is present off-site along the southern boundary and an area of planted scrub is also present within the northern section of the site.
- 3.3. The Site includes stretches of Oxford Road along its north-eastern boundary, and Frieze Way along the north-western boundary. Kidlington Roundabout is located to the north of the site, and woodland forms the southern boundary of the site, beyond which is agricultural land. Beyond the south-eastern boundary of the Site is Oxford Parkway Railway Station and the Park and Ride, and to the west of the Site is Stratfield Brake Sports Ground.
- 3.4. The Site is also bound by a number of site allocations within the Cherwell Local Plan Partial Review which introduced housing allocations to meet Oxford's unmet housing need. Full details of the surrounding allocated sites are set out below.
- 3.5. The Site exhibits a varied topography, with a relatively flat gentle gradient of 1:150 –1:200 falling East to West.

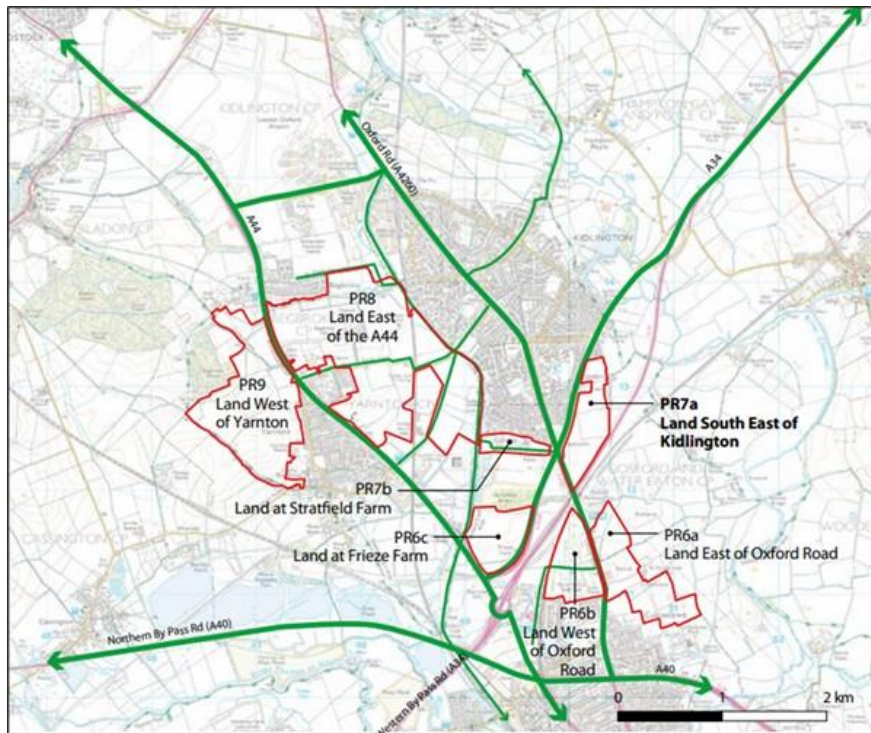
Designations

- 3.6. The Site is located in Flood Zone 1 and therefore is not considered at risk of fluvial flooding. The north of the Site indicates a risk of surface water flooding due to its topography. There are field ditches found on the western boundary and to the northern edge of the woodland. The north of the Site contains a Gas Main and Overhead Power Cable.
- 3.7. The Site is washed over by the Oxfordshire Green Belt but there are no other landscape, environmental, or historic designations covering the site. No Scheduled Monuments, Registered Parks and Gardens or Registered Battlefields are present within or in the vicinity of the Site. Whilst there are no Listed Buildings within the Site, there are a number of Listed Buildings within its proximity.

- 3.8. There are no statutory designated sites of nature conservation value located within or immediately adjacent to the Site. The closest statutory site is the Oxford Meadows Special Area of Conservation (SAC), which includes the constituent Site of Special Scientific Interest (SSSI) Pixey and Yarnton Meads SSSI, located approximately 1.9km southwest of the Site at its closest point.
- 3.9. The woodland located off-site adjacent to the southern boundary, is listed on the MAGIC database as a Priority Deciduous Woodland which also forms part of the Stratfield Brake Cherwell District Wildlife Site (DWS). It is noted it does not form part of the Stratfield Brake Woodland Trust Reserve (which is also designated as part of the DWS) located to the west of the Site, and it is isolated from the Reserve by the Frieze Way A4620. The Meadows West of the Oxford Canal is an Oxfordshire Local Wildlife Site (LWS) which lies approximately 0.6km west of the site, and is separated from the Site by Frieze Way, Stratfield Brake DWS and Oxford Canal.
- 3.10. There are tree belts along the eastern and western boundaries of the Site associated with Oxford Road and Frieze Way, and scrub vegetation in the north of the Site. A line of five Poplars are located at the northern tip of the Site and are prominent in local views. The embankment down to Oxford Parkway consists of Field Maple, Hornbeam, Hazel and Hawthorn. The majority of the internal arrangements of the field within the Site are occupied by the commercial willow plantation. There are seven TPOs on the Site boundary (five on the northern boundary and two on the eastern boundary).
- 3.11. The Site is well related to existing and proposed development and is in a highly accessible location, adjacent to the strategic highway network as well as Oxford Parkway Railway Station and Park and Ride. It is therefore accessible by a range of transport modes.
- 3.12. The Agricultural Land Classification mapping service identifies that the land comprises Grade 3 Agricultural Land.

Planning History

- 3.13. The only planning history on the site relates to its previous use as a motorcycle track, this change of use from agricultural was permitted in 1998 under the reference 97/01897/F.
- 3.14. However, as above, there are there are a number of allocated sites within the immediate area of the development as part of the Cherwell Local Plan 2011-2031 (Part 1) Partial Review (LPPR), which provides for Cherwell's share of Oxford City's unmet housing needs, the policies map is shown below:



PR6a: Land East of Oxford Road

- 3.15. The Local Plan requirements for this site include 690 dwellings, primary school, sports facilities, extension to Cutteslowe Park and local centre including retail, business and community uses.
- 3.16. Bellway Homes acquired the PR6a site in September 2022 from Christ Church College and is bringing the site forward for development (now known as Water Eaton), with Christ Church maintaining a leading role in the site’s stewardship. An outline planning application is pending determination (23/01233/OUT) for *‘the demolition of existing buildings and the erection of up to 800 dwellings (Class C3); a two form entry primary school; a local centre (comprising convenience retailing (not less than 350sqm and up to 500sqm (Class E(a))), business uses (Class E(g)(i)) and/or financial and professional uses (Class E(c)) up to 500sqm, café or restaurant use (Class E(b)) up to 200sqm; community building (Class E and F2); car and cycle parking; associated play areas, allotments, public open green space and landscaping; new vehicular, pedestrian and cycle access points; internal roads, paths and communal parking infrastructure; associated works, infrastructure (including Sustainable Urban Drainage, services and utilities) and ancillary development. Works to the Oxford Road in the vicinity of the site to include, pedestrian and cycle infrastructure, drainage, bus stops, landscaping and ancillary development.’*

PR6b: Land West of Oxford Road.

- 3.17. A development brief for PR6b was produced by Cherwell District Council in August 2022. The site is allocated for:

- Residential development - 670 net dwellings on 32 hectares of land - 50% affordable housing
- Formal sports area
- Improvements to existing footbridge over the railway on the western boundary of the site

3.18. No planning application has been submitted.

PR6c: Land at Frieze Farm.

3.19. Land at Frieze Farm (30 hectares) will be reserved for the potential construction of a golf course should this be required as a result of the development of Land to the West of Oxford Road under Policy PR6b.

PR7a: Land South East of Kidlington.

3.20. A development brief for PR7a was produced by Cherwell District Council in June 2022. The site is allocated for:

- Residential development - 430 net dwellings on 21 hectares of land - 50% affordable housing
- An extension to Kidlington Cemetery on 0.7 hectares of land within the developable area.
- 11 hectares of land to provide formal sports facilities for the development and for the wider community and green infrastructure within the Green Belt.
- Play areas and allotments within the developable area.

3.21. Two planning applications have been submitted on this site; 370 dwellings on the southern parcel (22/00747/OUT) and 96 dwellings on the northern parcel (22/03883/F). Both applications have a resolution to grant planning permission subject to a S106 Agreement.

PR7b: Land at Stratfield Farm

3.22. A development brief for PR7b was produced by Cherwell District Council in June 2022. The site is allocated for:

- Residential development - 120 net dwellings on 5 hectares of land - 50% affordable housing
- Play areas and allotments
- Nature Conservation Area

- New public bridleway/green link and provision of a new foot/cycle bridge over the Oxford Canal

3.23. An outline planning application for 118 dwellings (22/01611/OUT) has a resolution to grant planning permission subject to S106 Agreement.

PR8: Land east of the A44

3.24. PR8 is a new urban neighbourhood with the following key delivery requirements:

- Residential development - 1950 net dwellings on 66 hectares of land - 50% affordable housing
- Primary and Secondary School
- Local centre including retail, business and community uses
- Formal sports and play areas
- Local nature reserve

3.25. The largest proportion of the site (23/02098/OUT) has a live outline planning application which is pending determination for: *'a multi-phased (severable), comprehensive residential-led mixed use development comprising: Up to 215,000 square metres gross external area of residential floorspace (or c.1,800 homes which depending on the housing mix could result in a higher or lower number of housing units) within Use Class C3/C4 and large houses of multiple occupation (Sui Generis); Supporting social infrastructure including secondary school/primary school(s) (Use Class F1); health, indoor sport and recreation, emergency and nursery facilities (Class E(d)-(f)). Supporting retail, leisure and community uses, including retail (Class E(a)), cafes and restaurants (Class E(b)), commercial and professional services (Class E(c)), a hotel (Use Class C1), local community uses (Class F2), and other local centre uses within a Sui Generis use including public houses, bars and drinking establishments (including with expanded food provision), hot food takeaways, venues for live music performance, theatre, and cinema. Up to 155,000 net additional square metres (gross external area) of flexible employment uses including research and development, office and workspace and associated uses (Use E(g)), industrial (Use Class B2) and storage (Use Class B8) in connection with the expansion of Begbroke Science Park; Highway works, including new vehicular, cyclist and pedestrian roads and paths, improvements to the existing Sandy Lane and Begbroke Hill road, a bridge over the Oxford Canal, safeguarded land for a rail halt, and car and cycle parking with associated electric vehicle charging infrastructure; Landscape and public realm, including areas for sustainable urban drainage systems, allotments, biodiversity areas, outdoor play and sports facilities (Use Class F2(c)); Utility,*

energy, water, and waste water facilities and infrastructure; together with enabling, site clearance, demolition and associated works, including temporary meanwhile uses.'

3.26. The smaller part of the south (southern parcel) is the subject of a live planning application which is pending determination for up to 300 dwellings with associated infrastructure and open space (23/03307/OUT).

PR9: Land West of Yarnton

3.27. A development brief for PR9 was produced by Cherwell District Council in November 2021. The site is allocated for:

- Residential development - 540 net dwellings on 25 hectares of land - 50% affordable housing
- School expansion
- Formal sports, play areas and allotments
- Informal parkland
- New local nature reserve

3.28. An outline planning application was submitted in 2021 for *'up to 540 dwellings (Class C3), up to 9,000sqm GEA of elderly/extra care residential floorspace (Class C2), a Community Home Work Hub (up to 200sqm)(Class E), alongside the creation of two locally equipped areas for play, one NEAP, up to 1.8 hectares of playing pitches and amenity space for the William Fletcher Primary School, two vehicular access points, green infrastructure, areas of public open space, two community woodland areas, a local nature reserve, footpaths, tree planting, restoration of historic hedgerow, and associated works (21/03522/OUT).'* Prior to the determination of the application, an appeal against non-determination was submitted (APP/C3105/W/23/3329587). CDC's planning committee resolved in November 2023 that they would have refused the application due to outstanding technical matters and no S106 Agreement; however, it was confirmed that in the circumstances the issues are satisfactorily resolved, the appeal will not be contested.

Additional Infrastructure

3.29. The Cherwell Local Plan Part 1 Partial Review also makes clear that the above sites will be expected to financially contribute to in order to secure necessary improvements to, and mitigations for, the highway network and to deliver necessary improvements to infrastructure and services for public transport. The improvements to sustainable transport in the area are to include:

(a) improved bus services and facilities along:

- i. the A44/A4144 corridor linking Woodstock and Oxford
- ii. the A4260/A4165 (Oxford Road) linking Kidlington, Gosford, Water Eaton and Oxford
- iii. Langford Lane.

(b) the enhancement of the off-carriageway Cycle Track/ Shared Use Path along the western side of the A44 and the provision of at least one pedestrian and cycle and wheelchair crossing over the A44.

(c) the prioritisation of the A44 over the A4260 as the primary north-south through route for private motor vehicles into and out of Oxford.

(d) improved rapid transit/bus services and associated Super Cycleway along the A4260 into Oxford.

(e) improvements to the public realm through the centre of Kidlington associated with (d) above.

(f) the provision of new and enhanced pedestrian, cycling and wheelchair routes into and out of Oxford.

4. THE PROPOSED DEVELOPMENT

Description of Development

4.1. The description of development is as follows:

'Full planning permission for the erection of a stadium (Use Class F2) with flexible commercial and community facilities and uses including for conferences, exhibitions, education, and other events, club shop, public restaurant, bar, health and wellbeing facility/clinic, and gym (Use Class E/Sui Generis), hotel (Use Class C1), external concourse/fan-zone, car and cycle parking, access and highway works, utilities, public realm, landscaping and all associated and ancillary works and structures'

The Project Vision

4.2. The Vision is to create a sustainable sports, entertainment and lifestyle landmark in Oxfordshire which is locally loved and internationally recognised. The stadium will set the benchmark for commercial innovation, environmental performance and community benefit, and put the visitor experience at the heart of everything it does.

4.3. Much like the county of Oxfordshire, OUFC comes from a proud heritage and rich history. The Club has aspirations for a new, modern, sustainable stadium which is a significant community landmark that contributes meaningfully to the economy and society of Oxfordshire. This is a once in a generation opportunity to provide a new home for sport, entertainment, business, education and tourism which the whole county can be proud of.

4.4. The Vision is to deliver on the key issues identified by local residents and fans, to ensure that this is both a stadium for elite sports and community use. The aim is for the Proposed Development to provide significant and sustained benefits to Kidlington and Gosford and Water Eaton residents, OUFC's fans and the wider Oxfordshire community.

4.5. Key principles that have informed the development include:

- Visitor experience at the heart – Construct a new landmark for Oxford which instils community pride, is accessible, welcoming and puts the visitor experience at the heart, not just for fans of the game, but for all who visit.
- United with the community – be an active and positive part of the community, creating a sporting legacy and generating new employment, education opportunities and having a positive impact on the health and wellbeing of the communities the Club serves.

- Sustainability at the core – ensure that environmental and commercial sustainability is at the core, to protect the long-term future of OUFC and our planet.
- Improving connectivity and access – ensure the site and all facilities are a safe and inclusive place for all, with improved connectivity and access to the site, creating a hive of activity and an atmosphere of community, removing barriers to the site.
- Promoting innovation – utilise technology to improve the way things are done, nurturing a culture of collaboration and new ideas.

4.6. The Proposed Development is defined through a financial appraisal which identifies the ideal facilities which benefit both the Club and the community. This contributes to the financial sustainability of the Club, whilst also enhancing the offering to the community around Oxford and the surrounding area. Further information is set out in the accompanying Vision Statement prepared by OUFC.

The Development Proposals

4.7. The Proposed Development looks to deliver a 16,000-capacity stadium for OUFC and associated facilities within a single building. The commercial and community uses within the stadium provide facilities for conferences, exhibitions, education and other events with a capacity for 1,000 guests. In addition to this the stadium building provides a Club Shop, public restaurant, bar, health and wellbeing/clinic facility and gym, as well a 180-bed hotel. Full details of the proposed development can be found within the Design and Access Statement.

4.8. The stadium is situated in the southern part of the site on a north-west/south-east axis. Externally, there will be a pedestrian concourse around the perimeter of the stadium, as well as a community plaza and fan zone to the north of the Stadium, with an area of enhanced green infrastructure in the northern corner of the site. This area will provide connectivity through the Site to the areas of open space to the west and east of the site. Car parking is situated to the south-west of the stadium, which includes an area which will be used as an outdoor broadcasting compound on matchdays. To the south of the site are SUDs drainage ponds as well as another area of public realm to the south-east which provides another arrival space from the south-east.

4.9. The proposed development includes the uses detailed in the table below:

Use	Use Class	Quantum/Amount
Stadium (F2)	F2	16,000 Capacity
Club Shop and Ticket Office	E	315m ²
Sports Bar	Sui generis	197m ²

Restaurant	E	276m ²
Gym	E	698m ²
Health and Wellbeing/Clinic Facility	E	827m ²
Hotel	C1	180-Bed Hotel
Parking		184 car parking spaces, 2 coach bays, motorcycle spaces and 150 cycle parking spaces.
Green Infrastructure / Landscaped Areas		The Plaza and Gardens - 7,515m ² The Southern Plaza - 1,152 m ² The Approach - 1,322 m ² Other areas of landscaping and SUDS drainage - 2,297 m ²

The Stadium Building

- 4.10. The proposed design for the stadium is for a fully covered 360-degree 16,000 capacity single tier rectangular seating bowl.
- 4.11. The west stand is the main stand and provides player access and facilities, media facilities, hospitality, sky boxes, directors lounge, and premium seating, as well as ancillary offices, equipment and plant and other back-of-house facilities. The hospitality areas will provide Conferencing and Events space and will be used on both match and non-match days. The lounge area on the first floor has capacity for 1,000 guests.
- 4.12. Matchday hospitality will feature a range of offerings with some of the latest and innovative experiences available. On non-matchdays, spaces will be open to the community, schools and businesses to utilise for conferences, collaboration and events.
- 4.13. As part of the foundational pillar to “Unite with the Community”, OUFC are committed to delivering a facility which showcases the best of Oxford and is designed to benefit the local people and help address social issues around Oxford.
- 4.14. Facilities will include those which support the health and well-being agenda, educational spaces, retail and relaxation areas, food and beverage units. Spaces will be designed with flexibility in mind, ensuring that the community can be offered anything from single meeting rooms to 1,000 capacity conferences and exhibitions.
- 4.15. The north stand contains the proposed commercial spaces on the ground floor, as well as the hotel entrance, with the hotel accommodation on the second to fourth floors. The east and south stands provide the remainder of the seating bowl.
- 4.16. The stadium has capacity for 16,000, provided over a number of different seating types. This comprises of General Admission (GA) including licenced standing, Premium GA and premium

seating for hospitality and lounges. The away GA seating provision is located in the south-east corner with options of either 800, 1,600 or 2,400 (5, 10% or 15% of the stadium capacity respectively). Each seating category/hospitality space will have a designated number of wheelchair positions. These will be spread across multiple locations to provide users with flexibility and choice.

4.17. The stadium also includes a Sensory Room and two multi-faith spaces.

Commercial and Community Spaces

4.18. The commercial Class E/sui generis space is located to the north of the stadium adjacent to the spectator concourse. These spaces, comprising a mix of uses as above, help to activate the new public plaza and parkland to the top of the Site, as well as drive additional income to help fund the development.

Hotel

4.19. Above these commercial uses will be a four storey 180-bed hotel, with its main entrance on the ground floor of the north stand. Half the bedrooms will be outward-looking, overlooking the green roof of the commercial spaces below and wider surroundings. The other half will be inward looking, and two of the levels of the inward-looking rooms will have pitch view.

4.20. The inclusion of a high-quality international hotel in this location is essential in supporting and delivering on the socio-economic benefits that this development will have for the area.

Building Form, Height, Appearance and Operation

Building Form and Appearance

4.21. The full justification for the design is set out within the Design and Access Stadium which accompanies this planning application.

4.22. The massing and orientation of the stadium has been influenced by a number of factors. This has been partly dictated by the site constraints, but also stadium-specific requirements, such as ensuring that hospitality seats and camera locations face away from the evening sun to avoid glare; this in turn dictates where the main stand is located.

4.23. One key driver for the scheme was to provide a 360-degree seating bowl, whilst also incorporating commercial spaces and hospitality provision within a single building.

4.24. The location of the commercial spaces and hotel accommodation is in the north of the site, close to the car park, public spaces and routes through and close to the site. The number of rooms has been dictated by commercial advice and results in four storeys in this location. The eastern and southern

stands of the building consist solely of a concourse and seating area and as a result, the roof is proposed to be angled to reduce the overall mass and create a stadium atmosphere that isn't overshadowed by vast empty spaces beneath the roof.

- 4.25. In terms of the design of the stadium, it is not proposed to encase the entire building in a uniform exterior, but instead, express the distinct features of each individual part. The stadium is designed to look and feel like a stadium, featuring a continuous 360-degree seating bowl with a concourse beneath. However, the hospitality areas and the hotel create a different mass, height and required aesthetic, which will wrap around the stadium on two sides.
- 4.26. In terms of the western elevation, the central part of this façade is a four-storey element in the same materials as the ground floor plinth. This form expresses the main hospitality lounge with large windows, with the remainder of the elevation being clad in a blue-grey slate coloured metal composite panels. The top of this facade slopes to match the slope of the main roof, and where the building is highest, branded signage is proposed.
- 4.27. In terms of the northern elevation, the ground floor plinth on the north stand bulges out from the main building line above to contain the commercial elements of the Proposed Development. The roof of this single storey space is proposed as a bio-diverse roof. Above the plinth, the blue-grey slate coloured metal composite panel facade contains the hotel. The windows are formed with punched apertures set in vertical slots with spandrel panels across floor levels. The top of this facade slopes to match the slope of the main roof. As a juxtaposition on this elevation, the eastern part is set back, with a dramatic diagonal slope, exposing the metal stadium structure constructed out of tree like Y-frames. Semi-translucent polycarbonate panels clad the rear of the stadium structure from plinth level to just short of the roof leaving a ventilation gap. This arrangement allows the roof to float above the body of the building.
- 4.28. On the eastern elevation, the ground floor plinth on the east stand becomes much simpler and is made up of large flat precast panels in the Oxford buff stone texture. Set within this wall are spectator ingress and exit gates in dark grey metal panelling. This facade is mainly dominated by the metal stadium structure constructed out of tree like Y-frames. This elevation has the same semi-translucent polycarbonate panels from plinth level to just short of the roof, allowing the roof to float above the body of the building. At the eastern end of the 4-storey hotel block, it is intended to install a green wall to the stepped elements.
- 4.29. On the southern elevation, the ground floor plinth remains simple, with spectator ingress and exit gates in dark grey metal panelling. As with the eastern elevation, this façade is mainly dominated by the metal stadium structure and semi-translucent polycarbonate panels cladding. At the western end, the upper part of the west stand rises and on the roof of the single-storey plinth is another section of biodiverse roofing.

Building Height

- 4.30. The proposed maximum height of the stadium is 24.6m. The most prominent part of the building on-site is at the north-west corner. This corner will serve as the public face of the Proposed Development with the height gradually reduced as it extends east and south.

Building Operation

- 4.31. The Proposed Scheme will function as a multi-purpose sporting, leisure and cultural facility.
- 4.32. The Stadium is likely to hold 28 men's first team football matches per annum, including 23 home league games, and 5 pre-season and cup games. In addition to this, Women's league and cup fixtures are proposed to be held at the Stadium of which it is anticipated that there will be 11 home league games and 2 cup fixtures per annum. It is also projected that there will be 2 Stadium hire events per year, for sporting events such as junior international matches, or community or university sport events.
- 4.33. In terms of events, it is not proposed that the Stadium will host concerts. However, it will be utilised for a wide range of activities including conferences, meetings, trade shows, corporate events and dinners. Over the course of a year, it is anticipated that around 580 events will be hosted. These will be of differing scales, with the majority being smaller events with an average attendance of 10 or 30 people. The Stadium has capacity to host events for up to 1,000 attendees and initial projections anticipate that there will be approximately 85 events with an average of 150 people, and 68 large events with an average number of 700 people. This includes Christmas parties.
- 4.34. The majority of football matches are held in the afternoon / early evening of weekends during the football season. Some matches, in particular cup-ties, are held during the week with kick-off time around 19:45. These games usually finish by 22:00, with the exception of very few cup games that go to extra-time and penalties.
- 4.35. There will be activity on site 24 hours a day. At this stage, end users for the commercial and community uses have not been defined but it is anticipated that the hours of use, with the exception of the hotel use which will be 24 hours, will be between 06:00-00:00. The specific hours will vary depending on the use but are likely to fall within these broad parameters. Security will be on site 24-hours.

Job Creation

- 4.36. The Proposed Development is anticipated to generate employment during the operational phase. The Proposed Development is predicted to support between 275 net full time equivalent jobs

directly on the Site. These employees will likely generate an economic output (GVA) of £12.6m in GVA in Cherwell annually.

- 4.37. In addition to on-site jobs, the Proposed Development will support a number of off-site jobs and GVA through indirect and induced effects across Oxfordshire amounting to 142 full time equivalent off-site jobs and £13m in GVA including new and retained jobs and GVA. In addition, the proposed development is expected to support off-site visitor spending in the region of £5.8m, which in turn will support around 95 full time equivalent jobs.

Landscape and Biodiversity

- 4.38. One of the project drivers to is incorporate native species and local prominence landscaping elements into the design. The landscape masterplan incorporates flexible multi-functional spaces that can be enjoyed whether it be a match day or not. The proposals connect the stadium to the wider countryside, woodlands, canal walks, and nearby towns in a way that is attractive, safe, and enjoyable for walkers and cyclists, while also promoting environmental and cultural stewardship.
- 4.39. Whilst the Proposed Development would introduce new built form and open space to the landscape, the proposed stadium has been situated as far south within the Site as possible without impacting on the woodland block to the south of the site. The priority habitat woodland along the southern boundary is retained in its entirety, which is a key characteristic of the local area. The Proposed Development would see the introduction of a large number and variety of new landscape features, creating new areas of habitat, open space and helping to reduce the visual impacts of the built form. Vegetation removals along the eastern and western boundaries to facilitate access are replaced within the Site.
- 4.40. The application is accompanied by a Landscape Strategy. This identifies that the strategy consists of four main character spaces:
1. The Gardens: this area is located in the northern part of the site and includes native tree planting, provision of a natural pond, natural amphitheatre as well as grassland.
 2. The Plaza: this area is to the south of The Gardens and north of the stadium and includes paved landscaping, raised planters and tree planting, as well as a formal walkway running east-west across the site. This is envisaged to be a home team fan zone on match days and community space on non-match days.
 3. The Approach: the eastern boundary of the site which forms the main pedestrian and cycle access to the site from Oxford Road. There will be removal of vegetation along this boundary (including the two TPO oak trees) to create a permeable edge but raised and stepped planters would provide opportunities for planting, including boulevard trees.

4. The Southern Plaza: the south-eastern corner of the site is the away fans area and includes areas of hardstanding around the perimeter of the stadium, a SuDS attenuation area, tree and buffer planting along the southern boundary of the Site.

- 4.41. The submitted Arboricultural Impact Assessment for the Site identifies the proposed removal of 17 individual trees (one Category A, four Category B, 10 Category C and 2 Category U) of varying maturity and the removal of five tree groups (one Category B and four Category C) and the partial loss of two groups to facilitate the Proposed Development. The retention of the existing mature trees along the northern boundary and the partial retention of the existing trees on the eastern and western boundaries help to retain a mature landscape setting for the Proposed Development alongside the existing woodland to the south of the Site.
- 4.42. The majority of trees to be removed are categorised as 'C'. The Proposed Development therefore provides the opportunity to significantly increase the overall number of trees, the range of species (and associated ecological benefits) and improve the age-structure of the tree stock. 143 new trees would be planted within the Site, including 81 trees of extra heavy standard or above, approximately 2,000m² of scrub planting and 350 linear metres of native hedgerow. Replacement and additional trees will be planted as early as feasible within the construction programme to enable their rapid establishment. The tree removals can be seen at **Figure 4.12**.
- 4.43. The Proposed Development will achieve a minimum of 10% Biodiversity Net Gain. The landscape planting strategy, which helps to achieve this, is as follows:
- The protection of the adjacent woodland.
 - Creation of species-rich grassland, and if deemed necessary, a transplantation exercise of those plants that are of greater conservation value to dedicated areas left for biodiversity.
 - New native tree and hedgerow planting is proposed of a length/area greater than lost.
 - Creation of new scrub habitat and hedgerows which will include Blackthorn.
 - New bird nest boxes and bat boxes will be provided on suitable retained trees within the Site.
 - Log piles will be created within areas of open space.
 - The stadium building itself will accommodate three areas of biodiverse roof on parts of the north stand, east and south stands, as well as a living wall on the northeastern elevation.

Access, Parking and Transport Strategy

- 4.44. Vehicle access to the Site is via a new junction on Freize Way to the north of the proposed stadium, with vehicle egress on to Freize Way south of the stadium. A secondary emergency access is proposed onto Oxford Road.
- 4.45. Car parking is situated to the west of the proposed stadium and accommodates a total of 184 car parking spaces, of which 78 are accessible bays and 106 are standard car bays. On match days, some of the car parking spaces (approximately 25 of the standard spaces) are to be utilised as an TV Broadcasting Area. These are to be provided in Grasscrete. 2 coach bays and 150 cycle parking spaces are proposed on-site. Cycle parking is also proposed to be provided at Oxford Parkway Station.
- 4.46. On match days, it is anticipated that accessible spaces will be allocated to fans based on need and through a booking system. The standard spaces will be used by match officials, operational staff and outside broadcast, which will require pre-booking in advance of the match. On non-match days, the car park will be used by OUFC staff working at the stadium, visitors to the hotel, commercial, and leisure uses. The car park will be managed by OUFC.
- 4.47. The Proposed Development seeks to promote the use of sustainable transport measures. Measures include:
- New and improved pedestrian and cycle routes to/from the Stadium from/to Oxford Parkway, which also connect to the committed pedestrian and cycle routes at Kidlington Roundabout and on Oxford Road. The improvements will include signage and lighting.
 - Crossing facilities (TOUCAN) across Oxford Road.
 - Crossing facilities (TOUCAN) across Frieze Way.
 - A new stepped access to Oxford Parkway from Oxford Road.
 - New bus stops on Oxford Road.
- 4.48. In terms of the management of crowds, Match Day and Non-Match Day Framework Travel Plans have been prepared which set out the measures proposed. In terms of match days, the following is proposed:
- Shuttle bus services to/from the Park & Ride sites around Oxford on match days (aligned to demand/ticket sales).
 - Increased frequency and longer operating hours of public bus services to the stadium on match days if demand/ticket sales require.
 - Traffic Management Plan, including the following measures:

- Traffic management on match days including the diversion of traffic via Frieze Way for at least 30 minutes to enable the supporters to safely arrive and leave the stadium via Oxford Road to reach the transport interchange at Oxford Parkway.
- Controlled Match Day Parking Zones up to 2km from the Stadium in Kidlington and North Oxford.
- Variable Message Signage on radial routes to the Stadium advising of football match and availability of Park and Ride car parks.

4.49. These measures are discussed in Section 9 of this statement and are considered in full in Chapter 10 of the accompanying ES.

5. HEADS OF TERMS

- 5.1. In terms of Section 106 contributions, the applicant is willing to pay the required contributions where it can be demonstrated that they are fully in accordance with Regulation 122(2) of the Community Infrastructure Levy Regulations 2010.
- 5.2. In this case, it is anticipated that during the course of the application that contributions are likely to be agreed in relation to the following areas providing they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

Apprenticeships and skills

- 5.3. Provision will be made to ensure that apprenticeships are provided through the construction phase of the development and post construction where possible.

Enhanced Sports Provision

- 5.4. As part of the proposals, OUFC will look at appropriate opportunities to enhance sports provision at Stratfield Brake Sports Ground. These can be secured through the S106 Agreement.

Community Safety and Policing

- 5.5. Appropriate measures and agreement with Thames Valley Police, around community safety, management of match day safety and CCTV will be agreed through the course of the application as appropriate. OUFC is committed to ensure appropriate safety measures are in place and have their own safety and operations team who will liaise with TVP on a regular basis once the stadium is in place.

Nature Conservation and Biodiversity

- 5.6. OUFC is committed to providing 10% biodiversity net gain (BNG) on site as part of the proposals and will agree what these will entail as part of the application process and is happy that the BNG obligations are included as part of agreed S106.

Public Realm, Public Art and Cultural Well-Being

- 5.7. As part of the proposals, OUFC will look at appropriate opportunities to improve the public realm in the vicinity of the site which includes new footpath and cycle connections to the east and west of the site and potential for public art with the public spaces on site.

Transport and Access

- 5.8. Suitable provision for improved sustainable transport infrastructure will be agreed during the course of the application. From initial discussions around this with both CDC and OCC, the improved highway and pedestrian network along the Oxford Road will be dealt with contributions from the allocated sites and, as a consequence, improvements are likely to focus on suitable connections to Oxford Parkway and potential infrastructure improvements along Frieze Way. OUFC are committed to ensuring suitable sustainable transport connections are provided.

6. PRE-APPLICATION DISCUSSIONS

- 6.1. Formal pre-application discussions have been undertaken with the Council, under the reference 23/02335/PREAPP. This included a meeting held on the 20th of September, with the Council's written response issued on the 11th of November.
- 6.2. The main issues relating to the proposal were considered to be as follows, with high-level advice given on each:
- Principle of development and impact on the Green Belt
 - Design
 - Landscape and visual impact
 - Retail impact
 - Residential amenity
 - Transport and Highway safety
 - Heritage Assets
 - Trees and Ecology
 - Noise, Air Quality and Ground Conditions
 - Lighting
 - Flooding and Drainage
 - Sustainability
 - Environmental Statement
 - Planning Obligations
- 6.3. The response then deals in more detail with the principle and Green Belt issues, documents required to support a planning application and likely Section 106 requirements.
- 6.4. The council's full pre-application response is contained within appendix 1.
- 6.5. In addition to this, the consultant team has continually engaged with a number of Officers at OCC and CDC as part of the pre-application process, as well as part of the Scoping Request (23/02276/SCOP).

7. PLANNING POLICY CONTEXT

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, this includes national guidance set out within the National Planning Policy Framework and the accompanying the Practice Guidance, as well as the emerging Local Plan.
- 7.2. The Development plan for the site comprises of the following:
- The Cherwell Local Plan 2011-2031 (Part 1)
 - The Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing
 - Cherwell Local Plan 1996 Saved Policies
- 7.3. The other material considerations relevant to the site and the proposals include the following:
- The National Planning Policy Framework
 - The Emerging Local Review

The Development Plan

Cherwell Local Plan 2011-2031 (Part 1)

- 7.4. The Adopted Cherwell Local Plan 2011-2031 (Part 1) contains strategic planning policies for development and the use of land. It forms part of the statutory Development Plan for Cherwell to which regard must be given in the determination of planning applications.
- 7.5. The Plan was formally adopted by the Council on 20 July 2015. Policy Bicester 13 was re-adopted on 19 December 2016.
- 7.6. **Policy PSD 1** sets out the plan's presumption in favour of sustainable development, stating that when considering development proposals, the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. The remainder of the policy reiterates NPPF's presumption in favour of sustainable development (paragraph 11c-d).
- 7.7. **Policy SLE 1** sets out the council's policy regarding employment development, within the policy it is set out that new employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:

- *They will be outside of the Green Belt, unless very special circumstances can be demonstrated.*
- *Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.*
- *They will be designed to very high standards using sustainable construction, and be of an appropriate scale and respect the character of villages and the surroundings.*
- *They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment.*
- *The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance).*
- *The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.*
- *There are no suitable available plots or premises within existing nearby employment sites in the rural areas.*

The Local Plan has an urban focus. With the potential for increased travel by private car by workers and other environmental impacts, justification for employment development on new sites in the rural areas will need to be provided. This should include an applicant demonstrating a need for and benefits of employment in the particular location proposed and explaining why the proposed development should not be located at the towns, close to the proposed labour supply.

7.8. **Policy SLE 2** concerns securing dynamic town centres and sets out that Retail and other 'Main Town Centre Uses' will be directed towards the town centres of Banbury and Bicester and the village centre of Kidlington in accordance with Policies Bicester 5, Banbury 7 and Kidlington 2. The policy adds that the Council will apply the sequential test as set out in the NPPF as follows:

- *Proposals for retail and other Main Town Centre Uses not in these town centres should be in 'edge of centre' locations. Only if suitable sites are not available in edge of centre locations should out of centre sites be considered.*

- *When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre.*

The Council will consider if the proposals satisfy the sequential test and if they are likely to have a significant adverse impact on one or more of the factors in the NPPF.

All proposals should comply with Policy SLE 4.

An impact assessment will also be required in accordance with requirements in the NPPF. The Council will require an impact assessment if the proposal is over 2000 sq. metres (gross) in Banbury, 1500sq. metres (gross) in Bicester and 350 sq. metres (gross) elsewhere.

Evidence in the Council's Retail Study will also be considered in determining applications if information is not provided by the applicant which is considered to supersede this evidence.

Proposals should comply with Policy ESD15.

The Council will support the provision of new local centres containing a small number of shops of a limited size within the strategic housing allocations on strategic sites set out in this Local Plan.

7.9. **Policy SLE 3** sets out that the Council will support proposals for new or improved tourist facilities in sustainable locations, where they accord with other policies in the plan, to increase overnight stays and visitor numbers within the District.

7.10. **Policy SLE 4** concerns improved transport connections, within the policy it is set out that new development in the district will be required to provide financial and/or in-kind contributions to mitigate the transport impacts of development. Additionally, that:

All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported.

7.11. **Policy BSC1** sets out the council's district wide housing distribution.

7.12. **Policy BSC 8** is clear that the Council will support the provision of health facilities in sustainable locations which contribute towards health and well-being.

7.13. **Policy BSC 9** concerns public services and utilities, stating that the Council will support proposals which involve new or improvements to public services/utilities if they are required to enable the

successful delivery of sites and where they accord with other relevant policies in the Plan. All new developments will be expected to include provision for connection to Superfast Broadband

7.14. **Policy BSC10** concerns open space, outdoor sport and recreation provision, it sets out that the Council will encourage partnership working to ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation provision is secured through the following measures:

- *Protecting existing sites*
- *Addressing existing deficiencies in provision through qualitative enhancement of existing provision, improving access to existing facilities or securing new provision, and*
- *Ensuring that proposals for new development contribute to open space, sport and recreation provision commensurate to the need generated by the proposals.*

In determining the nature of new or improved provision the Council will be guided by the evidence base and consult with town and parish councils, together with potential users of the green space wherever possible, to ensure that provision meets local needs.

Should the promoters of development consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an in house economic viability assessment can be undertaken. Where it is agreed that an external economic viability assessment is required, the cost shall be met by the promoter.

7.15. **Policy BSC 11** sets out the council's local standards of provision in regard to outdoor recreation. It states that development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance. The amount, type and form of open space will be determined having regard to the nature and size of development proposed and the community needs likely to be generated by it.

7.16. **Policy BSC 12** concerns indoor sport, recreation and community facilities and sets out that the Council will encourage the provision of community facilities to enhance the sustainability of communities and encourage partnership working to ensure that built sports provision is maintained in accordance with local standards of provision.

7.17. **Policy ESD 1** concerns mitigating and adapting to climate change, it sets out that measures will be taken to mitigate the impact of development within the district on climate change. At a strategic level, the policy sets out that this includes:

- *Distributing growth to the most sustainable locations as defined in this Local Plan*
- *Delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars*
- *Designing developments to reduce carbon emissions and use resources more efficiently, including water (see Policy ESD 3 Sustainable Construction)*
- *Promoting the use of decentralised and renewable or low carbon energy where appropriate (see Policies ESD 4 Decentralised Energy Systems and ESD 5 Renewable Energy).*

The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of the following:

- *Taking into account the known physical and environmental constraints when identifying locations for development*
- *Demonstration of design approaches that are resilient to climate change impacts including the use of passive solar design for heating and cooling*
- *Minimising the risk of flooding and making use of sustainable drainage methods, and*
- *Reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting, and green roofs).*

Adaptation through design approaches will be considered in more locally specific detail in the Sustainable Buildings in Cherwell Supplementary Planning Document (SPD).

7.18. **Policy ESD 2** adds the council's energy hierarchy and allowable solutions approach, it sets out that in seeking to achieve carbon emissions reductions, the council will promote an 'energy hierarchy' as follows:

- Reducing energy use, in particular by the use of sustainable design and construction measures
- Supplying energy efficiently and giving priority to decentralised energy supply
- Making use of renewable energy

- Making use of allowable solutions.

7.19. **Policy ESD 3** concerns sustainable construction, within the policy it is set out that all new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement. Additionally, the policy states that all development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:

- Minimising both energy demands and energy loss
- Maximising passive solar lighting and natural ventilation
- Maximising resource efficiency
- Incorporating the use of recycled and energy efficient materials
- Incorporating the use of locally sourced building materials
- Reducing waste and pollution and making adequate provision for the recycling of waste
- Making use of sustainable drainage methods
- Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and
- Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.

7.20. **Policy ESD 4** sets out that the use of decentralised energy systems, providing either heating (District Heating (DH)) or heating and power (Combined Heat and Power (CHP)) will be encouraged in all new developments. The policy sets out that A feasibility assessment for DH/CHP, including consideration of biomass fuelled CHP, will be required for, inter alia, all applications for non-domestic developments above 1000m² floorspace.

7.21. **Policy ESD 5** concerns renewable energy, it sets out that for all applications for non-domestic developments above 1000m² floorspace, a feasibility assessment of the potential for significant on-site renewable energy provision (above any provision required to meet national building standards) will be required.

7.22. **Policy ESD 6** concerns sustainable flood risk management, within the policy it is stated that Site specific flood risk assessments will be required to accompany development proposals of 1 hectare or more located in flood zone. The policy sets out that flood risk assessments should assess all sources of flood risk and demonstrate that:

- There will be no increase in surface water discharge rates or volumes during storm events up to and including the 1 in 100 year storm event with an allowance for climate change (the design storm event)
- Developments will not flood from surface water up to and including the design storm event or any surface water flooding beyond the 1 in 30 year storm event, up to and including the design storm event will be safely contained on site.

Additionally, development should be safe and remain operational (where necessary) and proposals should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere, including sewer flooding.

7.23. **Policy ESD 8** concerns water resources and is clear that the Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use. The policy states that:

Water quality will be maintained and enhanced by avoiding adverse effects of development on the water environment. Development proposals which would adversely affect the water quality of surface or underground water bodies, including rivers, canals, lakes and reservoirs, as a result of directly attributable factors, will not be permitted.

Development will only be permitted where adequate water resources exist, or can be provided without detriment to existing uses. Where appropriate, phasing of development will be used to enable the relevant water infrastructure to be put in place in advance of development commencing.

7.24. **Policy ESD 7** adds the council's sustainable drainage systems (SuDS) policy, it states that:

All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.

In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.

7.25. **Policy ESD 9** concerns the Protection of the Oxford Meadows SAC with developers required to demonstrate that:

- *During construction of the development there will be no adverse effects on the water quality or quantity of any adjacent or nearby watercourse*
- *During operation of the development any run-off of water into adjacent or surrounding watercourses will meet Environmental Quality Standards (and where necessary oil interceptors, silt traps and Sustainable Drainage Systems will be included)*
- *New development will not significantly alter groundwater flows and that the hydrological regime of the Oxford Meadows SAC is maintained in terms of water quantity and quality*
- *Run-off rates of surface water from the development will be maintained at greenfield rates.*

7.26. **Policy ESD 10** concerns the protection and enhancement of biodiversity and the natural environment, stating that this will be achieved by the following:

- *In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources.*
- *The protection of trees will be encouraged, with an aim to increase the number of trees in the District*
- *The reuse of soils will be sought*
- *If significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted.*
- *Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it*

can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated

- *Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity*
- *Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity*
- *Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity*
- *Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value*
- *Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution*
- *Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably*
- *A monitoring and management plan will be required for biodiversity features on site to ensure their long term suitable management.*

7.27. **Policy ESD 11** concerns conservation target areas and states that

Where development is proposed within or adjacent to a Conservation Target Area, biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted. Where there is potential for development, the design

and layout of the development, planning conditions or obligations will be used to secure biodiversity enhancement to help achieve the aims of the Conservation Target Area.

7.28. **Policy ESD 13** concerns Local Landscape protection and enhancement, it sets out that 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:

- *Cause undue visual intrusion into the open countryside*
- *Cause undue harm to important natural landscape features and topography*
- *Be inconsistent with local character*
- *Impact on areas judged to have a high level of tranquillity*
- *Harm the setting of settlements, buildings, structures or other landmark features, or*
- *Harm the historic value of the landscape.*

Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance, and the Oxfordshire Wildlife and Landscape Study (OWLS) and be accompanied by a landscape assessment where appropriate.

7.29. **Policy ESD 14** concerns the Oxford Green Belt, it states that:

The Oxford Green Belt boundaries within Cherwell District will be maintained in order to:

- *Preserve the special character and landscape setting of Oxford*
- *Check the growth of Oxford and prevent ribbon development and urban sprawl*
- *Prevent the coalescence of settlements Assist in safeguarding the countryside from encroachment*
- *Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

Development proposals within the Green Belt will be assessed in accordance with government guidance contained in the NPPF and NPPG. Development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities. Proposals for residential development will also be assessed against Policies Villages 1 and Villages 3.

A small-scale local review of the Green Belt boundary in the vicinity of Langford Lane, Kidlington and Begbroke Science Park will be undertaken as part of the Local Plan Part 2, in order to accommodate employment needs (see Policy Kidlington 1). Further small-scale local review of

the Green Belt boundary will only be undertaken where exceptional circumstances can be demonstrated.

7.30. **Policy ESD 15** concerns the character of the built and historic environment, it sets out that, successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the district's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential. The policy states that new development proposals should:

- *Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions*
- *Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions*
- *Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity*
- *Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting*
- *Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged*
- *Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.*

- *Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages*
- *Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette*
- *Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features*
- *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*
- *Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*
- *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*
- *Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation*
- *Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout*
- *Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)*
- *Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality*
- *Use locally sourced sustainable materials where possible.*

- 7.31. Adding that the design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.
- 7.32. As well as that the Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high-quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out design principles for the development of the site. The level of prescription will vary according to the nature of the site.
- 7.33. **Policy ESD 16** concerns the Oxford Canal, it sets out that the council will protect and enhance the Oxford Canal corridor which passes south to north through the district as a green transport route, significant industrial heritage, tourism attraction and major leisure facility through the control of development. The length of the Oxford Canal through Cherwell District is a designated Conservation Area and proposals which would be detrimental to its character or appearance will not be permitted. The biodiversity value of the canal corridor will be protected.
- 7.34. **Policy ESD 17** concerns Green Infrastructure, it states that the District's green infrastructure network will be maintained and enhanced through the following measures:
- *Pursuing opportunities for joint working to maintain and improve the green infrastructure network, whilst protecting sites of importance for nature conservation*
 - *Protecting and enhancing existing sites and features forming part of the green infrastructure network and improving sustainable connectivity between sites in accordance with policies on supporting a modal shift in transport (Policy SLE 4: Improved Transport and Connections), open space, sport and recreation (Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision), adapting to climate change (Policy ESD 1: Mitigating and Adapting to Climate Change), SuDS (Policy ESD 7: Sustainable Drainage Systems (SuDS)), biodiversity and the natural environment (Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment), Conservation Target Areas (Policy ESD 11: Conservation Target Areas), heritage assets (Policy ESD 15) and the Oxford Canal (Policy ESD 16)*
 - *Ensuring that green infrastructure network considerations are integral to the planning of new development. Proposals should maximise the opportunity to maintain and extend green*

infrastructure links to form a multi-functional network of open space, providing opportunities for walking and cycling, and connecting the towns to the urban fringe and the wider countryside beyond

- *All strategic development sites (Section C: 'Policies for Cherwell's Places') will be required to incorporate green infrastructure provision and proposals should include details for future management and maintenance.*

7.35. **Policy Kidlington 1** concerns accommodating high value employment needs and sets out that the council will undertake a small-scale local review of the Green Belt to accommodate identified high value employment needs at Langford Lane /Oxford Technology Park/ London –Oxford Airport and Begbroke Science Park.

7.36. **Policy Kidlington 2** sets out the council's policy for strengthening Kidlington village centre.

7.37. **Policy INF 1** concerns infrastructure and sets out that the Council's approach to infrastructure planning in the District will identify the infrastructure required to meet the District's growth, to support the strategic site allocations and to ensure delivery by:

- *Working with partners, including central Government, and other local authorities, to provide physical, community and green infrastructure*
- *Identifying infrastructure needs and costs, phasing of development, funding sources and responsibilities for delivery*
- *Completing a Developer Contributions SPD to set out the Council's approach to the provision of essential infrastructure including affordable housing, education, transport, health, flood defences and open space*
- *Development proposals will be required to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.*

The Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need

7.38. The Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need was formally adopted as part of the statutory Development Plan by the Council on 7 September 2020. The Plan provides the strategic planning framework and sets out strategic site allocations to provide Cherwell District's share of the unmet housing needs of Oxford to 2031.

7.39. The Partial Review is effectively a supplement or addendum to the adopted Cherwell Local Plan 2011-2031 which becomes part of the statutory Development Plan for the district. The Partial

Review provides a vision, objectives and specific policies for delivering additional development to help meet Oxford's housing needs.

7.40. Whilst the policy context for the site itself remains the same, the partial review allocates a number of sites for residential use in the North Oxford and Kidlington subareas, in the direct vicinity of the site, which have the potential to generate cumulative effects, these are considered in the relevant chapter of the accompanying ES.

7.41. **Policy PR1** sets out the council's policy for achieving sustainable development for Oxford's needs including 4,400 homes to help meet Oxford's unmet housing needs and necessary supporting infrastructure by 2031.

7.42. **Policy PR3** concerns the Oxford Green Belt and lists the areas of land removed from the Green Belt to accommodate the allocated strategic development sites.

7.43. **Policy PR4a** concerns sustainable transport and details the following schemes to improve sustainable transport provision:

(a) improved bus services and facilities along: i. the A44/A4144 corridor linking Woodstock and Oxford ii. the A4260/A4165 (Oxford Road) linking Kidlington, Gosford, Water Eaton and Oxford iii. Langford Lane.

(b) the enhancement of the off-carriageway Cycle Track/ Shared Use Path along the western side of the A44 and the provision of at least one pedestrian and cycle and wheelchair crossing over the A44.

(c) the prioritisation of the A44 over the A4260 as the primary north-south through route for private motor vehicles into and out of Oxford.

(d) improved rapid transit/bus services and associated Super Cycleway along the A4260 into Oxford.

(e) improvements to the public realm through the centre of Kidlington associated with (d) above.

(f) the provision of new and enhanced pedestrian, cycling and wheelchair routes into and out of Oxford.

7.44. **Policy PR4b** concerns Kidlington Centre and adds to the above by stating that:

Proposals to support sustainable transport improvements and associated infrastructure, to reduce private motorised through traffic along the A4260 in Kidlington and improve the built and natural environment along this corridor which are consistent with the themes and objectives of the adopted Kidlington Masterplan SPD will be supported.

7.45. **Policy PR5** concerns green infrastructure and states that applications will be expected to:

- (1) Identify existing GI and its connectivity and demonstrate how this will be protected and incorporated into the layout, design and appearance of the proposed development.*
- (2) Show how existing and new GI will be connected including the opportunities for off-site connectivity and improvement.*
- (3) Show how restored or re-created habitats can be accommodated into the development and how biodiversity will be improved.*
- (4) Show how existing trees will be protected and the opportunities for planting new trees.*
- (5) Demonstrate the opportunities for improving the existing and proposed built and natural landscape through the provision of GI and for the protection or enhancement of the historic environment.*
- (6) Demonstrate how GI will be provided along movement corridors (including for motor vehicles, pedestrians, cycles and wheelchairs) and to benefit the provision of informal and formal open space, play areas and gardens.*
- (7) Demonstrate how the provision of GI will assist in the beneficial use and permanence of the Green Belt.*
- (8) Demonstrate where multi-functioning GI can be achieved, including helping to address climate change impacts and taking into account best practice guidance. (9) Provide details of how GI will be maintained and managed in the long term.*

7.46. **Policy PR11** concerns infrastructure delivery, it states that the Council's approach to infrastructure planning to contribute in meeting Oxford's unmet housing needs will be to ensure delivery by:

- 1. Working with partners including central Government, the Local Enterprise Partnership, Oxford City Council, Oxfordshire County Council and other service providers to:*
 - (a) provide and maintain physical, community and green infrastructure.*
 - (b) identify infrastructure needs and costs, phasing of development, funding sources and responsibilities for delivery.*
- 2. Keeping up-to-date a Developer Contributions Supplementary Planning Document setting out the Council's approach to the provision of essential infrastructure including affordable housing, education, transport, health, flood defences and open space.*

3. *Ensure that development proposals demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social, sport, leisure and community facilities, wastewater treatment and sewerage, and with necessary developer contributions in accordance with adopted requirements including those of the Council's Developer Contributions SPD.*

4. *All sites are required to contribute to the delivery of Local Plan Infrastructure. Where forward funding for infrastructure has been provided, for example from the Oxfordshire Growth Board as part of the Oxfordshire Housing and Growth Deal, all sites are required to contribute to the recovery of these funds as appropriate.*

Cherwell Local Plan 1996 Saved Policies

- 7.47. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:
- 7.48. **Policy TR1** concerns transportation funding and sets out that before proposals for development are permitted the council will require to be satisfied that new highways, highway-improvement works, traffic-management measures, additional public transport facilities or other transport measures that would be required as a consequence of allowing the development to proceed will be provided.
- 7.49. **Policy TR7** sets out that development that would regularly attract large commercial vehicles or large numbers of cars onto unsuitable minor roads will not normally be permitted.
- 7.50. **Policy TR10** adds that development that would generate frequent heavy-goods, vehicle movements through residential areas or on unsuitable urban or rural roads will not be permitted.
- 7.51. **Policy T5** states that beyond the built up limits of a settlement the provision of new hotels, motels, guest houses and restaurants will generally only be approved when such proposals would:-

(i) be largely accommodated within existing buildings which are suitable for conversion or for such use; or

(ii) totally replace an existing commercial use on an existing acceptably located commercial site. Proposals to extend existing hotels, motels, guest houses and restaurants will be acceptable provided they conform to the other relevant policies in this plan.

Proposals for development in the Green Belt will be considered against the appropriate Green Belt policies in the plan.

- 7.52. **Policy C5** sets out that the council will seek to protect the ecological value and rural character of the oxford canal and river Cherwell through the control of development.
- 7.53. **Policy C8** states that sporadic development in the open countryside including developments in the vicinity of motorway or major road junctions will generally be resisted.
- 7.54. **Policy C15** adds that the council will prevent the coalescence of settlements by resisting development in areas of open land, which are important in distinguishing them.
- 7.55. **Policy C28** is clear that control will be exercised over all new development, including conversions and extensions, to ensure that the standards of layout, design and external appearance, including the choice of external-finish materials, are sympathetic to the character of the urban or rural context of that development. In sensitive areas such as conservation areas, the area of outstanding natural beauty and areas of high landscape value, development will be required to be of a high standard and the use of traditional local building materials will normally be required.
- 7.56. **Policy C33** concerns the provision of facilities for disabled people, it states that in considering proposals for development the council will support measures that provide, improve or extend access facilities for disabled people.
- 7.57. **Policy C33** concerns the protection of important gaps of undeveloped land, it states that the council will seek to retain any undeveloped gap of land which is important in preserving the character of a loose-knit settlement structure or in maintaining the proper setting for a listed building or in preserving a view or feature of recognised amenity or historical value.
- 7.58. **Policy ENV1** regards development likely to cause detrimental levels of pollution, it states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

Material Considerations

National Planning Policy Framework

- 7.59. The National Planning Policy Framework was updated in December 2023 and sets out the government's planning policies for England and how these are expected to be applied.
- 7.60. The presumption in favour of sustainable development is at the heart of the NPPF. Sustainable development is defined in paragraph 8 of the NPPF, and includes three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways: these being economic, social and environmental factors.

- 7.61. Sustainable development aims to support a strong, responsive and competitive economy, whilst achieving vibrant and healthy communities whose present and future needs are met by providing sufficient housing with accessible local services, a high-quality built environment, making efficient use of land, protecting and enhancing the natural, built and historic environment and adapting to climate change.
- 7.62. In that vein, **Paragraph 11** highlights how to apply the presumption in favour of sustainable development; for decision taking, the presumption in favour of sustainable development means approving development proposals that accord with the 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;
 - 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.
- 7.63. **Paragraph 38** relates to decision making and states that LPAs should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.
- 7.64. **Paragraph 48** states that local planning authorities may give weight to relevant policies in emerging plans according to:
- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*
- 7.65. Chapter 6 concerns the government priority of building a strong competitive economy, **paragraph 85** starts by setting out that planning decisions should:

...help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation⁴², and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

7.66. **Paragraph 87** adds that planning decision should recognise and address the specific locational requirements of different sectors.

7.67. **Paragraph 88** adds that planning decision should

Recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

7.68. Chapter 7 concerns ensuring the vitality of town centres, with **paragraph 90** setting out that Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

7.69. **Paragraph 92** adds that:

When considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre.

7.70. **Paragraph 94** states that:

When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:

a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and

b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).

7.71. Chapter 8 concerns promoting healthy and safe communities with **paragraph 96** stating that planning decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:

a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and

c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.

7.72. **Paragraph 102** adds that access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change.

7.73. Chapter 9 concerns promoting sustainable transport, **paragraph 114** sets out that in assessing specific applications for development, it should be ensured that:

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users;

c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and

d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

7.74. **Paragraph 115** is clear that development should only be prevented or 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.

7.75. Within this context, **paragraph 116** adds that applications for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;

b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;

c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;

d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and

e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

7.76. **Paragraph 117** states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

7.77. Chapter 12 concerns achieving well designed and beautiful places, with **paragraph 131** stating that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

7.78. **Paragraph 135** adds that planning decisions should ensure that developments:

a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;

b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

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

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

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

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 7.79. **Paragraph 137** sets out that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 7.80. **Paragraph 138** states that local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. It states that local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.
- 7.81. Chapter 13 concerns protecting Green Belt land, **paragraph 142** starts by stating that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

- 7.82. **Paragraph 143** adds that Green Belt serves five purposes:
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment;*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 7.83. **Paragraph 152** states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 7.84. **Paragraph 153** adds that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 7.85. Chapter 14 concerns meeting the challenge of climate change, flooding and coastal change, **Paragraph 162** states that in determining planning applications, local planning authorities should expect new development to:
- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and*
 - b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.*
- 7.86. **Paragraph 173** sets out that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.
- 7.87. **Paragraph 175** adds that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:
- a) take account of advice from the lead local flood authority;*
 - b) have appropriate proposed minimum operational standards;*

c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.

7.88. Chapter 15 concerns conserving and enhancing the natural environment, **paragraph 180** sets out that planning decisions should contribute to and enhance the natural environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;

c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;

d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

7.89. Chapter 16 concerns conserving and enhancing the historic environment, in terms of determining applications, **paragraph 200** states that:

Local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

Emerging Local Plan - Cherwell Local Plan Review Reg 18

- 7.90. The adopted Local Plan is now more than 5 years old, and the Council is currently undertaking a Review of the plan. Cherwell District Council has run 2 consultations on the Local Plan Review; the 'Community Involvement Paper' was consulted upon in July 2020 and the 'Community Involvement Paper 2: Developing our Options' was consulted upon in September 2021. The Local Plan preparation is still at an early stage, the latest consultation, on the Regulation 18 Local Plan Consultation Draft, opened on the 22nd of September and closed on the 3rd of November.
- 7.91. The consultation draft of the emerging plan makes no reference to OUFC or its needs, but it is noted from the objectives of the plan that one of the key themes (theme 3) seeks to enhance recreation, cultural, social and other community needs, which OUFC has the ability to fulfil.
- 7.92. The weight afforded to different policies is always a matter for the decision maker, and in the case of the Draft Cherwell Local Plan Review, this weight should be determined in line with NPPF para 48, as set out above. Policies will generally gain weight as they progress through the process of consultation and examination, particularly where they do not attract objections.
- 7.93. Given the relatively early stage of preparation of the Draft Cherwell Local Plan Review, it is considered that only very limited weight may be given to the policies therein.
- 7.94. The relevant planning policies of the Reg 18 Consultation Draft of the Cherwell Local Plan Review 2040 are set out below:

CP1: Mitigating and Adapting to Climate Change

CP2: Zero or Low Carbon Energy sources

CP3: The Energy Hierarchy and Efficiency

CP4: Achieving Net Zero Carbon

CP5: Carbon Offsetting

CP6: Renewable Energy

CP7: Sustainable Flood Risk

CP8: Sustainable Drainage Systems (suDs)

CP9: Water Resources

CP10: Protection of the Oxford Meadows SAC

- CP11: Protection and Enhancement of Biodiversity
- CP12: Biodiversity Net Gain
- CP13: Conservation Target Areas
- CP14: Natural Capital and Ecosystem Services
- CP15: Green and Blue Infrastructure
- CP16: Air Quality
- CP17: Pollution and Noise
- CP18: Light Pollution
- CP19: Soils, Contaminated Land and Stability
- CP21: Sustainable Transport and Connectivity Improvements
- CP22: Assessing Transport Impact/ Decide and Provide
- CP25: Meeting Business and Employment Needs
- CP27: New Employment Development on Unallocated Sites
- CP29: Community Employment Plans
- CP32: Town Centre Hierarchy and retail
- CP43: Protection and Enhancement of the Landscape
- CP44: The Oxford Green Belt
- CP45: Settlement Gaps
- CP46: Achieving Well Designed Places
- CP47: Active Travel – Walking and Cycling
- CP48: Public Rights of Way
- CP50: Creating Healthy Communities
- CP51: Providing Supporting Infrastructure and Services

CP55: Open Space, Sport and recreation

CP57-59: Historic Environment and Archaeology

CP60: The Oxford Canal

CP76: Kidlington Area Strategy

CP79: Safeguarding of Land for Strategic Transport Schemes in the Kidlington Area

CP80: Kidlington Green and Blue Infrastructure

CP81: Kidlington Areas of Change

CP87: Delivery and Contingency

DP1: Waste Collection and Recycling

8. EMERGING LEGISLATION ON FOOTBALL GOVERNANCE

- 8.1. Despite the success of English football since the introduction of the premier league in 1992, there have been many examples of the catastrophic impact the failure of a club can have on its fans and a local community. There have been over 60 instances of clubs going into administration since 1992, with the loss of historic clubs like Bury and Macclesfield Town. Fans have fought back against their owners at Blackpool and Charlton Athletic and events at Derby County leaving it on the brink of liquidation in 2022. Multiple clubs failing to meet payroll in recent months shows that these issues are only getting worse.
- 8.2. OUFC also finds itself in a difficult situation; with the current agreement for the Kassam stadium coming to an end in 2026, there is an urgent need to develop a new stadium in order to protect the future existence of one of the oldest football clubs in the UK.
- 8.3. Football clubs are central to many communities and the benefits of a thriving club extend well beyond their fans. That is why the government considered it was critical to look at how clubs could be put on a sustainable footing, through its 2019 manifesto commitment to conduct a Fan-Led Review of Football Governance.

Fan Led Review of Football Governance: Securing the Game's Future.

- 8.4. This independent review, announced by the then Culture Secretary Oliver Dowden on 19 April 2021, is a comprehensive examination of the English football system with the aim of exploring ways of improving the governance, ownership and financial sustainability of clubs in the football pyramid, building on the strengths and benefits that our great game already provides the nation.
- 8.5. The review makes a number of detailed recommendations as well as the following 10 strategic recommendations for the future of football:

(A) To ensure the long-term sustainability of football, the Government should create a new independent regulator for English football (IREF)

(B) To ensure financial sustainability of the professional game, IREF should oversee financial regulation in football.

(C) New owners' and directors' tests for clubs should be established by IREF replacing the three existing tests and ensuring that only good custodians and qualified directors can run these vital assets.

(D) Football needs a new approach to corporate governance to support a long-term sustainable future of the game.

(E) Football needs to improve equality, diversity and inclusion in clubs with committed EDI Action Plans regularly assessed by IREF.

(F) As a uniquely important stakeholder, supporters should be properly consulted by their clubs in taking key decisions by means of a Shadow Board.

(G) Football clubs are a vital part of their local communities, in recognition of this there should be additional protection for key items of club heritage.

(H) Fair distributions are vital to the long term health of football. The Premier League should guarantee its support to the pyramid and make additional, proportionate contributions to further support football.

(I) Women's football should be treated with parity and given its own dedicated review.

(J) As an urgent matter, the welfare of players exiting the game needs to be better protected – particularly at a young age

White Paper: A Sustainable Future – Reforming Club Football Governance

- 8.6. Following the Fan-Led Review of Football Governance, this White Paper sets out the government's plans to deliver an independent Regulator to ensure the long-term sustainability of the English football pyramid.
- 8.7. This includes the legislative framework for regulation, with the primary strategic purpose to ensure that English football is sustainable and resilient, for the benefit of fans and local communities. The White Paper also sets out government's broader non-legislative reform measures, to drive industry action in areas outside of the Regulator's remit and ensure the ongoing development of both the men's and women's games, at elite and grassroots levels.
- 8.8. The White Paper proposes establishing, in law, a new licensing system for football clubs operating in the top 5 tiers of the English football pyramid, overseen by an independent Regulator. Football clubs will be required to comply with licence conditions which seek to ensure club sustainability and the overall stability of the English football pyramid, and to protect the cultural heritage of football clubs for their fans.
- 8.9. Regarding cultural heritage, the White Paper highlights that the Regulator will add, and reinforce existing, protections around club heritage. The Regulator will require clubs to comply with the Football Association (FA) on its new rules for club heritage, whilst also requiring clubs to seek its approval for any sale or relocation of the Club's stadium. Whilst this would primarily be on the basis of financial considerations, it is also with a remit to consider the implications for club heritage and the views of fans.

8.10. Paragraph 8.20 to 8.23 of the White Paper provides the clear direction of travel for governance and the new regulator when assessing proposals for moving a stadium:

8.20 Moving the stadium is, rightly, an emotive issue for fans. Their clubs will have an historic connection to the location they play football in and their stadiums are often important landmarks for the local community. However, there are more stakeholders and issues in moving the stadium than making changes to the badge, colours or name of the Club. Importantly, there will generally be wide ranging financial implications - moving stadium will involve selling or leasing the existing one, and renting or building a new one. The Regulator is in the best position to assess the merits of such a bid in the round i.e. it can balance the commercial, financial and stakeholder (in particular, fan) interests.

8.21. Our intention is for all stadium sales and relocations to require pre-approval by the Regulator given its status as a key heritage asset for any club. The Regulator's primary consideration when considering an application for a stadium relocation will be the financial sustainability of the move. Should the Regulator consider that the application is financially viable, they will also have a remit to consider the heritage impact of any proposal in consultation with fans and other relevant affected parties.

8.22. The conditions for approval would be published by the Regulator, but after assessing the financial sustainability of a proposal, it should also have a remit to consider the heritage implications of a stadium sale or move. This could include:

- *The historical connection to a specific location;*
- *The views of supporters and the local community;*
- *The impact on other clubs in a new location.*

8.23. Many clubs do not own the stadium they play in. The Review recommended that the government should explore the viability of introducing new security of tenure property rights for clubs where the Club does not own the stadium in which it plays.

Kings Speech

8.11. The Kings Speech of 7th November 2023 announced the introduction of the Football Governance Bill, legislation that will secure the Independent Football Regulator. The Regulator will put fans back at the heart of football and help to deliver a sustainable future for all Clubs, and amongst others, will require Clubs to seek its approval for any sale or relocation of the stadium and demonstrate how they have consulted their fans as part of this.

- 8.12. In this regard, the discussions with the EFL and their requirements are set out in the following chapters of this statement and the Alternative Site Assessment. It is worth noting that OUFC has sought the EFL's consent for the proposed location at The Triangle, and after considering the application in the context of Regulation 13, the EFL Board granted indicative approval in January 2022.

Raising the Bar – Reframing the Opportunity in Women's Football

- 8.13. As above, The Fan-Led Review of Football Governance recommended that there should be a dedicated review into the future of women's football, to explore the unique circumstances and opportunities for the women's game.
- 8.14. This independent review examines the strategic priorities for the development of women's football, and reports on the future direction of the women's game.
- 8.15. Within the review is the recommendation that the FA should introduce a licence requirement for clubs to produce a stadium strategy focused on growing their matchday attendance, with a particular focus on increasing the number of matches played in the main stadia for affiliated teams.
- 8.16. The current FA requirement is for all teams with an affiliated men's club to host one match per season in the main stadium, however some clubs are starting to play more matches in main stadia as their fanbases grow.
- 8.17. In this regard, OUFC are looking to put women's football on a level pegging with the men's game with all their home games to be played at the new stadium. This represents a significant step.

9. COMPLIANCE WITH GREEN BELT POLICY

9.1. This section assesses the proposal's compliance with Green Belt policy, ultimately demonstrating the very special circumstances which are considered to clearly outweigh the recognised harm to the Green Belt. This section first sets out the policy relating to the site's Green Belt location, before looking at precedent appeal decisions relating to other stadia development where very special circumstances have been demonstrated where clubs are in similar positions to OUFC. This section then sets out the case for very special circumstances.

Policy Context

9.2. Section 13 (paragraphs 142-156) of the NPPF sets out the national Green Belt policies. As confirmed within the council's pre-application response, the NPPF (2023) postdates the Cherwell Local Plan (Policy ESD 14) and so the NPPF provides the up-to-date reference point for Green Belt policy.

9.3. Paragraph 142 states that the Government attaches great importance to Green Belts. Paragraph 143 adds to this by setting out the purposes of the Green Belt:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

9.4. Paragraph 150 states that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

9.5. Policy ESD14 of the CLP 2015 echoes the NPPF requirements and states that in this instance the Green Belt will be maintained in order to:

- Preserve the special character and landscape setting of Oxford;
- Check the growth of Oxford and prevent ribbon development and urban sprawl;
- Prevent the coalescence of settlements;
- Assist in safeguarding the countryside from encroachment;

- Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 9.6. In terms of assessing proposals affecting the Green Belt, Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 9.7. Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 9.8. Paragraph 154 adds that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, exceptions to this include:
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.*
- 9.9. Whilst Paragraph 154b provides the exception of the provision of appropriate facilities for outdoor sport, this is so long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Whilst the proposal's impact on the Green Belt is identified and assessed in full in the following sections, the proposals are identified as having an impact on the Green Belt's openness and conflicting with several of the purposes of including lands within it. Consequently, in terms of paragraphs 152 to 154 of the NPPF, the proposals are inappropriate development and there is a need for 'very special circumstances' to be demonstrated in order to justify the proposed development in the Green Belt.

Relevant Case Law and Appeal Decisions

- 9.10. Prior to detailing the proposals impact on the Green Belt and the case for very special circumstances, this section identifies and summarises case law and appeal decisions which are of relevance to these assessments.

Stadium Precedents

- 9.11. The following appeal decisions demonstrate the approach taken by planning decision-makers to other clubs' proposals for new stadia, with particular reference to those proposed in protected policy areas e.g., Green Belt or AONB.

Newcastle Falcons – Appeal Reference: GONE/P/M4510/220/01/2 (March 2002)

- 9.12. Planning Permission was granted in March 2002 by the Secretary of State for Transport, Local Government and the Regions for a sports stadium and rugby academy in the Green Belt for Newcastle Falcons Rugby Football Club and Northumbria University.
- 9.13. The Inspector considers suitable alternative sites (IR 9.25) and highlights that the proposed scheme is a coherent, composite proposal that could not be broken down and dispersed into separate elements; the Inspector was satisfied that no element would function in isolation. Overall, the site analysis undertaken by the Appellants was considered to be thorough and robust, with sensible planning criteria applied in respect of site size, physical suitability and availability. This was not questioned by relevant local authorities and third parties. It was therefore concluded that the application site was the only suitable site despite its Green Belt location, which was a “critically important consideration in the context of the very special circumstances issue”.
- 9.14. Also, the Inspector noted that the Club could not retain their status as a member of the Premier League due to the shortcomings of their existing facilities, with the Inspector noting that the limitations imposed on the commercial development side restricts the playing ability of the Club (IR9.27). The Inspector also noted that the future of the Club was in serious doubt, which in turn would have harmful repercussions in terms of sporting provision at all levels in the City and Region (IR9.28). Furthermore, the expansion of the Club’s community scheme was recognised (IR9.33).
- 9.15. The Inspector overall considered that the “strong countervailing positive planning benefits” associated with the proposed development “comprise powerful very special circumstances” which comprehensively outweigh the harm (IR9.34).

Brighton and Hove Albion Football Club Appeal References: APP/QI445N/02/1097287, APP/PI425/V/02/1099113, APP/QI445/V/03/1124634 and APP/PI425/V/03/1124635 (July 2007)

- 9.16. Planning permission was granted for a community stadium with wider development. Whilst not in a Green Belt designation the site was in an AONB and close to the then proposed South Downs National Park. The proposed development was considered to represent major development which should only be approved in exceptional circumstances under the then PPS7.
- 9.17. Brighton and Hove Albion sought planning permission for a Community Stadium at Falmer in October 2001, which was then called in the Secretary of State (alongside 3 other applications for ancillary infrastructure). Following the first Public Inquiry and Inspectors Report (IRa), the Secretary of State concluded that he needed further evidence concerning the suitability of alternative sites. A second inquiry took place in early 2005 and considered seven alternative sites, with the Second Inspector concluding that none were suitable for a new stadium (IRb). The Secretary of State granted planning permission for all 4 applications in October 2005.

- 9.18. This decision was quashed in 2006 and following this, the Secretary of State invited further representations on the proposed development. The Secretary of State approved the development in July 2007, concluding that there were no available alternative sites which would be a suitable location for the proposed community stadium.
- 9.19. It was also noted that the stadium proposal “will bring with it a number of important socio-economic benefits” (Paragraph 21). Those included:
- a) provision of many jobs suitable for the unskilled and/or part-time in nature in an area “so seriously deprived” of employment opportunities, where there was little evidence these could be provided elsewhere (Paragraphs 21-22);
 - b) important and very welcome social benefits in an area of marked deprivation (Paragraph L23);
 - c) a strong local need for the community facilities which the proposed stadium would provide (Paragraph 25); and
 - d) the regeneration of an area of marked deprivation which was considered to be in the national interest (Paragraph 26)
- 9.20. Overall, the Secretary of State notes that the significant local need for the development and the clear public interest in securing the significant regeneration and socio-economic benefits which it would bring to an area of marked deprivation are factors that weigh considerably in favour of the proposals. The assessment of alternatives did not find any feasible, practical and realistic alternatives for the proposed development. Whilst the proposed development would have a substantial adverse impact on the AONB, this would be moderated to an acceptable degree by mitigation and the presence of some development around the site. The Secretary of State concludes that exceptional circumstances could be met (Paragraphs 56-58).

Southend United – Appeal References: D1590/V/07/1201353 and B1550/V/07/12301356 (June 2008)

- 9.21. Planning permission was granted for the erection of a 22,000-seater stadium for Southend United Football Club (SUFC) with hotel, flats, retained space and other development by the Secretary of State for Communities and Local Government.
- 9.22. The stadium would be viewable from the Green Belt (and thus it was development on the edge of the Green Belt). There was also a small “anomalous” part of the site (part of the training ground: IR10.20) which was in the Green Belt.
- 9.23. In that case it was agreed between the Appellants and the LPA that the Club must remain within the conurbation within which they take their name (in accordance with Football League rules) and

the Site was the only realistic option for the new stadium and support infrastructure (IR 3.1). In this respect the secretary of state agreed with her inspector that there was an “urgent need for SUFC to develop a new stadium” and that SUFC was “important to the local community and the development would have widespread and far-reaching regenerative benefits” (Paragraph 45).

- 9.24. The Inspector had found there was VSC on basis of a lack of alternative sites, which had been accepted by two councils, and the social, community and economic effects of SUFC’s relocation to a new stadium (see IR3.35, 4.115 and 10.29) The Inspector concluded that the overall benefits of the proposal, particularly in the absence of an alternative site for a stadium for the Club, would clearly outweigh harm arising from inappropriateness in terms of Green Belt Policy (IR 10.31). This was agreed by the Secretary of State (Paragraph 22).

‘Very Special Circumstances’ Case Law

- 9.25. Of relevance to the proposals are the findings held by Holgate J in R (Luton BC) v Central Bedfordshire Council [2014] EWHC 4325 (Admin) at Paragraph 167:

“The NPPF does not require the planning authority to chop up a mixed-use proposal into separate components and to apply the very special circumstances test separately in relation to each such component. No authority was cited to support that interpretation and I do not think that it is justifiable on the language used in paragraph 88 of the NPPF.”

- 9.26. This case illustrates that the decision-maker will need to consider the development as proposed as a whole and cannot apply the VSC test to individual elements.

Green Belt Impact

- 9.27. This section provides an assessment of the proposals impact on the Green Belt, in respect of inappropriateness, and the proposals impact on the purposes of the Green Belt and its openness including where mitigation is proposed to lessen these impacts.
- 9.28. Appendix 2 of this report contains a Green Belt Assessment prepared by Fabric which establishes a baseline position against which the impact of the Proposed Development on the openness of the Green Belt can be compared, before providing an assessment of the Green Belt Effects.

Inappropriate Development

- 9.29. Paragraph 152 of the NPPF advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in Very Special Circumstances (VSC).
- 9.30. Paragraph 153 of the NPPF states that local planning authorities should ensure that substantial weight is given to any harm to the Green Belt when making planning decisions and confirms that

VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

9.31. Paragraph 154 of the NPPF regards the construction of new buildings in Green Belt as inappropriate, unless they meet one of the exception tests to inappropriate development, it is outlined above that this is not the case in this instance.

9.32. It is therefore accepted that the proposal constitutes inappropriate development within the Green Belt which by definition is harmful. As per paragraph 153 the following sections assess whether there is any further impact on its openness and if the development conflicts with the purposes of land being designated as Green Belt.

Impact on the purposes of the Green Belt

9.33. The following table provides the assessment’s findings on the impact of the Proposed Development on the Site’s contribution to the Green Belt purposes compared with the existing situation. The existing OGBS score/contribution to each of the purposes is taken from the Oxford Green Belt Study Findings.

Green Belt Purpose	OGBS Score (Parcel KI5)	Commentary on changes to the Site and Green Belt Parcel KI5 as a result of the Proposed Development compared with the existing baseline
1. To check unrestricted sprawl of large built-up areas	N/A	No further assessment has been made in relation to this purpose, as all built development would have an effect on this purpose.
2. To prevent neighbouring towns merging into one another	High	<p>The Site lies in the southern part of Parcel KI5 within the landscape between Oxford and Kidlington, north of the transport infrastructure comprising the A34 and rail corridors, which both sever the landscape.</p> <p>The width of the Green Belt between Kidlington and Oxford identified as Parcel KI5 has been reduced, taking into account the residential development commitments both on the edge of Kidlington and Oxford in the adopted CDC Local Plan.</p> <p>The Proposed Development would see the existing vegetation around the boundaries of the road corridors and green field within the Site predominantly retained, except where to facilitate access, maintaining a degree of visual enclosure and separation with the wider Green Belt to the south, east and west. However, whilst the Site is not free from the settlement influences of Kidlington, the Proposed Development would result in the physical reduction of the gap in this location. The proposed stadium is located as far south within the Site as possible without impacting on the existing woodland that sits just outside the Site boundary. This has resulted in the retention of a green and open</p>

		space in the north of the Site to maintain a sense of openness in this section of the Site in a way that allows green infrastructure connectivity with the retained areas of open space in the southern parts of the CDC allocations on the edge of Kidlington in the wider Green Belt Parcel. It is noted that the Proposed Development is for a football stadium, which is a use found in both urban and rural contexts. The Proposed Development is therefore considered to be at odds with this purpose.
3. To assist in Safeguarding the countryside from encroachment	Medium	The whole of the Site on its own has a medium contribution to this purpose. The Proposed Development is limited to the southern part of the Site only (and the south western section of the wider KI5 Green Belt Parcel), set within a retained and supplemented vegetated framework. The northern part of the Site is retained as open, green space. Due to its scale and mass, the building will be visible above the retained and intervening boundary vegetation and as such would compromise the openness of this small part of the Green Belt. The Proposed Development is therefore considered to be at odds with this purpose.
4. To preserve the setting and special character of historic towns	Low	The Proposed Development is set between Oxford and Kidlington and will alter the local settings to these settlements due to its scale and mass. The Proposed Development is therefore considered to be at odds with this purpose.
5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land	N/A	This was not assessed as the study considered that all Green Belt land makes an equal contribution to this purpose and therefore inclusion of this purpose would add no value to this Green Belt Assessment.

Impact on the Openness of the Green Belt

9.34. Establishing that the proposals would have an impact on the purposes of the Green Belt, the assessment then comments on the proposals impact on the physical openness and visual openness as follows:

'Impact on Physical Openness

The Proposed Development would wholly replace the green field use and open character in the southern part of the Site only with new built form of scale and mass, alongside surface level car parking and public realm. In addition, the intermittent use of the car park and increased vehicular and pedestrian activity in the Site as a result of the Proposed Development will also alter the sense of openness currently perceived. The northern part of the Site is retained as open, green space to retain a sense of openness as far as possible to the south of Kidlington.

The Proposed Development would be contained by defensible boundaries (existing road corridors) to the east and west and the designated woodland habitat to the south. The visual relationship between retained Green Belt areas to the east and west of the Site would be partially interrupted with the Proposed Development in place.

Impact on Visual Openness

The Proposed Development would alter the visual openness in the southern part of the Site. Whilst views from the wider Green Belt Parcel across the Site are limited by the existing boundary vegetation, the Proposed Development itself would limit and close down views across the Site further. However, the openness in the northern part of the Site is wholly retained through the retention of open, green space as part of the proposed landscape and public realm. The Proposed Development would contrast with the open landscape to the east and west albeit beyond the intervening busy road corridors, due to the presence of the proposed stadium building. The sporting use has a consistent character with the landscape to the west and east.

The effects of the reduced openness arising from the Proposed Development associated with the stadium would be limited to the Site and the immediate local area, as demonstrated in the visual assessment contained in the LVIA ES Chapter. When viewed from Stratfield Brake Sports Ground to the west or PRow 229/4/30 to the east within the wider KI5 Green Belt Parcel, the northern part of the Site would retain a sense of openness and separation from Kidlington in combination with the surrounding landscape and open nature of Kidlington roundabout. The Proposed Development would also be perceived from Oxford Road and Frieze Way within and to the north and south of the Site, albeit set behind the retained and proposed boundary vegetation along the road corridors. '

Conclusions on Green Belt Harm

- 9.35. In conclusion, it is considered that the proposed development would have harm to the Green Belt by reason of inappropriateness, as well harm to the openness of the Green Belt. The development would result in a physical reduction in the landscape gap between Oxford and Kidlington (Purpose 2); an encroachment into the countryside (Purpose 3); a change in the physical and perceived openness in the southern part of the Site and within the local area (Purpose 3); and would alter a small part of the landscape setting to Oxford (Purpose 4). Overall, therefore, considering the scale and mass of the scheme proposals, the proposal is considered to be at odds with the Green Belt purposes, albeit set in the context of the retained defensible boundaries provided by the surrounding road corridors, the existing retained vegetation structure and with a retained open space in the north of the Site to maintain separation from Kidlington and reduce the level of harm as far as possible.

9.36. In accordance with Paragraph 153 of the NPPF, this harm to the Green Belt should be given substantial weight.

Very Special Circumstances

9.37. As per the NPPF paragraph 152, the development proposals are accepted as being harmful to the Green Belt and therefore should not be approved except in very special circumstances. The following section sets out the applicant's case, establishing the very special circumstances that clearly outweigh the harm to the Green Belt.

The Need to Relocate

The Need to Relocate from The Kassam Stadium

9.38. OUFC has played football at The Kassam Stadium since 2001, following a move from The Manor Ground. However, from 30th June 2026, OUFC will have no legal right to use or occupy the Kassam Stadium.

9.39. The Kassam Stadium is owned and operated privately by a stadium company "Firoka (Oxford United Stadium) Limited". The stadium company is separate from the football club and owned by Firoz Kassam. Oxford United hold a license to use the stadium which ends on the 30th of June 2026.

9.40. OUFC is restricted under the terms of the current licence agreement to use the Kassam Stadium for first team home league and cup matches, some friendly games and specified testimonial games. OUFC has use of some office space and the ticket office at the stadium but is not permitted to use the rest of the stadium outside of those allowed match days.

9.41. The Club has held three licences since the Stadium was constructed. These are:

- An Original licence dated 21st March 2006 that was originally due to expire in 2026 but was terminated by Firoka (Oxford United Stadium) Limited on 9th May 2021;
- A short licence that permitted use until June 2021 to allow a play-off match to be played in May 2021; and
- The current licence which started on 1st July 2021 and expires on 30th June 2026.

9.42. The current licence does not include any renewal rights or renewal requirements within it. In certain circumstances, the Landlord and Tenant Act 1954 provides security of tenure and a statutory right to a renewal of a lease where premises have been occupied for business purposes. These rights do not apply under the terms of the current licence and the correct statutory procedure to exclude them was followed.

- 9.43. There is a restrictive covenant that was put in place by Oxford City Council when the land was first released under the terms of a Development Agreement with Firoka (Oxford United Stadium) Limited to construct the Kassam Stadium. This requires the site to be used primarily for football until 14th October 2026. This does not provide any right for OUFC to use the Stadium, only that football is required to be a primary use at the site until 14th October 2026.
- 9.44. Therefore, the reality is that after 30th June 2026, OUFC will have no legal right to use or occupy the Kassam Stadium, there is no right of renewal in the licence, and there is no statutory security of tenure. As such, there is an urgent need to develop a new stadium in order to protect the future existence of one of the oldest football clubs in the UK.

Financial Sustainability of Owning Their Own Stadium

- 9.45. Whilst the situation with the Kassam Stadium outlined above is clear that there is no option other than to relocate, there will be benefits to the Club associated with the financial sustainability of owning their own stadium.
- 9.46. A new site that is on a long lease to OUFC that they are in control of gives them a secure future in a number of ways. Firstly, the Club are currently limited by the number of games that they can play at the Kassam Stadium, and moving to a new stadium will mean that the Women's team can play at the same ground as the Men's team which the Club can generate revenue from. The Club would also benefit from the revenue of additional events and would also be able to improve their revenue margins and save costs.
- 9.47. The proposals will also drive important new revenue streams for the club. The proposals include uses that are fundamental to the non-matchday business plan to drive the required commercial revenues needed to fund the scheme, these uses include:
- A high-quality conferencing and events facility which is expected will become the premier C&E venue in the wider region and one of only two within reach of the city of Oxford that can provide for 1,000 delegates.
 - An on site, high-quality, modern and purpose-built 180 bedroom three/four-star hotel to strengthen non-matchday conferences & events and support matchdays.
 - Commercial rental units including a health and wellbeing space and a standalone gym. Similar commercial opportunities have been included in new stadium developments across Europe with health and wellbeing partners delivering in partnership with the club for the benefit of their communities.

9.48. Together the matchday and non-matchday revenues generated would underpin the ability for the club to raise the necessary funds to develop the stadium and ensure the financial sustainability of OUFC owning their own stadium.

Lack of Alternative Sites

9.49. The applicant has conducted an extensive land search for a site suitable for a new stadium in close proximity to Oxford. An Alternative Sites Assessment has been undertaken as part of (and accompanies the submission of) this application. This was to understand if there are any other sites available that could accommodate the Club in and around Oxford.

Area of Search

9.50. The starting point for the Alternative Site Assessment (ASA) was to align with the criteria set out by the English Football League (EFL) for relocating clubs, as OUFC are also required to obtain approval from the EFL for any relocation of the Club's Stadium to a new site.

9.51. Under Regulation 13.6 of the EFL Regulations 2023-24, a Club is required to obtain prior approval for any relocation to a new stadium. The Regulations include a list of criteria that the League's Board must consider, and the Board be reasonably satisfied that the criteria are met before it can grant consent:

- *13.6.1 would be consistent with the objects of The League as set out in the Memorandum of Association;*
- *13.6.2 would be appropriate having in mind the relationship (if any) between the locality with which by its name or otherwise the applicant Club is traditionally associated and that in which such Club proposes to establish its ground;*
- *13.6.3 would not adversely affect such Club's Officials, players, supporters, shareholders, sponsors and others having an interest in its activities;*
- *13.6.4 would not have an adverse effect on visiting Clubs;*
- *13.6.5 would not adversely affect Clubs having their registered grounds in the immediate vicinity of the proposed location; and*
- *13.6.6 would enhance the reputation of The League and promote the game of association football generally.*

9.52. OUFC have sought additional guidance from the EFL, who have confirmed that for OUFC, the main aspects relevant to consider are:

- The relationship between the locality with which by its name or otherwise the Club is traditionally associated and that in which such Club proposes to establish its ground (Regulation 13.6.2); and
- If any proposed location would adversely affect such Club's Officials, players, supporters, shareholders, sponsors and others having an interest in its activities (Regulation 13.6.3).

9.53. The EFL have confirmed that if the Club proposed a site that was not within or within close proximity to the City of Oxford, they would unlikely give consent for the move. This would result in a position where the Club would have to be renamed, removed from the league and would have to start again at the bottom of the football pyramid. This would not be a viable option for the Club.

9.54. Under the current regulations, the furthest a club has been provided consent by the EFL to relocate its stadium was in the case of Bolton. The proposed new stadium was approximately 7 miles from the old ground site and 5 to 6 miles from the city centre of Bolton. Whilst the suitability of site from the EFL perspective is more to do with the relationship and links to Oxford, a search radius of 7 miles from Oxford City Centre was deemed appropriate in the context of the above as the starting point for the search.

Approach to Assessment

9.55. There is currently no relevant planning policy regarding the location of sports stadiums, and there is no policy guidance for undertaking an assessment of alternative sites. However, relevant planning applications and planning appeals in respect of stadium development has been reviewed as the consideration of alternative sites is often a consideration in the determination of those cases. The Brighton and Hove Albion appeal decision provides a useful benchmark for assessing alternative sites as it provides an in-depth analysis, and an Inquiry took place solely on the approach to assessing alternative sites. The Secretary of State set out key criteria to be considered, which has informed the key questions for the ASA:

1. Is the site acquisition a realistic proposition?
2. Is the site large enough for the stadium and required parking/circulation?
3. Can a stadium be built without incurring unaffordable development costs?
4. Any overriding site specific planning issues?
5. Is the site accessible by sustainable modes of transport?
6. Can a stadium be built without any unacceptable environmental or visual impact?

9.56. These questions are considered to provide a robust assessment to understand whether there are any alternatives sites that are practical, realistic and feasible to accommodate a proposed stadium development.

9.57. In terms of methodology, the 7 miles from Oxford City, as defined above, has informed the area of search. Further parameters for the assessment include:

- Area - Sites must be a minimum of 9.4 acres (3.8 hectares), which is the minimum size required in order to construct a UEFA Category 4 Stadium, which includes the stadium itself and other essential requirements including external concourse, outside broadcast area and access and parking requirements.
- Location – Sites should be highly accessible and therefore within a maximum distance of 2km radius, an acceptable walking distance, from a major sustainable transport node (train/bus station/Park and Ride sites). However, it is noted that sites outside this area have also been included for completeness.
- Landowner intention – willingness to dispose of the land.

9.58. A phased approach to the assessment has been undertaken to ensure that all key considerations are fully assessed. The phases included:

- Initial Savills Assessment – this assessment provided an initial review of sites within the area of search defined by the EFL Requirements. This assessed a total of 64 sites (42 non-allocated and 22 allocated sites) and considered the site area, landowner intention, accessibility, viability and any key constraints. Where sites were considered to be worthy of further investigation, this was identified.
- An initial planning appraisal was then undertaken which reviewed the planning policy context and planning history of each site.
- Where specific constraints were identified, further assessment work was undertaken by specialist consultants in respect of these issues, namely landscape and visual impact, heritage impact and flood risk.
- Finally, the assessment work has been pulled together with a conclusion made in respect of the questions identified above. An overall conclusion as to the suitability and availability of each site is also made, which also includes a comparison to the application site.

Summary of Assessment

9.59. Based on the methodology adopted, the ASA demonstrates that there are no other feasible, practical and realistic alternatives to accommodate a proposed stadium development within the area of search identified through discussions with the EFL. There is an existential need to deliver a new stadium by 2026 and the only viable option which may be available to acquire and is capable of delivering a well-connected, sustainable stadium within the necessary timeframe for OUFC is at the proposed Site.

9.60. Fundamentally the case for very special circumstances in this instance arises from the demonstrated urgent need to develop a new stadium in order to protect the future existence of one of the oldest football clubs in the UK. In this regard this chapter has demonstrated that there are no other feasible, practical and realistic alternatives to accommodate a proposed stadium development within the area of search identified through discussions with the EFL. The only viable option which may be available to acquire and is capable of delivering the needs of OUFC is at the proposed Site within the Green Belt. In line with the conclusions made in respect of the appeal for Newcastle Falcons above, these are considered to be powerful very special circumstances to justify the proposed development.

Other Benefits

9.61. Notwithstanding the above, there are a number of significant additional benefits arising from the development proposals which, as per NPPF paragraph 153, should be considered as part of the very special circumstances test.

Social and Community Benefits

The importance of keeping OUFC in the local area

9.62. There are substantial social and community benefits associated with retaining OUFC, which is the only professional sports club in Oxfordshire, within the local area.

9.63. Regarding the importance of football clubs to the local community, the government's White Paper titled 'A Sustainable Future - Reforming Club Football Governance' is clear:

"Local communities - Unlike typical businesses, football clubs are community assets with cultural heritage value. In addition to the direct and indirect economic benefits they deliver to local areas, they benefit wider society. Clubs often engage in community initiatives and contribute to civic identity and pride in place. For example, Club Community Organisations in the English Football League (EFL) contribute £63 million to community and social projects each year, and The Premier League Charitable Fund has a three-year budget of around £100 million to support community organisations. Even non-football fans value their local football club, citing its cultural heritage value as well as associated charity and volunteering work. In the event of a football club failing, these contributions may be partially or fully lost."

9.64. The White Paper then lists the following impacts of a football club failure on the local community:

- Job losses
- Loss of matchday demand for local retail and hospitality businesses

- Loss of football 'tourism'
- Economic scarring
- Loss of cultural heritage
- Loss of civic identity and pride
- Loss of social cohesion
- Loss of community initiatives

9.65. The accompanying Statement of Community Involvement (SCI) details the extensive consultation that has been undertaken with the local community through the evolution of the development proposals. This consultation format has enabled a significant number of stakeholders and members of the public to be involved in the design and project development process. This has included both fans and non-fans of OUFC. Businesses, sports groups, community groups, parish councils, councillors, MPs, neighbours and residents across Kidlington and north Oxford have all been consulted. Up to the end of October 2023, more than 50,000 people have visited the project website, 1450 attended all the different meetings and exhibitions and over 150 individual meetings have been held so far with stakeholders. Most consultees have welcomed the relocation of the Club to Kidlington and are positive about the design and structure of the project.

9.66. With the Club's current agreement with the Kassam Stadium coming to an end in 2026 and no hope of renewing the lease, the only alternative is to find a new home. As explained above, there is an urgent need to develop a new stadium in order to protect the future existence of this Oxfordshire institution.

9.67. If OUFC can't open the proposed stadium by the start of the 2026 season, it will be homeless. The EFL have confirmed that if OUFC is unable to secure a home ground that is in, or is in close proximity to, the city of Oxford, the Club's membership of the EFL would be at risk. That is because relocations away would result in the Club losing its identity, would unlikely be accepted by supporters' group, would likely have to be renamed and would lose its geographical link. Sedation of membership would result in the Club reforming and starting again at the bottom of the pyramid, just as with AFC Wimbledon in 2004. This would have catastrophic effects for the fans and local community in relation to the factors identified above, as well as the local economy.

9.68. Furthermore, the proposed development will enable the continuing expansion of the community programme at 'their own home' but significantly, losing the Club would result in this stopping.

- 9.69. As per the appeal decisions set out above, planning decisions should recognise the role in which professional football clubs can play in improving the well-being of the community, as per the inspector's findings in the Brighton and Hove Albion Football Club appeal for example:

"I further accept that there is wide recognition, including in guidance at national level, of the role which sport generally, and professional football clubs in particular, can play in improving the well-being of a community in cultural, social, educational, recreational and health terms. By encouraging participation, including simply spectating, the provision of a large modern stadium for BHFC would help foster those benefits within the city. That is to be welcomed."

[IR18.38]

Benefits for Fans

- 9.70. Consultation with fans has also been a key priority in developing the application proposals. The significant consultation, outlined in the SCI and above, has enabled a significant number of stakeholders and members of the public to be involved in the design and project development process.
- 9.71. The stadium has been designed with accessibility in mind, reducing barriers to participation and involvement. From the range of new wheelchair stands, new lifts, to the accessible parking spaces planned, and changing rooms designed to meet the standards required for women's and youth games.
- 9.72. The design of the stadium meets the requirements of BS8300 and incorporates advice given in Accessible Stadia (2nd edition). Terrace designs are based on the advice given within the Guide to Safety at Sports Grounds (fifth edition).
- 9.73. The proposals include and represent a hugely improved provision for inclusive facilities than the current situation. The Club and design team have placed significant emphasis on creating high-quality spaces to accommodate all visitors and fans. The proposals include a sensory room which is easily accessible and flexible enough to cater for the diverse needs of individuals with a wide range of requirements. The current proposal incorporates two multi-faith spaces: one designated for players, officials, and staff, and the other intended for match day spectators and non-match day visitors. The current proposals also include a 'changing places' facility on ground floor.

Benefits for Women's Football/The Club

- 9.74. The Club are currently limited by the number of games they can play at the Kassam Stadium, so moving to a new stadium means the women's team can play at the same ground as the men's

team. The women's league and cup fixtures are to be played in the proposed stadium too, helping to ensure that stadium will serve every part of the Club equally.

9.75. Matches which are hosted in main stadia of affiliated teams have the potential to hold larger audiences, given the increased capacity and quality of facilities on offer.

9.76. In July 2023 the government published an independent report into the future of women's football called 'Raising the Bar - Reframing the Opportunity in Women's Football'. Within the recommendations on how clubs can better value and support their fans is the following recommendation:

"Going forward, this Review recommends the FA introduce a licence requirement for clubs to produce a stadium strategy focused on growing their matchday attendance, with a particular focus on increasing the number of matches played in the main stadia for affiliated teams. This should be complemented with a review of the club's profit and loss statement, breakeven threshold and ticket pricing policy. The development of these strategies should look to pave the way for additional usage of larger stadia in future seasons as attendance numbers grow."

9.77. The Club's proposals clearly align with the aspirations and recommendations of playing more women's matches in main stadia to grow attendance and exposure.

9.78. The review also finds recommends that *"we must ensure that all facilities which are being used are safe, appropriate and fit for purpose"*.

9.79. Improving the fan experience in stadium will enable the women's game to accelerate the growing interest in the sport. This will help develop the vision of a diverse and inclusive fanbase growing at pace but will also be a key part of the game's future commercial success.

9.80. Additionally the stadium is designed to meet Category 4 UEFA's stadium categories, meaning it could host games in the playoffs of the qualifying stage for the UEFA Champions League, or any game in the main competition as well as any game in the main competition of the UEFA Europa League. This also is meets the requirements to host international games including UEFA Europa Conference League, UEFA Nations League or the UEFA European Championship final tournament.

Other Community Benefits

9.81. The stadium will become a landmark for community activity in Oxfordshire. Without the restrictions which are currently in place on the Kassam Stadium, the new stadium will be able to host community events and celebrations like other prominent football clubs do at their home ground.

9.82. Other community benefits of the proposals are as follows:

- Boosts to local businesses from an increase in visitors to shops, bars and cafes
- New jobs at the stadium which are not limited to match days but year-round at the hotel and other uses, supporting local resident employment and training opportunities.
- Year-round access to the stadiums inclusive community facilities which can be used by local sports groups and the wider community including a health and wellbeing centre and a gym and fitness centre, restaurant, and flexible community meeting spaces for work, education and leisure.
- Improving safe cycling and walking by improving connectivity for existing residents between Kidlington and the stadium and surrounding developments. The Proposed Development will lead to an increase in accessible open space and public realm in the local area and aims to connect the stadium with the wider countryside, woodlands, canal walks and nearby towns. As well as more bus services serving Kidlington and the stadium plus improved pedestrian access to Oxford Parkway station.

Economic Benefits

- 9.83. As set out in the case law above, decision-makers must consider the development as proposed as a whole and cannot apply the VSC test to individual elements.
- 9.84. An Economic Benefits Statement has been prepared by Ekosgen and accompanies this application. This provides an overview of the local socio-economic context then assesses the socio-economic benefits of the proposals including construction and operational benefits before providing an assessment of the wider regeneration and community benefits. Whilst the report should be read in full, the substantial economic benefits arising from the proposals can be summarised as follows:

Construction Impacts

- £113 million investment in construction
- 420 direct construction jobs supported on and off-site (210 per annum)
- £17.8 million GVA impact
- Provision of apprenticeships as well as local recruitment and employment support

Operational and Fiscal Impacts

- 320 direct full time equivalent jobs supported and retained (of which 285 are net jobs)
- 160 indirect and induced full time equivalent jobs supported and retained

- £28.7m gross value added per annum direct and indirect impact (including retained)
- £5.8 million per annum off site football supporter spending
- 95 full time equivalent jobs supported by off-site football supporter spending
- £280k per annum in business rates revenue
- And section 106 contributions (to be agreed)

9.85. The report also details how OUFC will work in partnership with local organisations to deliver:

- Local resident employment and training opportunities
- Local business supply chain opportunities
- Improvements to local community sports facilities
- Prioritising accessibility and active travel options
- Improvements in local well-being through Oxford United in the Community

Quality of the Scheme and Environmental Benefits

Sustainable Design and Operation Benefits

9.86. As a member of the EFL's Green Clubs scheme, which supports clubs across the country to improve their environmental practices and operations, OUFC has always sought to prioritise sustainability. The proposed new stadium presents an opportunity to embed sustainability measures throughout the stadium to ensure it reaches the highest levels of sustainability, both in construction and operation.

9.87. The Proposed Development aims to achieve at least a BREEAM rating of 'Very Good'.

9.88. The following benefits will arise from the proposal's sustainable design and operation:

- Passive design measures have been adopted as part of the proposals, reducing heating and cooling needs.
- Heating and cooling will be provided in the form air source heat pumps to provide space heating and cooling. In addition, PV panels are also proposed as an onsite electricity generation system, further reducing the energy consumption of the building.

- The innovative field of play lighting is designed to illuminate the pitch, not the sky, and is variable to save energy when higher lux levels are not needed.
- The stadium is designed as a bowl, to reflect noise inwards onto the pitch and prevent it escaping.
- The stadium will operate with zero plastic, with minimal waste and packaging. The recycling target of the waste generated by the proposed development is 75%.

Sustainable Transport Benefits

Match Day Sustainable Transport Benefits

- 9.89. The main sustainable transport objective is to encourage supporters and staff on matchdays to use more sustainable, healthier and lower carbon transport options whilst achieving an overall reduction in car travel. The Club has an aim that 90% of fans will travel to the Stadium by sustainable modes of travel.
- 9.90. The transport strategy has been developed to help achieve this vision and promote sustainable travel to fundamentally change the travel behaviour of fans from driving in a private car to travelling by more sustainable means including public transport, walking, and cycling. This work is underpinned by a detailed understanding of the origins of the OUFC supporters and a comprehensive assessment of the travel demands of the home supporters, away fans, teams, staff, supporting operators and users of the associated facilities.
- 9.91. Additional measures are proposed to manage crowds on match-days, which are explained in more detail in the following section.

General Sustainable Transport Benefits

- 9.92. Sustainable transport measures that will benefit users year round include:
- Provision of 150 Sheffield stands onsite with access to additional spaces at Oxford Parkway, including electric bike charging
 - New and improved pedestrian and cycle routes to/from the Stadium from/to Oxford Parkway, which also connect to the committed pedestrian and cycle routes at Kidlington Roundabout and on Oxford Road. The improvements will include signage and lighting.
 - A new stepped access to Oxford Parkway from Oxford Road
 - New pedestrian crossings on Oxford Road and Freize Way

Biodiversity Enhancement Measures

9.93. The Proposed Development seeks to achieve a minimum of 10% Biodiversity Net Gain. The landscape planting strategy, which helps to achieve this, is as follows:

- The protection of the adjacent woodland.
- Creation of species-rich grassland, and if deemed necessary, a transplantation exercise of those plants that are of greater conservation value to dedicated areas left for biodiversity.
- New native tree and hedgerow planting is proposed of a length/area greater than lost.
- Creation of new scrub habitat and hedgerows which will include Blackthorn.
- New bird nest boxes and bat boxes will be provided on suitable retained trees within the Site.
- Log piles will be created within areas of open space.
- The stadium building itself will accommodate three areas of biodiverse roof on parts of the north stand, east and south stands, as well as a living wall on the northeastern elevation.

9.94. The proposals will achieve a net gain in excess of 10% within both categories (area based habitats and hedgerows).

Access to the Green Belt

9.95. Whilst it is recognised that there will be harm to the Green Belt as identified above, there will also be benefits arising from the proposals on improved access to the Green Belt which should be considered as part of the very special circumstances case.

9.96. In this regard NPPF paragraph 150 is clear that:

*Once Green Belts have been defined, local planning authorities should plan positively to **enhance their beneficial use, such as looking for opportunities to provide access;** to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity **and biodiversity;** or to improve damaged and derelict land. [Own Emphasis].*

9.97. As set out above the proposals achieve a net gain in excess of 10%.

9.98. Within the vicinity of the proposals, numerous projects are already underway, with some dedicated to commercial ventures and others geared towards residential expansion and associated community facilities such as playing pitches. The siting of the stadium in the south of the site combined with

the blue and green infrastructure proposed to the north, not only provides a natural buffer, but also provides opportunity to improve public access to the Green Belt.

- 9.99. The stadium is located as far south within the Site as possible without impacting on the existing woodland. This has resulted in the retention of a green and open space in the north of the Site to maintain a sense of openness in this section of the Site in a way that complements the retained areas of open space in the southern parts of the CDC allocations on the edge of Kidlington.
- 9.100. Plugging into the Oxfordshire County Council led improvements to Oxford Road the development will be able to provide a more aesthetically pleasing/ user friendly east west connection. By providing a new safe crossing to Frieze Way the scheme generates a stronger connection to the wider countryside either side the development, this will be a mechanism that benefits the surrounding community.
- 9.101. The proposals therefore improve public access to the Green Belt, linking the site, and existing and committed residential development to community sports provision, enhancing the Green Belts beneficial use, as per paragraph 150 of the NPPF, which should be considered as a public benefit in the very special circumstances case.

Conclusion on Green Belt Impact and Very Special Circumstances

- 9.102. This assessment finds that there would be harm to the Green Belt by reason of inappropriateness, as well as harm to openness and some of the purposes of the Green Belt.
- 9.103. Paragraph 153 highlights that *"local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*
- 9.104. Whilst this assessment has demonstrated how the proposals have been designed to mitigate impact on the Green Belt where possible, it is acknowledged that substantial weight should be given to the identified harm to the Green Belt.
- 9.105. However, it is considered that there are very special circumstances in this instance, which are considered to *clearly* outweigh the recognised harm.
- 9.106. Fundamentally, the case for very special circumstances in this instance arises from the demonstrated urgent need to develop a new stadium in order to protect the future existence of one of the oldest football clubs in the UK. In this regard it is also demonstrated that there are no other feasible, practical and realistic alternatives to accommodate a proposed stadium development within the area of search identified through discussions with the EFL. There is an existential need to deliver

a new stadium by 2026 and the only viable option which may be available to acquire and is capable of delivering a well-connected, sustainable stadium within the necessary timeframe for OUFC is at the proposed Site.

9.107. Furthermore, it is also demonstrated that there will be substantial benefits arising as a result of the proposals, including:

- Substantial Social and Community Benefits – including those arising from keeping OUFC in the local area, benefits to women’s football and other community benefits.
- Substantial Economic Benefits – including those at construction and operational phases as well as those arising from partnership with local organisations.
- Substantial Environmental Benefits – including those arising from the high quality design of the scheme including sustainable design and operational benefits, sustainable transport benefits, ecological benefits and benefits arising from improved access to the Green Belt.

9.108. Overall, it is considered that the benefits to OUFC, its fans, the community, economy and environment are overriding, and comprise powerful very special circumstances which outweigh the harm to the Green Belt. As such, it is considered that the proposals can therefore be approved subject to any other material considerations which are considered in the next chapter.

10. OTHER MATERIAL CONSIDERATIONS

Design and Landscaping

- 10.1. The design of the proposals has been strongly influenced by the landscape and visual baseline analysis and has evolved to minimise the effects as far as possible.
- 10.2. The inherent design mitigation that has informed the site layout includes locating the stadium building as far south within the Site as possible, without impacting on the existing woodland block in the south of the Site. This protects this key landscape feature that is designated as a priority habitat under Section 41 of the NERC Act, whilst retaining an open green space in the north of the Site to maintain an open green space between the Proposed Development and the southern edge of Kidlington.
- 10.3. Differing stadium orientations have been considered, with each having pros and cons, relating to camera locations, position of the 'main stand', relationship to the site, transport links and site dimensions. Hospitality seats and camera locations would always be facing away from the evening sun, this in turn dictates where the main stand is located. The site size and shape has influenced the decision on the stadium orientation. An optimum orientation has been achieved for the site, which looks to orientate it on a north-west/south-east axis, providing sufficient space around the Stadium, whilst ensuring that the main-stand has a better relationship to the arrival spaces from Oxford Parkway to the south-east.
- 10.4. In terms of the stadium design, key guidance documents including the Green Guide and UEFA Stadium Infrastructure Regulations have determined the size of the stadium and associated infrastructure required to deliver a stadium of this size. The Green Guide sets parameters for a number of areas including calculating the safe capacity of a sports grounds; management responsibility and planning for safety; circulation, including ingress, egress, vertical, concourses and vomitories, barriers and separating elements; seating accommodation; standing accommodation; demountable structures; fire safety; communications and control; mechanical and electrical installations; medical and first aid provision and media provision. The UEFA Regulations provide criteria for the field of play, outside broadcast and parking requirements.
- 10.5. In order to create a viable stadium that meets the needs of the Club, and the community, there are certain spaces that are required; in particular, the hotel, hospitality/event spaces and the commercial provision. The height and the mass of the stadium has been dictated by these operational requirements. However, detailed design of the building is informed by the landscape and visual opportunities and constraints. The proposed building facades will comprise of materials, finishes and hues which are evident in the local landscape and townscape and of relevance to the Club. Whilst the desire for a 360 degree seating bowl was set by OUFC, this also has environmental benefits in helping to mitigate noise and light spillage.

- 10.6. In terms of the external appearance of the stadium, it is not proposed to encase the entire building in a uniform exterior, but instead, express the distinct features of each individual part. The stadium is designed to look and feel like a stadium, featuring a continuous 360-degree seating bowl with a concourse beneath. The hospitality areas and the hotel create a different mass, height and required aesthetic, which will wrap around the stadium on two sides.
- 10.7. In terms of the appearance of the stadium, the entire development is set on a ground floor plinth framed with pre-cast elements in Oxford buff stone texture. Set within this is a mixture of glazed curtain walling to the north and west, and solid precast panels to the south and east.
- 10.8. As above, the stadium is situated within a strong landscaped framework. This is based on the following principles:
- The vision is to incorporate flexible multifunctional spaces that can be enjoyed whether or not it's a matchday.
 - Creating useable and publicly accessible green space to the north of the site at the closest point to Kidlington, with a new public plaza to enjoy and relax in.
 - Create areas for fans to congregate pre and post-game that also have the flexibility and adaptability to be used by the community on non-matchdays, host events and provide places of interest all year round.
 - Connect the stadium to the wider countryside, woodlands, canal walks and nearby villages and communities in a way that is attractive, safe, and enjoyable for walkers and cyclists, while also promoting environmental and cultural stewardship.
 - Designing the public realm to manage and direct fans arriving at the stadium. The intention is to create a safe and welcoming environment that is nonetheless an unforgettable experience.
 - Existing trees will be retained wherever possible, and additional planting will result in an overall increase in the number of trees on site.
- 10.9. The developed scheme consists of four main character spaces:
- The Gardens: this area is located in the northern part of the site and includes native tree planting, provision of a natural pond, natural amphitheatre as well as grassland.
 - The Plaza: this area is to the south of The Gardens and north of the stadium and includes paved landscaping, raised planters and tree planting, as well as a formal walkway running

east-west across the site. This is envisaged to be a home team fan zone on match days and community space on non-match days.

- The Approach: the eastern boundary of the site which forms the main pedestrian and cycle access to the site from Oxford Road. There will be removal of vegetation along this boundary (including the removal of two TPO'd Oak trees) to create a permeable edge but raised and stepped planters would provide opportunities for planting, including boulevard trees. The approach to the stadium is enhanced with moments (defined as Instagram moments) that are designed to excite and inspire the journey to the stadium.
- The Southern Arrival: the south-eastern corner of the site is the away fans area and includes areas of hardstanding around the perimeter of the stadium, a SuDS attenuation area, tree and buffer planting along the southern boundary of the Site.

10.10. The proposals have been through the design review panel (DRP) process, with the panel's written response attached in appendix 3. In summary however, the DRP found that:

"In conclusion, the Panel reiterates its admiration for the scope of the project. The site is challenging in terms of its location shape and size and the development timetable is very tight. However, the work undertaken to date is impressive and the emerging design is both striking architecturally and very much for purpose in terms of meeting modern aspirations for stadium users. The landscape strategy and the community garden, are particularly innovative for new stadium and combined with a mix of uses that will appeal to the day-to-day basis, have the potential to be a great place. It is considered there are logistical difficulties still to be addressed, particularly in terms of the entrance area and the movement of end users, but it is felt the project deserves to succeed and will hopefully secure the long-term future of the football club and enrich the lives of local residents."

10.11. It is considered that the proposals represent a high-quality of design, with sensitive siting and layout, which complements and enhances the character of its context, meeting the aims of development plan policy ESD 15 and the criteria contained within. Furthermore, the design process undertaken demonstrably meets the requirements of paragraph 137 and 138 of the NPPF and should be looked on favourably as the applicant has demonstrated early, proactive and effective engagement with the community.

Landscape and Visual Impact

10.12. In terms of the impact of the proposal on the landscape and visual amenity, the LVIA and ES Chapter on Landscape identifies finds that:

“as with the development of any green field site, there would be some significant adverse landscape and visual effects arising as a result of the Proposed Development during construction, at Year 1 and Year 15, which are considered to be the residual effects.

The Site is visually well contained and there are currently no publicly accessible locations within it. The Proposed Development is considered to form a standalone professional sporting destination within the landscape between Oxford and Kidlington. The scale and massing of the Proposed Development means that it would be visible above the retained boundary vegetation from some roads and PRowS within the local area. The high quality and purpose of the Proposed Development would create a new landmark feature to the north of Oxford that would form a new gateway feature on approach to the City from the north. This would further add to the existing and emerging sporting character of the landscape between Oxford and Kidlington with Stratfield Brake Sports Ground and the proposed sports pitches within the allocated Site assessed as part of the Cumulative Effects. The location of the proposed stadium within the southern part of the Site retains a green and open space within the north of the Site to maintain a sense of openness between the stadium and the southern edge of Kidlington.”

- 10.13. The proposed development is within an urban fringe location. Through considered design, the changes that are to occur are able to be mitigated through the introduction of new tree stock and planting that would result in a net increase in landscape features within the site. The proposed development has been located and orientated within the site to minimise undue harm to the natural landscape features and topography, including the existing woodland located to the south of the site, which is a District Wildlife Site and NERC Act S41 Priority Habitat. A natural greenspace has been retained in the north of the site to preserve a sense of openness in combination with the surrounding landscape. This also maintains a physical separation from the southern edge of Kidlington.
- 10.14. Whilst there would be some removal of boundary vegetation to the east and west of the site to facilitate access (including two TPO'd trees), the proposed development would see the introduction of 143 new trees, as well as new hedgerow planting, areas of scrub and wildflowers alongside SuDS attenuation features which would be in keeping with the character of the surrounding landscape. There would be a net gain in landscape features within the site.
- 10.15. The intended use of the proposed development as a professional sports stadium results in the delivery of a landmark building of approximately 24.6m in height. Some visual impact is therefore inevitable. Whilst the retained vegetation and landscape proposals aim to minimise visual intrusion from the local road, PRow and open space networks, the upper storeys of the proposed development would be visible above this vegetation from viewpoints in the mid distance within the

landscape between Kidlington and Oxford. The impacts of which are fully assessed within the Landscape and Visual Impact Assessment chapter of the ES.

- 10.16. In regard to Policy ESD13 of the development plan which concerns local landscape protection and enhancement, the proposals secure appropriate mitigation where damage to local landscape character cannot be avoided. Additionally, the site and its immediate surroundings are not identified as having a high level of tranquillity or historic value and therefore these elements of the policy are not considered to be detrimentally affected. The lack of tranquillity is a result of the urbanising influences of Oxford Road, Frieze Way, the A34 and the railway line, as well as overhead transmission lines and lighting columns associated with the road corridors and Stratfield Brake Sports Ground. The sporting character of the landscape to the west of the site and the recently consented sports pitches to the east provide contextual sporting elements that the proposed development is considered to be in keeping with. The site and its immediate surroundings are also not considered to carry historic landscape value. For these reasons, whilst it is acknowledged that there will be some harm in respect of landscape and visual impact, the proposals are overall considered to accord with policy ESD13.

Retail Impact and Sequential Assessment

- 10.17. The application is accompanied by Retail Impact and Sequential Assessment prepared by Ridge and Partners LLP and Urban Shape Planning Consultants which has been undertaken in line with the requirements of the NPPF and Cherwell Local Plan in order to justify the location of main town centre uses in an out-of-town location.

Sequential Assessment

- 10.18. In the first instance, the assessment identifies that there are no sites within 7 miles of Oxford City Centre (as set out above as required in order to meet the EFL regulations) that are located in the City Centre or other town or local centres that could accommodate the proposed development. There are also no edge-of-centre sites that are suitable or available for the proposed development, even when flexibility of scale and format has been taken into account.
- 10.19. As such, there are no sequentially preferable sites for the proposed development, and the proposed development therefore meets the test set out within paragraph 91 of the NPPF and Policy SLE2 of the Local Plan. It is also worth noting that, whilst the site is defined as an 'out-of-centre', the site is extremely accessible and well connected to Oxford City Centre and elsewhere due to its proximity to Oxford Parkway train station and Park and Ride as per the guidance in paragraph 92 of the NPPF.

Impact Assessment

10.20. The proposed floorspace is above the locally set threshold of 350 sq m gross, and a retail and leisure impact assessment is therefore a requirement of the planning application.

10.21. NPPF paragraph 94 requires that the impact assessment should include an assessment of:

“a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal.

b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).”

10.22. In this respect, the assessment finds that the proposals will not have a significant adverse impact on the network of town centres. The floorspace and turnover will be small in scale and negligible compared to the wider mix and choice in the town centres, which are all found to be performing well with clearly identified roles and niche functions. The retail and leisure floorspace will not compete directly with the town centres and will primarily be served by on-site staff and a very different visitor profile travelling from the wider region and UK.

10.23. The assessment then finds that the proposals will have the following benefits:

“The substantial amount of new housing planned on adjacent sites will positively reinforce the spending catchment for the network of town centres, leading to long-term positive impacts. The Proposed Development will provide significant and sustained benefits to Kidlington and Gosford and Water Eaton residents, OUFC’s fans and the wider Oxfordshire community, performing as an active and positive part of the community.”

10.24. The proposals are therefore considered to meet the requirements of paragraph 94 of the NPPF as well as policy SLE 2 of the development plan.

Transport and Highway Safety

10.25. The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

10.26. Policy SLE4 of the development plan reflects the NPPF and sets out that development, where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not

suitable for the roads that serve the development, and which have a severe traffic impact will not be supported.

- 10.27. This planning application is supported by a Transport Assessment, Construction Traffic Management Plan, Match Day and Non-Match Day Travel Plans as well as a chapter in the ES.
- 10.28. The Transport Assessment identifies that the site is located in a highly accessible location, adjacent to the strategic highway network which benefits from existing and proposed cycle connections, as well as in close proximity to Oxford Parkway Railway Station.
- 10.29. The use of the stadium will vary depending upon the event, the profile and importance of the football game, and the day of the week. As such, the Transport Assessment assesses the impact of the proposed development with a number of scenarios being tested, including both match day and non-match day assessments.

Transport Strategy

- 10.30. The Transport Strategy has been underpinned by a detailed understanding of the origins of the OUFC home supporters, based upon travel surveys at Kassam Stadium carried out in 2022 and an assessment of the travel demands of these home supporters, away supporters, teams, staff, supporting operators and users of the associated facilities.
- 10.31. The transport strategy has been developed to help achieve this vision and promote sustainable travel to fundamentally change the travel behaviour of fans from driving in a private car to travelling by more sustainable means including public transport, walking, and cycling.

Walking and Cycling

- 10.32. The Site is within cycling distance from Kidlington and north of Oxford. Cycle routes OXR4 and OXR3 as well as National Cycle Route 51 connect the Site to these areas. There are also proposals for OCC to improve the highway network in the vicinity of the site, namely improvement work at Loop Farm Roundabout, Peartree Interchange and Kidlington Roundabout; the latter includes signalisation of the junction with signalised crossing facilities, and shared cycleways on Oxford Road and Bicester Road to improve sustainable travel, which is now under construction.
- 10.33. As part of the Proposed Development, new and improved pedestrian and cycle routes to and from the Site will be provided, which will also connect to the committed pedestrian and cycle routes at Kidlington Roundabout and on Oxford Road. The improvements will include signage and lighting to improve safety for users.

- 10.34. Cycle parking will be provided on site (150 spaces) with access to further spaces at Oxford Parkway, including electric bike charging. The Travel Plan will monitor cycle parking demand and will investigate locations for further cycle parking, if necessary.
- 10.35. Crossing facilities (TOUCAN) are proposed across Oxford Road and Frieze Way, which will provide links to Oxford Parkway to the south-east, the allocated site PR7a to the east, as well as to Stratfield Brake to the west of the site.
- 10.36. A new stepped access to Oxford Parkway from Oxford Road is proposed to provide direct access from the railway station towards the Site.

Public Transport

- 10.37. In terms of public transport, the Club will include travel information on its website and within the matchday programme, including bus services, Park and Ride locations and bus shuttles, rail services and ticketing information. The Applicant is working with Oxford Bus Company, Stagecoach, Chiltern Railways and OCC in order offer an integrated public transport ticket in the cost of a season ticket and match day tickets.
- 10.38. New bus stops are proposed on Oxford Road so that the existing services can stop next to the Site on match and non-match days. These stops will include level boarding, shelters and real time information. There will be increased frequency, if demand/ticket sales require. Additional bus stops and layby are being investigated with OCC on Frieze Way.
- 10.39. Shuttle bus services will operate from the Park and Ride sites on match days (subject to ticket sales) to intercept supporter vehicle trips based on the geographical pull of their journey towards Oxford, and supporters within walking and cycle distance of the Park and Ride sites around the City.
- 10.40. OUFC currently operate supporter shuttle services to/from Abingdon and Witney to Kassam Stadium; these will continue at the new site. OUFC will also work with supporters' associations and clubs to organise away supporter coaches.

Match Day Traffic Management and Crowd Management

- 10.41. Detailed pedestrian modelling has been undertaken to understand pedestrian movements representing a full capacity scenario of 16,000 supporter match day scenario, although it is not expected that this level of attendance would be seen for a number of years. On match days with high ticket sales, it is expected that traffic management will be required for safety reasons. Traffic will be diverted via Frieze Way (a dual carriageway) for at least 30 minutes to enable the supporters

to safely arrive and leave the stadium via Oxford Road to reach the transport interchange at Oxford Parkway. This is expected to be as follows:

- Pre-Match - general traffic will be diverted for at least 30 minutes, with key bus services and coaches marshaled through Oxford Road during periods of lighter pedestrian flows. Bus services and general traffic will continue to access/egress Oxford Parkway from the Site
- Post-Match - general traffic will be diverted for at least 30 minutes, with key bus services and coaches marshaled through Oxford Road during periods of lighter pedestrian flows. Bus services and general traffic will continue to access/egress Oxford Parkway from the Site.

10.42. A traffic management contractor will be appointed to enact the closure and station marshals to guide supporters. Other traffic management measures include a Variable Message Signage Strategy (VMS), Park and Ride signage enhancements, passenger travel information systems, OUFC publishing a list of the planned closures and the implementation of match day controlled parking zones (CPZs) up to 2km from the site.

Vehicle and Staff Strategy

10.43. The proposed vehicle access is via a new junction on Freize Way to the north of Stadium and an egress on to Freize Way south of the stadium. The development proposals will provide a total of 184 car parking spaces, split between accessible parking (78 spaces) and standard parking (106 spaces). Of these 106 spaces 25 are overflow spaces provided in Grasscrete or similar and expected only to be used on match days.

10.44. On match days, it is anticipated that accessible spaces will be allocated to fans based on need and through a booking system. The standard spaces will be used by match officials, operational staff and outside broadcast on match days, which will require pre-booking in advance of the match. Match day taxi drop off and pick up will be accommodated within the stadium car park and at Oxford Parkway.

10.45. On non-match days, the car park will be used by OUFC staff working at the stadium, visitors to the hotel, commercial, and leisure uses. The car park will be managed by OUFC and will either be by permit (staff) or through allocated parking managed by ANPR. Non match day taxi drop off is provided in the Plaza to the north of the Stadium.

10.46. Measures to encourage staff to use sustainable transport modes will be implemented through the Travel Plans.

Highway Impact Assessment

- 10.47. The accompanying Transport Assessment provides an assessment of the trip generation, distribution and mode share of the development proposals.
- 10.48. Pedestrian modelling has been undertaken to understand the busiest period of pedestrian flows outside the Stadium and within the Oxford Road area for the hour following the final whistle. This is based upon a worst-case scenario with a full stadium and a weekday departure profile. This modelling demonstrates the need for:
- Traffic management for at least 30 minute pre and post-match to accommodate the pedestrians walking to/from the Parkway station and Oxford Parkway Park and Ride Park and Ride.
 - Key bus services and coaches marshalled through Oxford Road during periods of lighter pedestrian flows.
 - Peartree and Eynsham Park and Ride Shuttles to use the stadium car park.
 - Other Park and Ride Shuttles to use two of the bus stands at Oxford Parkway Park and Ride (with third stand to be used by existing local services).
 - Segregated routes to Parkway station (for rail users) and local buses, then for Park and Ride Shuttles to improve the efficiency of queuing.
 - Queue management at Parkway station.
 - Queue management to the bus stands at Oxford Parkway Park and Ride.
- 10.49. In terms of junction modelling, Transport modelling will be undertaken and will be submitted via an Addendum Report. Irrespective of this, the Transport Assessment concludes that it is not considered that the temporary and irregular residual traffic impacts on match and major events days, with the improvements and measures in place, would be severe as outlined in the NPPF.
- 10.50. The proposals offer a wide range of improvements and measures to maximise more sustainable travel options and to minimise the impacts of the development on the local area and will:
- Significantly improve safety for pedestrians and other street users
 - Prioritise walking, cycling, bus, rail and coach travel to/from the stadium

- Meet local, regional and national policy to prioritise more sustainable travel
- Help to achieve the district and county council's commitment for net-zero

10.51. It is therefore considered that the proposals meet the policies as set out above.

Heritage Assets

10.52. The Application is accompanied by an Archaeological Desk Based Assessment and Heritage Settings Assessment prepared by Cotswold Archaeology (ES Appendix 9.1 and 9.2).

10.53. The Archaeological Desk Based Assessment identifies that there is the potential for archaeological features located within the site to be disturbed or removed during construction groundworks. Potential archaeological assets could be impacted during the construction phase, which would result in a permanent physical impact to the archaeological resource. However, any potential buried archaeological remains which may survive within the site are not considered likely to be of sufficient significance as to warrant preservation in situ. Suitable mitigation measures have been proposed to ensure the archaeological value of such remains is realised and preserved by record, by a programme of archaeological investigation prior to development.

10.54. The Heritage Settings Assessment considers the setting and significance of nearby designated heritage assets, comprising the Grade II Listed Buildings of Stratfield Farmhouse and Frieze Farmhouse and the Oxford Canal Conservation Area. The assessment finds that:

"The proposed development will alter part of the setting of the designated heritage assets, by introducing further development into their surroundings. However, the important elements of their setting will remain unchanged, and the proposed development will not detract from the contribution that setting makes to their significance. As such, this assessment has identified no instances of harm to the significance of the designated heritage assets, or any other designated heritage assets in the vicinity of the Site."

10.55. The proposed development therefore meets the requirements of legislation and local and national policy relating to the setting and significance of heritage assets, including local plan Policy ESD 15 and NPPF paragraph 200 and 205.

Biodiversity

10.56. Chapter 8 of the ES considers the impact of the proposals on biodiversity and is accompanied by a suite of ecological surveys which are summarised in Appendix 8.1 of the ES.

Impacts on Designated Sites

- 10.57. There are no statutory designated sites of nature conservation value located within or immediately adjacent to the site. The closest statutory site is the Oxford Meadows SAC, which includes its constituent SSSIs Pixey and Yarnton Meads SSSI, Wolvercote Meadows SSSI and Port Meadow with Wolvercote Common & Green SSSI and is located approximately 1.9km southwest of the site at its closest point. The SAC and constituent SSSIs are well separated from the site by major and minor roads, a canal and large bodies of water, as well as open countryside.
- 10.58. The woodland located just off-site adjacent to the southern boundary, is listed on the MAGIC database as a Priority Deciduous Woodland which also forms part of the Stratfield Brake Cherwell District Wildlife Site (DWS). It is noted it does not form part of the Stratfield Brake Woodland Trust Reserve (which is also designated as part of the DWS) located to the west of the Site (it is isolated from the Reserve by the Frieze Way A4620 road). Stratfield Brake DWS is designated for its range of habitats including woodland, grassland, ponds and scrub.
- 10.59. Subject to the implementation of safeguarding measures the assessment finds the following:
- With regard to water quality, the development will not have a direct or indirect impact on Oxford Meadows SAC and its constituent SSSIs or any other statutory or non-statutory designated sites of nature conservation interest.
 - In regard to pollution control on the Stratfield Brake DWS and the onsite woodland (also part of the DWS), it is not considered that the development will have a direct or impact on this non-statutory site or any other non-statutory designated sites of nature conservation interest.
 - The development would not affect the integrity of the Oxford SAC either alone or in combination with other plans or projects and thus meets the test of the Habitats Regulations 2017 (as amended). Based on the information above and the measures proposed it is also considered that the proposals would not result in any other adverse effects on any other statutory or non-statutory site designated for its nature conservation interest.
 - There are no anticipated significant effects from air quality impacts, recreational impacts on any statutory or non-statutory designated sites arising from the development.
- 10.60. Overall, it is not considered that any potential impacts would arise as a result of the Proposed Development that would adversely impact any European, statutory, or non-statutory designated sites.

Impacts on Habitats

- 10.61. This identifies that the majority of the site comprises a Willow plantation and strips of neutral grassland, which are of limited ecological value, comprising common and widespread species. A small number of more notable species and 2 orchid species have been recorded in areas, however, overall these habitats are still considered to be generally species-poor and not of significant botanical interest, with the more notable species confined to edges/small patches as opposed to being frequent/abundant throughout. The mixed scrub is of relatively low ecological value in terms of its species content; however does offer some foraging and nesting opportunities for birds and navigational opportunities for bats. The hedgerows with trees within the Site and the adjacent woodland are of greater ecological value.
- 10.62. The hedgerows and trees are to be retained where possible, with losses to be offset through the extensive planting of trees and a new species-rich hedgerow with trees based around native species and those of benefit to wildlife. Losses to those habitats of lower ecological value are to be offset through the creation of species-rich wildflower grassland, new aquatic habitats in the form of a pond and attenuation features, and new native scrub planting. Other enhancements include a biodiverse green roof, a green wall and rain gardens throughout, which will represent an overall enhancement, and a net gain in biodiversity, over the existing situation.

Impacts on Fauna

- 10.63. Surveys for a number of protected species have been undertaken and the results have been utilised to inform the impact assessment. Mitigation and enhancement measures have been identified, including protection of the adjacent woodland, creation of new grassland and scrub habitat, tree and hedgerow planting, bird and bat boxes, log piles and a biodiverse roof. It is considered that overall, the proposals will safeguard retained habitats of greater ecological value and protect species present within and adjacent to the Site during construction. It is considered that the proposals will provide enhanced habitats and opportunities for protected species over the existing situation and will represent a significant net gain in biodiversity.

Net Gain

- 10.64. The proposals will achieve a net gain in excess of 10% within both categories (area based habitats and hedgerows).

Conclusions on Biodiversity

- 10.65. The proposals therefore in the first instance avoid where possible, and thereafter mitigate for any biodiversity loss in line with paragraph 186 of the NPPF. The proposals also meet the requirements

of policy ESD11 concerned with conservation area targets, and the criteria, listed above, of Policy ESD10 which seeks the protection and enhancement of biodiversity and the natural environment.

Noise, Air Quality and Ground Conditions

Noise

- 10.66. Chapter 11 of the accompanying ES considers noise and vibration, with a baseline noise survey was undertaken from 30th September to 4th October 2023.
- 10.67. Assessments to determine the potential impacts of noise and vibration associated with construction activities, construction traffic, road traffic noise during match days and match day noise on sensitive receptors have been undertaken, these are all considered to be negligible and therefore not significant.
- 10.68. Noise criteria has been set for fixed mechanical plant associated with the operation of the Proposed Development, with the expectation that no significant noise effects will result from these sources, assuming these criteria are met through careful design and established mitigation measures. An assessment of vehicle noise in car parks has also been conducted, with the impact of car park noise not considered to be significant.
- 10.69. An assessment of matchday noise, including the noise generated by patrons of the stadium and the public address system within the stadium, which is expected approximately twice monthly during the season, has been conducted. The assessment determines that this impact would be negligible and therefore not significant.
- 10.70. The proposals are therefore not considered to cause materially determinantal levels of noise and are therefore in accordance with development plan policy ENV1.

Air Quality

- 10.71. Chapter 12 of the accompanying ES relates to air quality and provides and an assessment of the following key effects associated with the construction and operational phase of the Proposed Development:
- Nuisance, health effects and/or loss of amenity caused by construction dust on sensitive receptors.
 - Changes in pollutant concentrations caused by additional vehicles associated with the Proposed Development from construction traffic (2025).
 - Changes in pollutant concentrations caused by additional vehicles associated with the Proposed Development during operation (2026).

- 10.72. The qualitative assessment of construction dust effects undertaken for the Proposed Development, using the most up to date dust guidance, found that there is likely to be a 'minor' risk of dust creating nuisance and/or loss of amenity and 'minor' risk of particulate matter (PM₁₀) leading to adverse health effects (without mitigation). Despite the predicted 'minor' risk identified, appropriate mitigation specific to the Proposed Development have been presented. Following the appropriate implementation of the mitigation measures, effects are predicted to be negligible and not significant.
- 10.73. Modelling has been carried out on the Proposed Development to predict air quality effects, both during the construction phase and the operational phase. This has been undertaken in accordance with the most up to date guidance. NO₂, PM₁₀ and PM_{2.5} concentrations at predicted sensitive receptor locations in the worst year of construction of the Proposed Development are predicted to be below the relevant air quality objectives. NO₂, PM₁₀ and PM_{2.5} concentrations at sensitive receptor locations in the first year of opening of the Proposed Development are predicted to be below the relevant air quality objectives. Air quality effects associated with the Proposed Development are considered to be negligible and therefore not significant.
- 10.74. Paragraph 191 of the NPPF states that decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Saved Policies ENV1 and ENV12 of the CLP 1996 echo these principles. The Proposed Development is therefore not considered to conflict with any national, regional or local planning policy.

Lighting

- 10.75. This application is accompanied by a lighting assessment (as set out in chapter 13 of the ES) which has been carried out to assess the potential effects that lighting from the Proposed Development is likely to have on the identified receptors within the surrounding area.
- 10.76. This assessment is based on the latest available design information, including the external lighting design and the design of the stadium field of play. Limits are set on the levels of obtrusive light that are acceptable for each identified receptor, with mitigation being embedded into the design to ensure these limits are maintained.
- 10.77. The assessment finds that there the residual effects of obtrusive light from the proposed development are minor adverse, and not significant.
- 10.78. Chapter 13 of the accompanying ES sets out a number of design and operational management criteria to ensure that the levels of obtrusive light are acceptable in respect of external lighting (including field of play lighting), façade illumination, illuminating advertising, and internal lighting.

Detailed lighting design will follow these criteria in order to mitigate against the proposed development.

- 10.79. The proposals are therefore considered to meet the requirements of NPPF paragraph 191 which requires planning decisions to ensure that new development is appropriate for its location taking into account the likely effect including cumulative effects. Through embedding all reasonable and practical mitigation into the lighting design, it is also considered that criterion c of paragraph 191, which is echoed in development plan policy ESD 15, which require that proposals limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation are met.

Flood Risk and Drainage

- 10.80. Chapter 14 of the ES concerns flood risk and drainage, with a flood risk assessment which determines the potential changes due to the Proposed Development in fluvial, pluvial, groundwater and artificial sources of flood risk, including consideration of climate change, contained within Appendix 14.1.

Flood Risk

- 10.81. The assessment considers the different types of flood risk sources according to legislative requirements and industry standard guidance. Fluvial flood risk was shown to be negligible due to the elevation of the Site above any main rivers in the study area and the absence of any flow paths towards the Proposed Development. The predominant source of baseline flood risk to the Site is from storm rainfall/surface runoff. This is shown by Environment Agency flood risk mapping identifying the potential for storm water to collect in the central western area of the Site under baseline conditions. Baseline flood risk from groundwater, drainage, reservoir and canal sources have been shown to be low.

Drainage

- 10.82. Elements within the proposed design will mitigate the risk of flooding such as providing onsite attenuation in the form of ponds and geo cellular crates. Other SuDS features like rain gardens, swales and filter drains will also provide some attenuation. During an exceedance or any flooding caused by blockages, any surface water arising will be contained onsite and due to surfacing designed to fall away from building, will be held within the car park area until the network is able to drain down.
- 10.83. The proposed method of discharging is to utilise the existing culvert whilst restricting proposed surface water flows to greenfield runoff rates with the use of a Hydrobrake. Not only will this minimise the offsite flows in accordance with policy requirement it also mitigates the risk of flooding

to both the development and its surroundings. In order to achieve this, provisions of sustainable drainage features (SuDS) to attenuate flows are required, which as above are provided as ponds and geo cellular crates

- 10.84. The proposed foul strategy is to convey all foul drainage to the north of the site. The foul is then proposed to outfall to an existing sewer north of the site. Due to the size of the stadium footprint, two drainage runs are proposed, located either side of the stadium to pick up the proposed internal foul network. Discussions with Thames Water are ongoing however initial discussions during a meeting held September 2023 suggest there is capacity within the existing sewer.
- 10.85. The proposals therefore meet the relevant criterion of policy ESD1 as well as policies ESD7 of the development plan and NPPF paragraph 173 and 175 which specify how all development proposals are required to use SuDS for the management of surface water run-off.

Contamination

- 10.86. This application is accompanied by a Geotechnical and Geo-Environmental Desk Study prepared by Mott Macdonald. Whilst the report should be read in full, it concludes that the proposed development location is on greenfield land. No contamination sources were identified at, or in the immediate vicinity of, the proposed development location. Consequently, the site is evaluated to pose no contamination risk.

Sustainability

Sustainable Development

- 10.87. The presumption in favour of sustainable development is at the heart of the NPPF. Sustainable development is defined in paragraph 8 of the NPPF, and includes three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways: these being economic, social and environmental factors. Furthermore, it is also demonstrated that there will be substantial benefits arising as a result of the proposals, including:

Social and Community Benefits

- Those arising from keeping OUFC in the local area and avoiding the impacts of football club failure including job losses, loss of matchday demand for local retail and hospitality businesses, loss of football 'tourism', economic scarring, loss of cultural heritage, loss of civic identity and pride, loss of social cohesion and loss of community initiatives.
- Benefits to women's football as all the women's team matches are also to be played in the stadium, which will accelerate the attendance and exposure to women's football locally.

- Other community benefits as set out in chapter 8 of this statement including boosts to local businesses, year-round job creation and access to community facilities and improved, walking, cycling and public transport provision.

Economic Benefits

- Construction Phase Benefits including £113 million invested in construction and 420 construction jobs supported on and off site.
- Operational Phase Benefits including 320 direct and 160 indirect full time equivalent jobs supported and retained as well as £28.7m gross value added per annum direct and indirect impact (including retained)
- As well as those arising from OUFC working in partnership with local organisations including local resident employment and training opportunities, local business supply chain opportunities and improvements to local community sports facilities.

Environmental Benefits

- The proposed new is designed and committed to measures to ensure it reaches the highest levels of sustainability, with the full list of measures to ensure sustainable design and operation measures listed in chapter 8 of this statement.
- The main sustainable transport objective is to encourage supporters and staff on matchdays to use more sustainable, healthier and lower carbon transport options whilst achieving an overall reduction in car travel. The Club has an aim that 90% of fans will travel to the Stadium by sustainable modes of travel. The full list of measures to ensure these sustainable transport benefits are realised are set out above.
- The Proposed Development will achieve a minimum of 10% Biodiversity Net Gain.
- The proposals improve public access to the Green Belt, linking the site, and existing and committed residential development to community sports provision, enhancing the Green Belts beneficial use.

Sustainability Approach – The 360 Framework

10.88. The Applicant has developed a 'customised' Sustainability Framework for the Proposed Development. This sets out a series of target ambition levels across a range of sustainability themes and reflects OUFC's commitment to the key sustainability principles. It provides the structure for embedding sustainability within the Proposed Development.

- 10.89. The 360 Sustainability Framework is built around a four-tier structure outlined below.
1. Themes are identified represent priority areas to improve sustainability performance.
 2. Key principles reflecting the Club's commitments and policy drivers to further define specific objectives and guide target setting.
 3. Questions underpinning the sustainability themes and principles are set and designed to demonstrate impact on the stadium.
 4. Performance indicators will be carried through the design, construction and operation of the stadium to demonstrate progress.
- 10.90. Performance indicators are defined as:
- C: Compliance/Advisory: Typically, a regulatory minimum e.g. minimum planning requirements
- B: Best in Class: Current best in class performance amongst peers and other similar sized projects. This is based on performance against sector best practice from industry guidance or peer review.
- 10.91. Definition of all levels is supported by appropriate legislation or guidance material relevant to the Club and the stadium.
- 10.92. The themes and principles for the stadium are as indicated below. These are determined through engagement with the project team and build on any key commitments that OUFC have undertaken. These themes and principles are underpinned by key questions and target levels within the framework.
1. Energy & Carbon
 - Drive towards net zero carbon emissions
 - Energy efficiency, renewable energy generation, energy reuse and on-site storage are maximised across the site.
 - Limit exposure to climate change and fluctuating energy pricing.
 2. Ecology and Biodiversity
 - Provide Biodiversity Net Gain (BNG) by retaining existing and providing new on-site habitats.

3. Waste and Materials

- Ensure application of embodied impacts, sourcing, conservation, and re-use.
- Sustainable use of materials and resources on a whole life value basis.
- Commitment to the management of waste through the waste hierarchy.

4. Water

- Minimise flood risk.
- Reduce potable water demand through the efficient use of water and wastewater.
- Maximise the opportunity to use natural sources of water.

5. Transport and Movement

- Provide efficient, clean and healthy transport options.
- Provide innovative mobility solutions.

6. Health and Wellbeing

- Creating built environments that are healthy, safe and desirable to use.
- Minimise the localised disturbance and pollution of the project.

7. Community

- Ensure all activities support local residents, business and the local community.
- Maximise all opportunities to enhance the reputation of the project.

8. Governance

- strong and transparent governance framework.
- comply with all current legislation.
- ensure the Club are prepared for future regulatory requirements.

10.93. For each of the themes, the project has been identified as targeting 'Best in Class' or better across all the themes. This provides a baseline of what the project is aspiring to and will allow the design to identify the best approach possible.

Carbon Emissions and Climate Resilience

- 10.94. Policy ESD 1 deals with the issue of mitigating and adapting to climate change, with the criteria under which applications for new development will be assessed set out above. Policy ESD 2 considers the energy hierarchy and allowable solutions and seeks to achieve reductions in carbon emissions.
- 10.95. In these regards chapter 16 of the ES is split into two parts the first part includes the assessment of greenhouse gas emissions (GHG) from the proposal and the second part considers how resilient the proposal is to the effects of climate change.
- 10.96. In terms of the assessment of GHG emissions, mitigation measures such as setting out a Construction Environmental Management Plan to minimise construction emissions and to reduce energy usage during construction. No significant effects are anticipated.
- 10.97. The effects from matchday travel are predicted to be positive as the new stadium has a target to achieve more sustainable travel modes compared to the existing stadium. During operation, mitigation measures include introducing low carbon technologies such as air source heat pumps and solar panels, resulting in no significant effects after mitigation.
- 10.98. With regards to climate resilience, there is potential for climate change to adversely affect the proposed development throughout its operation due to risks to landscaping and planting and risks of heat-related illness to site users due to projected future summer temperatures and heatwaves. It is considered that these risks can be managed and reduced by considering future climate conditions within the detailed landscaping design, and also by monitoring and managing the operation and use of the proposal through its lifetime, including through planning for heatwaves and other extreme weather events to reduce heat-related risks to fans and players. Following this monitoring and management through the operational lifetime, it is considered that these effects can be mitigated to be minor and therefore not significant.
- 10.99. In conclusion, there is potential for climate change to adversely affect the Proposed Development throughout its operation due to risks to landscaping and planting and risks of heat-related illness to site users due to projected future summer temperatures and heatwaves. It is considered that these risks can be managed and reduced by considering future climate conditions within the detailed landscaping design, and also by monitoring and managing the operation and use of the Proposed Development throughout its lifetime, including through planning for heatwaves and other extreme weather events to reduce heat-related risks to fans and players. Following this monitoring and management through the operational lifetime, it is considered that these effects can be mitigated to be minor and therefore not significant.

10.100. The proposals are therefore considered to meet the requirement of policies ESD1 and ESD2 in regard to carbon emissions and climate resilience.

BREEAM

10.101. Policy ESD3 considers sustainable construction and states that all new development will be expected to meet BREEAM 'Very Good'. The proposal will therefore accord with this policy.

Renewable Energies

10.102. Policy ESD5 considers renewable energy and requires that all non-residential developments above 1000sqm of floorspace be accompanied by a feasibility assessment of the potential for significant on-site renewable energy provision, above that required to meet national building standards.

10.103. A feasibility study of the Low and zero carbon technologies has been undertaken as part of the drive towards achieving carbon neutrality. The stadium will aim to reduce energy use and carbon emissions through the use of energy efficient equipment and Low and zero carbon technologies. Heating and cooling will be provided in the form air source heat pumps to provide space heating and cooling. In addition, PV panels are also proposed as an onsite electricity generation system, further reducing the energy consumption of the building. Together these renewable and low carbon technologies will maximise energy efficiency in line with the above policy.

11. PLANNING BALANCE AND CONCLUSIONS

11.1 This Planning Statement has been Prepared by Ridge and Partners LLP on behalf of Oxford United Football Club (the applicant) to accompany a full planning application (EIA development) for a new stadium development at Land East of Stratfield Brake and West of Oxford Parkway Station, known as The Triangle (the Site).

11.2 The application seeks permission for the following development:

'Full planning permission for the erection of a stadium (Use Class F2) with flexible commercial and community facilities and uses including for conferences, exhibitions, education, and other events, club shop, public restaurant, bar, health and wellbeing facility/clinic, and gym (Use Class E/Sui Generis), hotel (Use Class C1), external concourse/fan-zone, car and cycle parking, access and highway works, utilities, public realm, landscaping and all associated and ancillary works and structures'

11.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

11.4 In terms of the overall Planning Balance, the application proposals have been assessed against the development plan which comprises The Cherwell Local Plan 2011-2031 (Part 1), The Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing and the Cherwell Local Plan 1996 Saved Policies. As well as other relevant material considerations, principally the National Planning Policy Framework.

11.5 As the development site is located within the Oxfordshire Green Belt, the principle of development is dependent on demonstrating very special circumstances to justify the development proposed.

11.6 The proposal represents inappropriate development in the Green Belt which is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

11.7 This assessment finds that there would be harm to the Green Belt by reason of inappropriateness, as well as harm to the openness and some of the purposes of the Green Belt. Whilst this assessment has demonstrated how the proposals have been designed to mitigate impact on the Green Belt where possible, it is acknowledged that substantial weight should be given to the identified harm in line with Paragraph 153 of the NPPF.

- 11.8 However, it is considered that there are very special circumstances in this instance, which are considered to clearly outweigh the recognised harm.
- 11.9 Fundamentally the case for very special circumstances in this instance arises from the demonstrated urgent need to develop a new stadium in order to protect the future existence of one of the oldest football clubs in the UK. In this regard it is also demonstrated that there are no other feasible, practical and realistic alternatives to accommodate a proposed stadium development within the area of search identified through discussions with the EFL. There is an existential need to deliver a new stadium by 2026 and the only viable option which may be available to acquire and is capable of delivering a well-connected, sustainable stadium within the necessary timeframe for OUFC is at the proposed Site.
- 11.10 Overall, it is considered that the benefits to OUFC, their fans, the community, economy and environment are overriding, and comprise powerful very special circumstances which outweigh the harm to the Green Belt. As such, it is considered that the proposals can therefore be approved subject to any other material considerations which are considered in the next chapter.
- 11.11 The assessment of other material considerations presented in chapter 9 finds that the proposals are policy compliant in terms of design, landscape impact and mitigation, sequential and impact assessments, transport and highway safety, no instances of harm to heritage assets, protection and enhancement of biodiversity and the natural environmental, do not to cause materially determinantal levels of noise, air quality and contamination pollution, limit the impact of light pollution from artificial light on local amenity, flood risk and drainage and sustainability.
- 11.12 As such, it is considered that the proposed development accords with the relevant policies of the development plan and other material considerations, and it is respectfully requested that Cherwell District Council support the planning application and grant planning permission accordingly.

APPENDIX 1

Local Planning Authority's Pre-Application Response

CHERWELL DISTRICT COUNCIL

PRELIMINARY Pre-Application Report

Pre-application Reference No:	23/02335/PREAPP	
Proposal:	Pre-application request - new stadium development	
Site Address:	Land to the east of Stratfield Brake and west of Oxford Parkway Station, known as The Triangle	
Date Site Visited:	Various	
Date & Time of Meeting (if applicable):	20 th September 2023	Start: 14:00
		Finish: 15:45
Location of Meeting:	Teams	
Attendees:	Laura Bell (CDC), Emma Whitley (CDC), Giles Brockbank (Ridge), Chris Long (Ridge, Transport Consultant), Jacqui Cox (Infrastructure OCC), Paul Robertson (Project Manager, Ridge), Marcel Ridyard (AFL Architects), David Cryer (AFL Architects), Jenny Henderson (Ridge, Planning Consultant), Andy Smith (Landscape Design), Lynette Hughes (Strategic Planner OCC), Amrik Manku (OCC), Jonathon Clarke (OUFC).	

TECHNICAL ASSESSMENT

Internal Consultations Required (some consultees are yet to respond):

Arboriculture: No response received to date.

Building Control: No response received to date.

Conservation: There are a number of listed buildings both Grade II and Grade II* within the wider landscape as well as the grade II listed Stratfield Farm to the west. In heritage terms the significance of the site is limited however it does make a potential contribution to the setting of the listed buildings in the wider landscape.

The closest Heritage Asset to the site is Stratfield Farmhouse (Grade II). This building is located on the southern edge of Kidlington and the existing notable road network separates it from the application site. Stratfield Farm also sits within the allocated site PR7b and the implications of this should be noted. If the land is developed for housing as proposed, there will be significant changes to the immediate setting of the Listed Building, but this will also potentially alter the largely open nature of the space between it and the proposed stadium. It is

therefore considered that any harm to the significance of Stratfield Farm as a result of the stadium development would be unlikely but at worst minimal.

The other Heritage Assets within the vicinity are also Listed Buildings, these include Frieze Farm (Grade II) and St Frideswides Farm (Grade II*). In a similar way these Heritage Assets are all located some distance from the site and have varying forms of existing or allocated development within their surroundings.

A large development or structure of this kind will undoubtedly have a visual impact within the landscape and there will inevitably be wider landscape implications in views both close to the site and from the wider countryside. The Stadium may be visible both from the Heritage Assets and alongside them in longer views. Therefore any application should consider these Heritage Assets and provide an assessment of the intervisibility between them and the proposed stadium. Furthermore the landscape mitigation should also consider the setting of Heritage Assets.

Overall in terms of Heritage Assets the development is considered to have limited direct impacts and therefore it is suggested that the wider landscape impacts should be carefully considered through the submission of an appropriate and proportionate Heritage Statement. The public benefits of any harm would require consideration.

Ecology: No response received to date.

Economic Growth: No response received, although it is understood there is ongoing direct dialogue between your consultants and the Council's EDO (Steven Newman) regarding the socio-economic aspects of the proposal.

Environmental Protection: General: A CEMP will be required that considers amongst other items the potential for noise, dust and other nuisance from the preparation and construction of the site. Noise: I am pleased to see mention of noise and the acoustic design in the pre-app submission. We would like to see a noise report produced to BS4142:2014 (latest revisions) that considers the impact on the neighbouring properties and deems what mitigation will be required if appropriate. In addition, should the intention be that the stadium will be used for other events such as concerts then this should also be considered and included in the noise report using the latest standards available. Contaminated Land: We'd like to see information provided at the application stage which demonstrates the development proposal is not adversely affected by land contamination, or can be made suitable for use through remedial works. Our preference is to receive this at application stage although this could be provided through the standard phased four contaminated land planning conditions Air Quality: I am pleased to see reference to an AQ report in the pre-app document. We'd like to see an assessment of the air quality to be submitted with the application which achieves this and takes note of Cherwell District Councils Air Quality Action Plan and including damage cost calculations where applicable. Odour: No comments Light: Full details of the lighting scheme should be provided at the application stage.

Landscape Services: No response received to date.

Planning Policy: No response received to date.

Public Art: No response received to date.

Recreation and Leisure: The new stadium development should not have any negative impact to teams / members of the public accessing community sport at both Stratfield Brake and the forthcoming facilities at PR7a. We would like further details on the gym facilities proposed at the new site. Finally, the re-location of the new Oxford United stadium will generate interest and an increase in demand for football in the local area. How is the club proposing to support this local need? Is the club looking to propose any support to local infrastructure (additional community football provision) to support this increase in interest?

Land Drainage: See also my comments on the Scoping Document which in summary

advised: I consider foul drainage to be a Utility matter for Thames Water. I agree there is no material flood risk on the site, save for a small area of surface water flood risk which can be mitigated by appropriate measures within the site infrastructure. The discharge of surface water generated on the site should be attenuated to the "greenfield" rate based on Qbar. The ground in this locality has no potential for infiltration. The increased volume of surface water has the potential to cause serious flood risk in the receiving watercourses due to their locations and nature. Specifically with regard to the fourth point above, the discharge route is through a series of inaccessible and poorly maintained Ordinary Watercourses located in woodland areas. These discharge to a further inaccessible inverted siphon under the Oxford Canal which was last cleansed in 2007/08 entailing the creation of temporary cofferdams to isolate the Canal pound. There is cogent evidence that the siphon is again choked and unable to pass existing flows. As well as constraining the flows from the site to a maximum of Qbar we will be seeking the cooperation of the applicant/developer so that the downstream conditions are improved and fit to receive the additional volumes of surface water generated by the development.

External Consultations Required:

Oxfordshire County Council (Single Response): Comprehensive comments provided and attached as appendix 1 to this report.

Thames Valley Police (Designing Out Crime Officer): Comprehensive comments provided and attached as appendix 2 to this report.

Flood Risk: The site is within Flood Zone 1 which is the zone of lowest flood risk. The Environment Agency has produced advice for applicants and agents about assessing flood risk in the planning process, and this can be viewed online at: <https://www.gov.uk/flood-risk-assessment-for-planning-applications>. You should have regard to this advice when preparing your application.

The Environment Agency also offers a pre-application service, details about which are available online at: <https://www.gov.uk/government/publications/planning-advice-environment-agency-standard-terms-and-conditions>

Drainage: You need to consider foul and surface water drainage when designing your proposals. In respect of foul drainage, you should first seek to connect to the public sewer network. You can contact Thames Water for further advice about this; information about their pre-application service is available online at: <https://developers.thameswater.co.uk/commercial-building-works/water-supply/disconnections/pre-application-help-and-advice>.

Only if a connection to the public sewer network is not feasible should you then consider other foul drainage options. The Environment Agency would be consulted on any planning application that proposes non-mains foul drainage. If you are proposing non-mains foul drainage, you should submit a completed Foul Drainage Assessment Form with your planning application. This form can be viewed online at:

<https://www.gov.uk/government/publications/foul-drainage-assessment-form-fda1>

In respect of surface water drainage, wherever possible surface water should be drained within the site using Sustainable Drainage Systems (SuDS). Technical Standards for the design, maintenance and operation of SuDS can be viewed online at:

<https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

In some cases the Water Authority may adopt SuDS which meet the legal definition of a sewer. Water UK has published [Design and Construction Guidance](#) which contains details of the water sector's approach to the adoption of SuDS. If you wish to explore the option of the

Water Authority adopting SuDS, you will need to ensure the SuDS are designed in accordance with the Guidance.

In addition, you should refer to the guidance published on [Oxfordshire County Council's Flood Toolkit](#) concerning surface water drainage, and in particular the detailed guidance provided in the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire".

EIA Screening Opinion Required? NO (Scoping Opinion issued – 23/02276/SCOP refers)

Committee or Delegated Matter? Committee

Relevant Planning History:

No relevant planning history relating to the site itself, but the following applications are considered relevant to the application site, due to their scale and proximity:

Application ref	Site Allocation	Proposal	Status
22/01611/OUT	PR7b	Outline planning application for up to 118 no dwellings (all matters reserved except for access) with vehicular access from Oxford Road	Pending
23/01233/OUT	PR6a	Outline application (with all matters except access reserved for future consideration) for the demolition of existing buildings and the erection of up to 800 dwellings (Class C3); a two form entry primary school; a local centre (comprising convenience retailing (not less than 350sqm and up to 500sqm (Class E(a))), business uses (Class E(g)(i)) and/or financial and professional uses (Class E(c)) up to 500sqm, café or restaurant use (Class E(b)) up to 200sqm; community building (Class E and F2); car and cycle parking); associated play areas, allotments,	

		public open green space and landscaping; new vehicular, pedestrian and cycle access points; internal roads, paths and communal parking infrastructure; associated works, infrastructure (including Sustainable Urban Drainage, services and utilities) and ancillary development. Works to the Oxford Road in the vicinity of the site to include, pedestrian and cycle infrastructure, drainage, bus stops, landscaping and ancillary development	
14/02067/OUT	N/A	Outline planning application for development within Use Classes E(g) (i), and/or (ii), and/or (iii), and/or B2 and/or B8 and associated works including access and parking (relating to proposed Buildings 8, 9, 10 and 11)	Approved
20/03585/CLUP	N/A	Certificate of Lawfulness of Proposed Development for site preparation works including the removal of existing surface infrastructure and incidental structures. Erection of an aircraft hangar extending to approximately 7,111 sq m (including approximately 848 sq m of ancillary office accommodation). The dimensions of the hangar are approximately	Approved

		138.6m length, 44.2m width, and 16.6m (maximum) height. Provision of an estate road to provide land-side vehicular access to the new hangar from the south. To include 38 car parking spaces. Provision of an extended area of hardstanding (apron) to the west (airside) of the proposed hangar extending to approximately 1.24ha. Associated surface water drainage and landscape works including the erection of new secure boundary fencing.	
22/00747/OUT	PR7a	Outline planning application for the development of up to 370 homes, public open space (including play areas and woodland planting), sports pitches and pavilion, drainage and engineering works, with all matters reserved (appearance, landscaping, layout and scale) except for vehicular and emergency accesses to Bicester Road.	Pending
21/00758/SCOP	PR8	Scoping Opinion - Up to 300 Residential Units, access from A44 and Open Space/infrastructure	Scoping Opinion Issued
21/03522/OUT	PR9	The erection of up to 540 dwellings (Class C3), up to 9,000sqm GEA of elderly/extra care residential floorspace (Class C2), a Community Home Work Hub (up to 200sqm)(Class	Pending

		E), alongside the creation of two locally equipped areas for play, one NEAP, up to 1.8 hectares of playing pitches and amenity space for the William Fletcher Primary School, two vehicular access points, green infrastructure, areas of public open space, two community woodland areas, a local nature reserve, footpaths, tree planting, restoration of historic hedgerow, and associated works. All matters are reserved, save for the principal access points.	
22/03054/SO	PR8	Network Rail plans to upgrade the Sandy Lane Crossing and footpath. Initial Ecology surveys have been carried out.	EIA not required
22/03883/F	PR7a	Development of 96 dwellings (50% affordable housing), extension to Bicester Road Cemetery with associated access (from Bicester Road), open space, landscaping and infrastructure	Pending
23/00517/F	N/A	Redevelopment of the site to include the demolition of existing buildings and development of new accommodation across 5 buildings for employment uses (Class E(g)(ii) and (iii)) plus ancillary amenity building, outdoor amenity space, car parking, cycle parking, landscaping and associated works	Pending

23/02098/OUT	PR8	<p>Outline application, with all matters reserved, for a multi-phased (severable), comprehensive residential-led mixed use development comprising: Up to 215,000 square metres gross external area of residential floorspace (or c.1,800 homes which depending on the housing mix could result in a higher or lower number of housing units) within Use Class C3/C4 and large houses of multiple occupation (Sui Generis); Supporting social infrastructure including secondary school/primary school(s) (Use Class F1); health, indoor sport and recreation, emergency and nursery facilities (Class E(d)-(f)). Supporting retail, leisure and community uses, including retail (Class E(a)), cafes and restaurants (Class E(b)), commercial and professional services (Class E(c)), a hotel (Use Class C1), local community uses (Class F2), and other local centre uses within a Sui Generis use including public houses, bars and drinking establishments (including with expanded food provision), hot food takeaways, venues for live music performance,</p>	Pending
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		<p>theatre, and cinema. Up to 155,000 net additional square metres (gross external area) of flexible employment uses including research and development, office and workspace and associated uses (Use E(g)), industrial (Use Class B2) and storage (Use Class B8) in connection with the expansion of Begbroke Science Park; Highway works, including new vehicular, cyclist and pedestrian roads and paths, improvements to the existing Sandy Lane and Begbroke Hill road, a bridge over the Oxford Canal, safeguarded land for a rail halt, and car and cycle parking with associated electric vehicle charging infrastructure; Landscape and public realm, including areas for sustainable urban drainage systems, allotments, biodiversity areas, outdoor play and sports facilities (Use Class F2(c)); Utility, energy, water, and waste water facilities and infrastructure; together with enabling, site clearance, demolition and associated works, including temporary meanwhile uses.</p> <p>The Proposed Development affects the setting of a listed building and includes potential alterations to public</p>	
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		rights of way. The application is accompanied by an Environmental Statement	
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Policy: Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The Council also adopted the Partial Review to account for Oxford’s Unmet Housing Need in September 2020. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below.

On 22nd September 2023, the Reg 18 consultation draft of the Cherwell Local Plan Review 2040 was published. Paragraph 48 of the NPPF states that:

Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given); b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

The weight afforded to different policies is always a matter for the decision maker, and in the case of the Draft Cherwell Local Plan Review, this weight should be determined in line with NPPF para 48, as set out above. Policies will generally gain weight as they progress through the process of consultation and examination, particularly where they do not attract objections.

Given the relatively early stage of preparation of the Draft Cherwell Local Plan Review, it is considered that only very limited weight may be given to the policies therein.

The relevant planning policies of the Reg 18 Consultation Draft of the Cherwell Local Plan Review 2040 are set out below:

- CP1: Mitigating and Adapting to Climate Change
- CP2: Zero or Low Carbon Energy sources
- CP3: The Energy Hierarchy and Efficiency
- CP4: Achieving Net Zero Carbon
- CP5: Carbon Offsetting
- CP6: Renewable Energy
- CP7: Sustainable Flood Risk
- CP8: Sustainable Drainage Systems (suDs)
- CP9: Water Resources
- CP10: Protection of the Oxford Meadows SAC
- CP11: Protection and Enhancement of Biodiversity
- CP12: Biodiversity Net Gain
- CP13: Conservation Target Areas
- CP14: Natural Capital and Ecosystem Services
- CP15: Green and Blue Infrastructure
- CP16: Air Quality
- CP17: Pollution and Noise
- CP18: Light Pollution
- CP19: Soils, Contaminated Land and Stability

CP21: Sustainable Transport and Connectivity Improvements
CP22: Assessing Transport Impact/ Decide and Provide
CP25: Meeting Business and Employment Needs
CP27: New Employment Development on Unallocated Sites
CP29: Community Employment Plans
CP32: Town Centre Hierarchy and retail
CP43: Protection and Enhancement of the Landscape
CP44: The Oxford Green Belt
CP45: Settlement Gaps
CP46: Achieving Well Designed Places
CP47: Active Travel – Walking and Cycling
CP48: Public Rights of Way
CP50: Creating Healthy Communities
CP51: Providing Supporting Infrastructure and Services
CP55: Open Space, Sport and recreation
CP57-59: Historic Environment and Archaeology
CP60: The Oxford Canal
CP76: Kidlington Area Strategy
CP79: Safeguarding of Land for Strategic Transport Schemes in the Kidlington Area
CP80: Kidlington Green and Blue Infrastructure
CP81: Kidlington Areas of Change
CP87: Delivery and Contingency
DP1: Waste Collection and Recycling

CHERWELL LOCAL PLAN 2011 - 2031 (PART1)

Policy PSD1: Presumption in Favour of Sustainable Development
Policy SLE1: Employment Development
Policy SLE2: Securing Dynamic Town Centres
Policy SLE3: Supporting Tourism Growth
Policy SLE4: Improved Transport and Connections
Policy BSC1: District Wide Housing Distribution
Policy BSC2: The Effective and Efficient Use of Land – Brownfield land and Housing Density
Policy BSC7: Meeting Education Needs
Policy BSC8: Securing Health and Well-Being
Policy BSC9: Public Services and Utilities
Policy BSC10: Open Space, Outdoor Sport and Recreation Provision
Policy BSC11: Local Standards of Provision - Outdoor Recreation
Policy BSC12: Indoor Sport, Recreation and Community Facilities
Policy ESD1: Mitigating and Adapting to Climate Change
Policy ESD2: Energy Hierarchy and Allowable Solutions
Policy ESD3: Sustainable Construction
Policy ESD4: Decentralised Energy Systems
Policy ESD5: Renewable Energy
Policy ESD6: Sustainable Flood Risk Management
Policy ESD7: Sustainable Drainage Systems (SuDS)
Policy ESD8: Water Resources
Policy ESD9: Protection of the Oxford Meadows SAC
Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
Policy ESD11: Conservation Target Areas
Policy ESD12: Cotswolds Area of Outstanding Natural Beauty (AONB)
Policy ESD13: Local Landscape Protection and Enhancement
Policy ESD14: Oxford Green Belt
Policy ESD15: The Character of the Built and Historic Environment
Policy ESD16: The Oxford Canal
Policy ESD17: Green Infrastructure
Policy Kidlington1: Accommodating High Value Employment Needs
Policy Kidlington2: Strengthening Kidlington Village Centre
Policy INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

Policy GB2 – Outdoor Recreation in the Green Belt
Policy TR1 - Transportation funding
Policy TR7 - Development attracting traffic on minor roads
Policy TR8 - Commercial facilities for the motorist
Policy TR10 - Heavy Goods vehicles
Policy TR11 - Oxford Canal
Policy TR22 - Reservation of land for road schemes in the countryside
Policy T5 - Proposals for new hotels, motels, guesthouses and restaurants in the countryside
Policy C5 - Protection of ecological value and rural character of specified features of value in the District
Policy C8 – Sporadic Development in the open countryside
Policy C15 – Prevention of coalescence of settlements
Policy C28 – Layout, design and external appearance of new development
Policy C30 – Design control
Policy C32 – Provision of facilities for disabled people
Policy C33 – Protection of important gaps of undeveloped land
Policy ENV1 – Development likely to cause detrimental levels of pollution

CHERWELL LOCAL PLAN 2011 - 2031 (PART1) PARTIAL REVIEW - OXFORD'S UNMET HOUSING NEED

PR1: Achieving Sustainable Development for Oxford's Needs
PR3: The Oxford Green Belt
PR4a: Sustainable Transport
PR4b: Kidlington Centre
PR5: Green Infrastructure
PR11: Infrastructure Delivery
Policy PR12b – Sites Not Allocated in the Partial Review
Policy PR13 - Monitoring and Securing Delivery

It should be noted that the above Plan allocates land for a number of strategic development sites (the 'Partial Review sites') in the vicinity of the proposed site.

Other Material Planning Considerations

Environmental Impact Assessment (EIA) Regulations 2017 (as amended)
National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Model Design Guide
Cycle Infrastructure Design (LTN 1/20)
Fields in Trust - Guidance for Outdoor Sport and Play

Supplementary Planning Documents

Developer Contributions SPD (Feb 2018)

You should be aware of the following matters/issues/designations:

- § The site lies within the Oxford Green Belt
- § The site lies within an area of potentially contaminated land
- § There are several SSSI's within close proximity to the site (please refer to 23/02276/SCOP for more details)
- § The site is within 1km of the Oxford Canal Local Wildlife Site
- § The site is within ~1.9km of the Oxford Meadows Special Area of Conservation (SAC)
- § The Lower Cherwell Valley Conservation Target Area ('CTA') also lies in close proximity to the site
- § The southern section of the site forms part of the Stratfield Brake District Wildlife Site

- § The woodland to the south of the site is NERC S41 Habitat
- § There are records of several protected and notable species on the site (please refer to 23/02276/SCOP for more details)
- § A medium pressure gas pipeline runs east-west within the central portion of the site and then roughly parallel with the A4165
- § Public Right of Way 229/4/30 lies to the east of the site, running parallel with the railway line
- § Stratfield Farm is a Grade II listed farmhouse lying approximately 300m to the north west of the site
- § The site lies within an area of archaeological interest.
- § You will need to consider the effect on protected species when developing your proposals. Further information will need to accompany your application including a phase 1 survey to identify habitats present and features likely to be used by protected species and any further detailed survey reports for any individual protected species should these be necessary.
- § On 5 October 2023, the Council's Planning Committee resolved to conditionally grant planning permission for development on two of the 'Partial Review sites'. Other sites are the subject of live planning applications as summarised above.

Further details on the protected species surveys required and analysis to accompany the planning application can be found in the formal scoping opinion (23/02276/SCOP).

PROFESSIONAL ASSESSMENT BY CASE OFFICER

This is a preliminary pre-application response. It has been agreed that this response shall focus on high level, principle policy issues and identify topic areas that ought to be covered and addressed as part of a formal planning application.

It is considered that the main issues relating to your proposal are:

- § Principle of development and impact on the Green Belt
- § Design
- § Landscape and visual impact
- § Retail impact
- § Residential amenity
- § Transport and Highway safety
- § Heritage Assets
- § Trees and Ecology
- § Noise, Air Quality and Ground Conditions
- § Lighting
- § Flooding and Drainage
- § Sustainability
- § Environmental Statement
- § Planning Obligations

As noted above, this preliminary report shall deal in more detail with the principle and green belt issues, documents required to support a planning application and likely Section 106 requirements. It is understood that further work is yet to be undertaken and submitted (e.g. site selection report and a Design Review Panel). Should further information be submitted, then a further pre-app response will be generated dealing with those issues.

Principle and Green Belt issues

Section 13 (paragraphs 137-151) of the NPPF sets out the national Green Belt policy. The National Planning Policy Framework (2023) post dates the Cherwell Local Plan and so the

NPPF provides the up to date reference point for Green Belt policy.

In assessing the current proposal, several paragraphs of the NPPF are of relevance: - Paragraph 137 states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The aim and function of the Green Belt is to prevent urban sprawl by keeping land open. An essential characteristic of Green Belt is its 'openness'. Paragraph 138 sets out the purposes of the Green Belt:

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 145 states that once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Policy ESD14 of the CLP 2015 echoes the NPPF requirements and states that the Green Belt will be maintained in order to:

- Preserve the special character and landscape setting of Oxford;
- Check the growth of Oxford and prevent ribbon development and urban sprawl;
- Prevent the coalescence of settlements;
- Assist in safeguarding the countryside from encroachment;
- Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 148 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. To be 'clearly outweighed' implies well beyond in balance.

Paragraph 149 of the NPPF states that the construction of new buildings should be regarded as inappropriate development in the Green Belt, apart from a number of exceptions;

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the

- development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

It is therefore relevant to consider whether the proposal is an exception under NPPF paragraph 149. Paragraph 149 refers to previously developed land and openness. It is therefore necessary to consider both terms.

The NPPF defines previously developed land as:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

The concept of 'openness' refers to the absence of buildings; it is land that is not built on.

It is not considered that any part of the site constitutes previously developed land. It is clear that the proposals include the provision of a new substantial building, with a significant footprint and height of up to 25 metres. The introduction of a significant building and its associated land uses are not consistent with maintaining the openness of the greenbelt. The proposal therefore amounts to inappropriate development in terms of Green Belt national and local policy. It therefore should not be approved except in very special circumstances, as by definition, it is harmful to the Green Belt.

As such, the test as per paragraph 148 is engaged and substantial weight is to be given to any harm to the Green Belt.

Very Special Circumstances

As set out above, the proposed development is considered inappropriate development which, by definition, is harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential to harm the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. It is understood that a case for very special circumstances will be presented in due course, focusing on aspects such as need, existing site situation, absence of alternatives and safeguarding of the club's historic sporting use, wider green belt context, significant benefits to sport, health and wellbeing, community and social benefits, cultural benefits and economic benefits.

Careful analysis will need to be undertaken of the VSC presented, which will need to demonstrate that they clearly outweigh the harm to the Green Belt by reason of inappropriateness and any other harm, including openness.

Design

The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of

sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process, (NPPF para 126).

Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot (NPPF, para 132).

The submission includes 'massing images', elevations and sections of the proposed stadium and wider site. It is understood that a Design Review Panel will be engaged to critique and comment on the design thus far, which CDC would like to be part of.

During the meeting on 20th September 2023, the project architects and landscape architects provided some background to the evolution of the design and rationale for the current approach. It was noted that the orientation is based primarily on sunlight pathways and the interaction with TV coverage. Attempts have been made to incorporate Oxford architecture with the potential to include local stone and metal of Victorian style vernacular found in Oxford city, which is welcome.

A 'dramatic' archway is proposed at the southern entrance which references the roots of OUFC when they were located in Headington. Bronze and blue tones, with Cotswold stone were mooted, with a view to subtly referencing the yellow and blue of OUFC within the materials palette.

More detailed comments will follow after the DRP process.

In the interim, your attention is drawn to the comprehensive comments provided by TVP which ought to be addressed as part of the submission.

Landscape and Visual Impact

It is noted from the scoping opinion submission that an LVIA will be prepared to consider the likely physical and visual impacts arising as a result of the proposal.

Notwithstanding the Green Belt issues highlighted above, the stadium maximum height of 25 metres is considered substantial and it is likely that the stadium will be prominent and visible in the wider landscape for a considerable distance.

Retail Impact

When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of: a) the impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and b) the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme) (NPPF para 90).

Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in paragraph 90, it should be refused (NPPF,

para 91).

Policy SLE 2 of the CLP 2015 requires an impact assessment to be undertaken if the proposal is over 350sqm, outside of Banbury and Bicester.

It is noted that an RIA is to be prepared and submitted to support the planning application.

Residential amenity

Policy ESD15 of the CLP 2015 seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The nearest residential dwellings to the application site are those located to the north and north-east, along the Oxford Road and within the Garden City. The impact on dwellings to the south and south west (Frieze Farm and those around the Oxford Canal bridge), although further afield, must also be assessed in terms of potential noise impact.

Regard must also be had to the PR7a and PR7b sites, which recently secured a resolution to grant planning permission (5th October 2023 Planning Committee meeting) for 370 and 118 dwellings, respectively.

Transport and Highway safety

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Policy SLE4 of the CLP 2015 Part 1 reflects the NPPF and seeks to support proposals in the movement strategies and the Local Transport Plan to deliver key connections, to support modal shift and to support more sustainable locations for employment and housing growth. It identifies that new development in the district will be required to provide financial and/ or in kind contributions to mitigate the transport impacts of the development. The Policy also identifies that new development should facilitate the use of sustainable modes of transport to make the fullest use of public transport, walking and cycling.

It is noted that a Transport Assessment will be prepared to support the application. The comments provided by the County Highways Officer ought to be noted and addressed as part of the formal planning application.

Heritage Assets

The site lies in an area of archaeological interest. The NPPF (Section 16) and Policy ESD15 of the CLP 2015 emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 194 of the NPPF says that applicants should be required to submit appropriate desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. The NPPF accords great weight to the conservation of designated heritage assets and also non-designated heritage assets of equivalent interest.

Heritage assets of local or regional significance may also be considered worthy of conservation. If archaeological safeguards do prove necessary, these could involve design measures to preserve remains in situ or where that is not feasible archaeological investigation prior to development. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset,

local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss... Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The comments from the Council's Conservation Officer are summarised above. A heritage assessment is required to enable assessment to be made against the policy and legislative requirements relating to considering the impact of development proposals upon built heritage. However, OCC's Planning Archaeologist has noted that the proposal site lies in an area of archaeological interest and potential, and an Archaeological Desk Based Assessment has been produced for the site. This ADBA should be submitted with any application on the site.

Trees and Ecology

The Conservation of Habitats and Species Regulations 2017 provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected.

Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.

Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value. A net gain for biodiversity will be required and we would be seeking no less than a 10% net gain.

Policy ESD11 is concerned with Conservation Target Areas (CTAs), and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.

Your attention is drawn to the comments provided by the Council's Ecology Officer in respect of the scoping opinion issued for the site (23/02276/SCOP).

Noise, Air Quality and Ground Conditions

The NPPF sets out at Paragraph 183 that decisions should ensure that:

- a. a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b. after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c. adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Paragraph 185 of the NPPF states that decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. Saved Policies ENV1 and ENV12 of the CLP 1996 echo these principles.

The Environmental Health Officer has stated that a CEMP will be required that considers amongst other items the potential for noise, dust and other nuisance from the preparation and construction of the site.

In respect of noise, the EHO would like to see a noise report produced to BS4142:2014 (latest revisions) that considers the impact on the neighbouring properties and deems what mitigation will be required if appropriate. In addition, should the intention be that the stadium will be used for other events such as concerts then this should also be considered and included in the noise report using the latest standards available.

In respect of contaminated land, the EHO has requested to see information provided at the application stage which demonstrates the development proposal is not adversely affected by land contamination, or can be made suitable for use through remedial works. The preference is to receive this at application stage, although this could be provided through the standard phased four contaminated land planning conditions.

In respect of air quality, the closest current AQMA area to the site is at Bicester Road, Kidlington (<https://www.cherwell.gov.uk/download/downloads/id/3474/aqma-no-3-bicester-road-kidlington.pdf>). The EHO expects to see an assessment of the air quality to be submitted with the application which achieves the AQ report and takes note of Cherwell District Councils Air Quality Action Plan, including damage cost calculations where applicable.

Lighting

As noted above, the NPPF, at paragraph 185 states that planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

- (a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life ⁶⁵;
- (b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
- (c) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.

In line with the EHO's request, full details of the lighting scheme should be provided at the application stage.

Flooding and Drainage

Section 14 of the NPPF considers the issue of meeting the challenge of climate change, flooding and coastal change. Paragraph 167 states that when determining any applications, local planning authorities should ensure that '*flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment*'.•

Policy ESD6 of the CLP 2015 essentially replicates national policy contained in the NPPF with respect to assessing and managing flood risk and resists development where it would increase the risk of flooding and seeks to guide vulnerable developments (such as residential) towards areas at lower risk of flooding.•

Policy ESD7 of the CLP 2015, relates to sustainable drainage systems and advises that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off. Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems. In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as Lead Local Flood Authority (LLFA). Proposals must also include an agreement on the future management, maintenance and replacement of the SuDS features. •

The site is located in Flood Zone 1 (low probability) and as such, the proposed development itself is at a low (less than 1 in 1000 year) risk of flooding from rivers or the sea but is more than 1 hectare in size and therefore a detailed Flood Risk Assessment is required to support the planning application.

Please refer to the detailed comments provided by the LLFA and CDC Land Drainage Officer.

Sustainability

Section 14 of the NPPF addresses the issue of meeting the challenge of climate change, flooding and coastal change. Policies ESD1-5 of the CLP 2015 similarly deal with these matters. •

Policy ESD1 of the CLP 2015 deals with the issue of Mitigating and Adapting to climate change and includes criteria under which applications for new development will be considered, such as the requirement that development will incorporate suitable adaption measures to ensure that development is more resilient to climate change impacts by proposing sustainable drainage methods and increased green infrastructure provision. •

Policy ESD2 considers Energy Hierarchy and Allowable Solutions and seeks to achieve carbon emissions reductions where the council will promote an 'energy hierarchy' as follows: reducing energy use, in particular by the use of sustainable design and construction measures; supplying energy efficiently and giving priority to decentralised energy supply; making use of renewable energy and making use of allowable solutions. Any new development will be expected to consider these and address the energy needs of the development. •

Policy ESD3 considers Sustainable Construction and states that 'all new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement'. Cherwell is also in an area of water stress and therefore requires all new development to achieve a limit of 110 litres/person/day. •

Policy ESD4 considers the use of decentralised energy systems and requires a feasibility assessment to be submitted with a relevant application which includes non-domestic developments above 1000sqm floorspace.

Policy ESD5 considers renewable energy and requires that all non-residential developments of above 1000sqm of floorspace are accompanied by a feasibility assessment of the potential for significant on-site renewable energy provision, above that required to meet national building standards.

The application should therefore address the aforementioned requirements, along with the requirements emerging under Policies CP1,2 and 3 of the Reg 18 Consultation Draft of the Cherwell Local Plan Review 2040, noted in section planning policy section above, in the form of a Sustainability and Energy Statement.

Environmental Statement

The Council issued a scoping opinion on 29th September 2023. The application will need to be supported by an Environmental Impact Assessment that aligns with the requirements set out therein.

I regret to inform you that I am unable to offer a view (that could later be relied upon) as to whether the proposal can be support or not as insufficient/deficient information has been provided. However, as noted above, should further information be submitted, then a further pre-app response will be generated dealing with those issues.

Planning Obligations

Paragraph 54 of the NPPF states that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. Paragraph 56 continues by stating that planning obligations must only be sought where they meet all of the following tests:

- 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.

Notwithstanding the Officer comments above, a Section 106 Legal Agreement is likely to be required for this type of proposal.

Contributions towards the following items are likely to be required:

- § Payment of an appropriate contribution towards improvement measures or air quality monitoring. The Council will calculate the contribution sought based on the scale of the development and the trip generation for different uses.
- § An obligation to secure apprenticeship and training requirements, as set out in the Council's Adopted Developer Contributions SPD (2018).
- § Payment of an appropriate contribution towards community safety and policing.
- § Measures to improve surface water flooding issues, improve water efficiency and reduce surface water run-off through the use of a range of Sustainable Drainage Systems (SUDs). This may be sought through a planning condition, but it may be necessary to incorporate measures through a S106 (e.g. ongoing maintenance of SuDS).
- § Where appropriate and assessed on a site by site basis, the Council may require a S106 agreement which seeks to conserve and enhance the historic environment directly affected by a proposed development, including for example measures for investigation, preservation and display of archaeological remains and sites.
- § Depending on the legislative regime in force at the time the planning application is made, an obligation may be required to secure a BNG of at least 10%.
- § Contributions towards the creation and/or enhancement of the public realm in the vicinity of the site where the proposed development will have a direct relationship with a public realm improvement scheme identified in the Council's IDP. The level of financial contributions will reflect the character and scope of the works required and will be negotiated on a case-by case basis.
- § Contributions and obligations to secure improvements to the highway network. The type and level of any contributions towards transport infrastructure provision will be considered in the Transport Assessment and negotiated with the Highway Authority.
- § Contributions for strategic transport schemes and public transport infrastructure.
- § Preparation, agreement and implementation of a Travel Plan to mitigate the impact of the development on the transport system.
- § As noted in the Highways response provided by OCC, there are plans to improve Oxford Parkway and further information will be provided in time. Contributions may be requested

towards this. The surrounding PR sites are all coming forward with Controlled Parking Zones (CPZs) which will restrict fan parking, this will also be needed in Kidlington and will need to be funded and secured via a S106 obligation.

- § Payment of the Council's Monitoring Costs
- § Other contributions that may be identified later that meet the above tests.

You are advised to read the Council's Supplementary Planning Document for further advice. This is available on the Council's website:

<http://www.cherwell.gov.uk/index.cfm?articleid=3390>

Please note that a Solicitor's undertaking will be required to pay the Council's reasonable legal fees based on the time taken to prepare and negotiate the S106 agreement and to investigate land title/s. It would assist the efficient processing of your application if you provided such an undertaking with any formal application for planning permission.

You should also include in your submission the following additional plans/information:

- § Relevant Planning application forms
- § Site location plan
- § Block plan
- § Proposed elevations
- § Proposed floor plans
- § Existing and proposed site sections, including FFL
- § Roof plans
- § Proposed materials -make, type, colour etc
- § Draft S106 Heads of Terms (including costs undertaking, title and Solicitors details)
- § Planning Statement
- § Statement of Community Involvement
- § Retail Impact Assessment
- § Design and Access statement (to include details regarding the Design Review Panel exercise)
- § Geo-environmental report/contaminated land assessment
- § Sustainability Assessment
- § Arboricultural survey
- § Community Employment Plan
- § Utilities statement
- § Flood Risk Assessment
- § Drainage details (and ongoing management proposals)
- § Landscape plans
- § Environmental Statement, aligned to the formal scoping opinion issued
- § A Biodiversity Net Gain Assessment and Ecological Enhancement Scheme, setting out how the site will be improved and maintained over a thirty-year period
- § Emerging Policy CP10 (Protection of Oxford Meadows SAC) requires developers to demonstrate that: i During construction of the development there will be no adverse effects on the water quality or quantity of any adjacent or nearby watercourses; ii During operation of the development any run-off of water into adjacent or surrounding watercourses will meet Environmental Quality Standards (and where necessary oil interceptors, silt traps and Sustainable Drainage Systems will be included); iii New developments will not significantly alter groundwater flows and hydrological regime of the Oxford meadows SAC is maintained in terms of water quantity and quality, and iv run-off rates of surface water from the development will be maintained at greenfield rates. I think it will be important to demonstrate this either as a separate report, or incorporate into the relevant EIA chapters.
- § Energy Statement (in line with emerging Policies CP1, 2, 3 and 4 requirements)
- § Emerging Policy CP13 (relating to CTAs) requires that where development is proposed within or adjacent to a Conservation Target Area, biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement.
- § Natural Capital Assessment (required under emerging Policy CP14)
- § Health Impact Assessment (see details provided by OCC in their consultation response)

Please note that this list is not exhaustive and there may be additional items required as a result of work undertaken between now and the planned submission date.

The planning application fee will need to be determined when the quantum of development and site area is finalised.

Date of Report: 11/10/23

Case Officer: Laura Bell

Checked by Caroline Ford – 13/10/2023

DISCLAIMER

The above advice represents the professional views of Council Officers and although given in good faith, it cannot prejudice any decision with the Council, as Local Planning Authority, may make at either Planning Committee or delegated officer level.

APPENDIX 1: OXFORDSHIRE COUNTY COUNCIL'S PRE-APPLICATION ADVICE ON THE RESPONSE TO CONSULTATION



OXFORDSHIRE COUNTY COUNCIL'S PRE APPLICATION ADVICE ON THE RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 23/02335/PREAPP

Proposal: Pre-application request - new stadium development

Location: The Triangle, Frieze Way and Oxford Road, Kidlington

Response date: 02/10/2023

Purpose of document

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic response (if appropriate) and technical team response(s).

Where possible these comments contain:

- Advice on the feasibility of the location.
- Advice on what to include in a full application.
- Advice on the need for any pre-application surveying to be undertaken.

Disclaimer

Please note this advice represents the opinion of an Officer(s) of the Council only, which is given entirely without prejudice to the formal consideration of any planning application which may be submitted.

Application No: 23/02335/preapp

Proposal: OUFC - new stadium

Location: The Triangle, Frieze Way and Oxford Road, Kidlington

Strategic Planning

This preapp response follows a recent EIA scoping response 23/02276/SCOP and some of the attached responses are no different from that sent for the EIA scoping purpose.

Please find attached Transport, LLFA, Archaeology, Public Health and Minerals & Waste officer comments.

Oxfordshire County Council's Cabinet made a decision on 19 September 2023 to lease the land at the Triangle, subject to a number of conditions, to Oxford United Football Club. There is a lot of information contained in the papers which went to Cabinet

<https://mycouncil.oxfordshire.gov.uk/ieListDocuments.aspx?CId=115&MId=7100>

(as well as papers to previous Cabinets).

Oxfordshire County Council is landowner and it is important that our comments in our regulatory capacity are taken separately. The County's officer comments are those reflecting that this Council is the Highways Authority, the Lead Local Flood Authority and the Minerals & Waste Planning Authority. The County Council has a particular role in Public Health and therefore provides comments on significant proposals such as this. Archaeology comments are provided by the County Council to all the District Councils, but not the City Council which has its own archaeologists. It is not our intention to provide Landscape, Ecology or other specialist comments as we understand that Cherwell District Council has its own officers dealing with those matters.

From a strategic planning point of view, we note that the site is in the Green Belt and not allocated in the current Local Plan. The applicant should set out their view of the very special circumstances that exist for the case officer to consider.

The area close to this site has undergone some change in recent times with the opening of the Oxford Parkway railway station in 2015. Significantly more change is planned as a result of the allocation of nearby sites in the Local Plan Partial Review in 2020. The status of nearby allocations at the time of writing is:

- The PR7b Kidlington site is subject to a current outline planning application ref 22/01611/OUT as well as a listed building application. The PR7a Kidlington site is subject to two current planning applications ref 22/00747/OUT and 22/03883/F. These applications are expected to be reported to a Planning Committee in the near future.
- The PR6a Water Eaton site is subject to a current outline planning application ref 23/01233/OUT.

- The PR8 Begbroke site is subject to a current outline application ref 23/02098/OUT covering much of the allocated site, with the remaining development land likely to come forward in separate planning applications.
- The PR9 Yarnton site is subject to a current outline application ref 21/03522/OUT, and an appeal has been lodged for non-determination of that.

Cherwell District Council published a Housing Land Supply update in February 2023 with details of expected delivery times for the above sites. Oxfordshire County Council is working, amongst other things, on progressing the design and construction of required highway infrastructure.

Cherwell District Council is currently undertaking a Regulation 18 public consultation for a new Cherwell Local Plan 2040. That consultation document identifies the possibility of further development in Kidlington and surrounding areas and asks for comments. Oxfordshire County Council will respond on that consultation before the closing date of 3 November and can provide a copy of that upon request.

Oxford City Council is due to undertake a Regulation 19 public consultation for its new Oxford Local Plan 2040 starting in November. That plan is relevant mostly for its proposals on land close to this site, but also for how it addresses the question of Oxford United Football Club moving from the Kassam Stadium. Oxfordshire County Council will respond on that consultation before the closing date in December or January and can provide a copy of that upon request.

Officers' Names: David Flavin and Lynette Hughes

Officers' Title: Principal Planners

Date: 02/10/2023

Application no: 23/02335/PREAPP

Location: The Triangle, Frieze Way and Oxford Road, Kidlington

Transport Schedule

Detailed comments:

It should be noted that the advice below represents the informal opinion of an Officer of the Council only, which is given entirely without prejudice to the formal consideration of any planning application, which may be submitted. Nevertheless, the comments are given in good faith and fairly reflect an opinion at the time of drafting given the information submitted.

The site is located south of Kidlington and north of Oxford, situated between the A4165 Oxford Road to the east and A4260 Frieze Way to the west. The site is well located for public transport with a number of frequent bus services on Oxford Road (with more coming forward in the future) and is within close proximity to Oxford Parkway train station and Park & Ride. The site is surrounded by land allocated within the Cherwell Local Plan for housing (PR sites), once these come forward there will be a large catchment of residents within walking and cycling distance. The PR sites are bringing forward a package of active and sustainable travel improvements which will also benefit the proposed stadium, these include:

- New 2.5m cycle route and 2m footway either side of Oxford Road between Kidlington and Cutteslowe Roundabouts.
- Active Travel Improvements to Cutteslowe Roundabout.
- New mobility hub at Oxford Airport.
- A44 bus and cycle lane improvements.
- New pedestrian/cycle bridge from PR6b over railway line.
- Multiple at-grade crossings along Oxford Road.

Should the proposed stadium come forward, the county council would expect further active travel improvements, including further contributions to the above infrastructure if required. A new crossing will be required across the A4260 Frieze Way, this can be at-grade but the speed limit should be reduced which will also help in the design of the primary vehicle access which will be in the form of a left-in/left-out. In order for the stadium to succeed in its travel targets and minimise impact on the highway network it is important that active travel is prioritised.

The stadium is coming forward with little on-site car parking which is welcomed, however, it needs to be acknowledged that Oxford Parkway is a short walk from the proposed stadium where there is approximately 1,800 parking bays. The walking/cycling route from here needs to be appropriately planned and deemed safe for the large number of fans expected to be using the route. A bridge would be preferable but may not be possible due to land constraints or necessary due to the approved speed limit reduction on Oxford Road and the planned crossings. Due to the number of fans and the width of the footways, it may be necessary to close part of Oxford Road between the stadium and Oxford Parkway before/after matches to allow more space for

pedestrians. This may be required but will depend on the pedestrian and traffic modelling and will need to be agreed by the county councils Network Management team. Should this come forward it will only be a single lane closure allowing for buses and cyclists to still use the corridor.

Peartree P&R is also within close proximity to the site although slightly further away than Oxford Parkway. Walking and cycling routes should still be improved as it is likely to be an area fans choose to use, especially if Oxford Road is closed. Buses/shuttles from all of the Park & Rides should be planned for, these will be an important element of capturing fans from around the county who are not served by regular bus services and away fans. Along with these, further information should be submitted about bus services to the ground with financial contributions provided if necessary, match day services are currently provided at the existing stadium which should be carried forward and enhanced.

Parking surveys will be needed at Peartree P&R and Oxford Parkway to ensure there is sufficient capacity to accommodate fan parking if necessary. Peak demand for the stadium and commuters using the Park & Rides should be different so there is unlikely to be a significant overlap. There are plans to improve Oxford Parkway, further information will be provided in time and contributions may be requested towards this. The surrounding PR sites are all coming forward with Controlled Parking Zones (CPZs) which will restrict fan parking, this will also be needed in Kidlington and will need to be funded by the applicant. This will not need to be a full CPZ such as is coming forward for the PR sites but can be just on match days, this currently occurs in Littlemore and Blackbird Leys for the existing stadium on match days and operates successfully.

High quality cycle parking must be incorporated in the design of the stadium. Oxfordshire County Council's Parking Standards provide cycle parking standards (1 space per 50sqm or 1 space per 30 seats plus 1 space per 5 employees). The county council do not support the use of double-stacked or semi-vertical spaces – these are often difficult to use and underutilised. Covered Sheffield stands are preferable with a minimum of 1m spacing between stands. There may be some scope to provide some of these at Oxford Parkway if these cannot all be accommodated on site, this would capture fans cycling from the south but a proportion will still be needed on site.

The applicant states the aim is to transition from 90% of fans driving at the existing stadium to only 10% of fans driving to the proposed stadium. This is an ambitious target which the county council fully endorses, however, it must be acknowledged that with parking opportunities within walking distance (Oxford Parkway & Peartree P&R), fans will have the opportunity to drive which could impact the capacity of the local highway network. It is however recognised that although the proposed stadium is larger than the existing 12,000 seat stadium, the active and sustainable travel options available will likely mean overall there is less impact on the wider highway network.

There are a number of strategically important junctions within the vicinity of the site, these include:

- Cutteslowe Roundabout
- Kidlington Roundabout
- Loop Farm Roundabout
- Peartree Roundabout
- Wolvercote Roundabout
- Oxford Parkway/A4165 Oxford Road junction

All of these will need to be modelled to show the impact of the development on the highway network, preferably this would be using the VISSIM model the PR sites have built in partnership or another micro-simulation model. However, if this is not possible we may accept localised junction models for the above junctions. The model/models will need to be undertaken with a 'worst-case scenario', with fans driving to Peartree P&R and Oxford Parkway. Committed development and Temprow growth factors must also be included to show true impact on the network.

In addition to this I would also like to see bus journey time data and the impact the stadium would have on local bus services. It is crucial there is minimal impact for the bus services operating in the area, this is vital not just for the operation of the stadium but the transport network in the county. This should be undertaken not just for the junctions but for corridors such as Oxford Road, the A44 and Frieze Way.

We will also need to see the impact of construction traffic. This is a sensitive area with a large number of pedestrians and cyclists, with a recent fatality at the Oxford Parkway junction it is important that the impact of construction vehicles is fully accounted for and mitigated. A detailed Construction Traffic Management Plan (CTMP) should be submitted along with any planning application.

A full travel plan will also be required, early engagement with our travel plans team is advised. There is an opportunity for some bold measures to be included in the travel plan such as tickets for public transport being included in match day tickets. It would be beneficial to engage in this process to fully optimise active and sustainable solutions for fans travelling to games.

In summary, the site is well located to make use of frequent bus and train services along with the high-quality active travel infrastructure coming forward in the area. When compared to the existing stadium and the lack of travel options for fans it will likely result in significant modal shift from private car to active and sustainable modes. However, further work is required to show the impact of the development on the local highway network, particularly at the strategically important junctions in the vicinity of the site which are already under pressure. Furthermore, although the site is well located for active travel, the county council need to see how fans can safely enter/exit the site and travel using active travel modes to Oxford Parkway and Peartree P&R. Documents such as the Travel Plan and Construction Traffic Management Plan will need to be provided with the Transport Assessment (TA) which should help mitigate the impact of the development.

Officer's Name: Will Madgwick
Officer's Title: Senior Transport Planner
Date: 27/09/2023

Lead Local Flood Authority

Detailed comments:

The [Sustainable Drainage Systems \(SuDS\) Policy](#), which came into force on the 6th April 2015 requires the use of sustainable drainage systems to manage runoff on all applications relating to major development. As well as dealing with surface water runoff, they are required to provide water quality, biodiversity and amenity benefits in line with National Guidance. The [Sustainable Drainage Systems \(SuDS\) Policy](#) also implemented changes to the [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2010](#) to make the Lead Local Flood Authority (LLFA) a statutory Consultee for Major Applications in relation to surface water drainage. This was implemented in place of the SuDS Approval Bodies (SAB's) proposed in Schedule 3 of the Flood and Water Management Act 2010.

All full and outline planning applications for Major Development must be submitted with a Surface Water Management Strategy. A site-specific Flood Risk Assessment (FRA) is also required for developments of 1 hectare or greater in Flood Zone 1; all developments in Flood Zones 2 and 3 or in an area within Flood Zone 1 notified as having critical drainage problems; and where development or a change of use to a more vulnerable class may be subject to other sources of flooding.

Further information on flood risk in [Oxfordshire](#), which includes access to view the existing fluvial and surface water flood maps, can be found on the [Oxfordshire flood tool kit website](#). The site also includes specific flood risk information for developers and Planners.

The [National Planning Policy Framework \(NPPF\)](#), which was updated in July 2021 provides specific principles on flood risk (Section 14, from page 45). [National Planning Practice Guidance \(NPPG\)](#) provides further advice to ensure new development will come forward in line with the [NPPF](#).

Paragraph 159 states; *"Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere."*

As stated in Paragraph 160 and 161 of the [NPPF](#), we will expect a sequential approach to be used in areas known to be at risk now or in the future from any form of flooding.

The [Non-statutory technical Standards for sustainable drainage systems](#) were produced to provide initial principles to ensure developments provide [SuDS](#) in line with the [NPPF](#) and [NPPG](#). [Oxfordshire County Council](#) have published the ["Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire"](#) to assist developers in the design of all surface water drainage systems, and to support

Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements.

The SuDS philosophy and concepts within the Oxfordshire guidance are based upon and derived from the CIRIA SuDS Manual (C753), and we expect all development to come forward in line with these principles.

In line with the above guidance, surface water management must be considered from the beginning of the development planning process and throughout – influencing site layout and design. The proposed drainage solution should not be limited by the proposed site layout and design.

Wherever possible, runoff must be managed at source (i.e. close to where it falls) with residual flows then conveyed downstream to further storage or treatment components, where required. The proposed drainage should mimic the existing drainage regime of the site. Therefore, we will expect existing drainage features on the site to be retained and they should be utilised and enhanced wherever possible.

Although we acknowledge it will be hard to determine all the detail of source control attenuation and conveyance features at an outline stage, we will expect the Surface Water Management Strategy to set parameters for each parcel/phase to ensure these are included when these parcels/phases come forward. Space must be made for shallow conveyance features throughout the site and by also retaining existing drainage features and flood flow routes, this will ensure that the existing drainage regime is maintained, and flood risk can be managed appropriately.

Officer's Name: Kabier Salam

Officer's Title: LLFA Engineer

Date: 18/09/2023

Archaeology

Recommendation:

Comments

Key issues:

Legal agreement required to secure:

Conditions:

An archaeological desk-based assessment will need to be submitted along with any planning application for the site in line with the National Planning Policy Framework (NPPF 2018) paragraph 189. This assessment will need to be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for desk-based assessments including the submission of an appropriate written scheme of investigation to agree the scope of the assessment.

A programme of archaeological investigation will be required ahead of the determination of any planning application for the site. This investigation must be undertaken in line with the Chartered Institute for Archaeologists standards and guidance for archaeological evaluation including the submission and agreement of a suitable written scheme of investigation.

Informatives:

Detailed comments:

The proposal site lies in an area of archaeological interest and potential, and an Archaeological Desk Based Assessment has been produced for the site. This ADBA should be submitted with any application on the site.

Officer's Name: Victoria Green

Officer's Title: Planning Archaeologist

Date: 20th September 2023

Public Health

Key issues:

- Wayfinding
- Air quality
- Noise
- Health Impact Assessment

Detailed comments:

The Public Health team welcomes the opportunity to provide comment on the Scoping Opinion for Oxford United FC's New Stadium Development in Kidlington. The following comments relate to the proposal's potential impact on human health.

It is noted from the various site maps appended within the reports that the proposed location for the new stadium sits within Cherwell District, immediately south of Kidlington and to the north-west of Oxford Parkway rail station.

Active Travel

The development site is situated in a busy intersection of strategic road and rail routes and sits close to strategic allocation of residential development. As such, the applicant is proposing the use of wayfinding to support users and visitors to actively travel to the new stadium. The applicant should note that there is already a wayfinding system [within Kidlington](#) and the design of any wayfinding strategy should seek to align with this.

Air Quality

We note that the air quality assessment is addressing potential impact during both construction and operation. For the construction phase we would expect to see a dust management plan which identifies all sensitive receptors, both by distance to the site and demographic vulnerability (e.g. schools, nursing homes etc.). The assessment will also demonstrate the mitigations required to reduce negative impacts of pollutants such as construction dust.

Noise and vibration

Similarly, the detailed noise and vibration assessment will be expected to identify all sensitive receptors, both by distance to the site and demographic vulnerability (areas of deprivation, schools, nursing homes etc.) The assessment will also demonstrate the mitigations required to reduce negative impacts of noise.

Sustainability and Health Impact Assessment

We note that the 360 Framework includes a theme on health and wellbeing. Given the sensitivity of the proposed development the applicant should note that an HIA is expected to be completed in support of the planning application.

For further details see the [Future Oxfordshire Partnership](#) website, including a briefing note, the HIA Toolkit and HIA Checklist. The Healthy Place Shaping team have also been developing an HIA Scoping template which may assist developers/consultants with the production of a full HIA. If the below link doesn't work, please contact john.lee@oxfordshire.gov.uk for it to be shared directly.

HIA Scoping
Template_final.docx

Officer's Name: Rosie Rowe

Officer's Title: Head of Healthy Place Shaping

Date: 28/09/2023

Minerals & Waste

Recommendation:

Comments

Detailed comments:

Thank you for consulting the Oxfordshire Minerals and Waste Policy Team on the application at the Triangle on the corner of Frieze Way and Oxford Road, Kidlington. We have the following comments to make on mineral infrastructure issues.

The closest point of the development proposed is located approximately 360m west (measured in a straight line) of the closest point of the Kidlington Rail Depot and therefore the Policy M9 of the Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy (OMWCS) applies. Policy M9 states:

Existing and permitted infrastructure that supports the supply of minerals in Oxfordshire is safeguarded against development that would unnecessarily prevent the operation of the infrastructure or would prejudice or jeopardise its continued use by creating incompatible land uses nearby. Safeguarded sites include the following rail depot sites which are safeguarded for the importation of aggregate into Oxfordshire:

- **Hennef Way, Banbury (existing facility);**
- **Kidlington (existing facility);**
- **Appleford Sidings, Sutton Courtenay (existing facility); and**
- **Shipton-on-Cherwell Quarry (permitted facility); as shown on the Policies Map; and**
- **any other aggregate rail depot sites which are permitted, as identified in the Annual Monitoring Report.**

The above policy will need to be considered by Cherwell District Council when making a decision on any application on this site.

The proposal includes a hotel, restaurants, café, and community space for visitors. It is considered that these facilities would be sensitive receptors to the noise produced from the depot. The applicant should ensure that the proposal includes measures to mitigate against potential noise impacts produced from the depot.

Officer's Name: Enya Dale

Officer's Title: Planning Assistant

Date: 29/09/2023

APPENDIX 2: THAMES VALLEY POLICE CONSULTATION RESPONSE TO PRE-APP



Kevin Cox
Designing Out Crime Officer
Thames Valley Police Headquarters South
Oxford Road
Kidlington
Oxfordshire
OX5 2NX

REF: 23/02335/PREAPP

Location: Stratfield Brake Motorcycle Track Oxford Road
Kidlington

25 September 2023

Pre-application feedback

Dear Laura,

Thank you for consulting me on the above application, and for engaging Thames Valley Police at this very early stage. I have reviewed the submitted documents and crime statistics for the local area, and have held internal consultation with colleagues across Thames Valley Police. This large development proposal will have a significant impact on Thames Valley Police and the surrounding local area, and as such it is of fundamental importance that all elements of the design take account of, and respond to the below comments. I ask that the applicant/design team liaise with Thames Valley Police at the earliest possible opportunity to ensure the forthcoming development sufficiently designs out the risk of crime, antisocial behaviour and highway safety prior to planning permission being sought.

I provide the following comments to ensure forthcoming applications meet the requirements of;

- The National Planning Policy Framework 2021 paragraph 92(b); which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...
- The National Planning Policy Framework 2021, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".

I recommend that the applicants provide a specific section within the Design and Access Statement that comprehensively addresses crime and disorder, incorporating the principles of Crime Prevention through Environmental Design (CPTED) prior to approval. This document should demonstrate a commitment to achieving accreditation under the police's Secured by Design (SBD) scheme. Details can be found at; <https://www.securedbydesign.com/guidance/design-guides>

Parking

- Parking, as already identified by the applicant, is one of the most significant concerns regarding proposals and the location of this stadium. Fans of OUFC are very used to the large amount of free parking provided at the Kassam and on surrounding residential streets, and I have concerns that it will be very difficult to change habits of fans, particularly in the first few years of occupation. There is a significant risk that residential areas all around the stadium will be littered with fans vehicles on match days.
- The stadium is very close to residential developments, and is going to be surrounded by many more residential homes as strategic land sites become built over the next few years. It is unclear at this time whether CPZ's will be considered, or supported by the council and local residents. Parking is one of the most significant generators for contact with the police, and our chief constable receives more direct emails regarding parking than any other policing issue. Therefore, it is imperative that

forthcoming applications explicitly address this issue, and clearly demonstrate how parking in surrounding areas such as Garden City will be prevented.

- Whilst train connectivity and park and ride facilities provide alternatives, fans are always going to seek free parking alternatives to save time and money when going to and from games. The obvious and most likely location for all parking will be the residential developments surrounding the stadium.
- I ask that all parking facilities for the stadium, new or existing, are designed or upgraded to meet Park Mark standards.

Highways and Road Safety

- Traffic management colleagues have significant concerns with the proposed use of the A4165 Oxford Road as the primary route to and from the stadium for all fans, and they have concerns that the road and footpaths are not of sufficient width to safely accommodate the amount of foot traffic, combined with vehicles and cycles as suggested in illustrations provided.
- They are unable to see how the route will be able to function safely, without a very significant amount of alterations to improve the road network. There is currently no separation between pedestrians, cyclists and vehicles, in what will become a very crowded place at times. Illustrations show planting on footpaths further restricting the width of footpaths.
- Considering the volumes of pedestrians the footpaths on the A4165 will need to handle, the footpaths are very narrow leading to the danger of pedestrians entering the carriageway.
- There are concerns that the proposal to relocate cyclists exclusively onto the road removes choice from cyclists, where they currently have the option of using the carriageway or cycle path off the road. There was a road death at the Parkway Park and ride only a few months ago, which is currently still under investigation. We feel that putting cyclists back onto the road would be a backward step that should be avoided.
- There are no bridges over roads for pedestrian access to the stadium. Preliminary drawings appear to indicate crossing points but details are not provided, they look like zebra crossings, which would be strongly objectionable in terms of safety. Pedestrians crossing the roads on match days, particularly during phase 3 of a game, must not obstruct the highway and cause delays to the surrounding road network. Current plans will result in fans moving on-masse and littering the Oxford Road, they will just run across the road. Pedestrian crossings across the A4260 dual carriageway are far from ideal.
- Any formal crossing facilities must be located at a desire line, which might be difficult for this development.
- The Fan Journey illustrations will not work as intended. People will always take the shortest and easiest route (not always the safest place), and you can guarantee away fans will not be walking further down the road to use an alternative crossing as suggested.
- Match day traffic must not create delays and obstructions to the highway network which could have a knock-on impact on the wider strategic road network – I.E. the A34. Traffic queuing to leave the A34 due to congestion on local roads surrounding is a worst case scenario that cannot be allowed to happen. Queues off the A34 MUST be avoided at all cost.
- Roads either side of the stadium are long and straight, with potential for significant vehicle speeds, creating counter terrorism risks (see below).
- BTP Colleagues raised concerns that Oxford Parkway station is limited in terms of capacity, and is due to open a link to Cambridge in the next few years. This additional route will add extra footfall and vehicle demand on the site which may not have been factored into considerations at this time.
- BTP Have concerns that the car parking at Parkway Station is not of sufficient capacity to support the proposals, they also have concerns that the Parkway station itself is quite small in terms of capacity for passengers, it may become difficult to manage people through.
- If the speed limit for the roads surrounding the stadium are reduced, compliance becomes an issue – it cannot be relied upon that drivers will stick to the lower speed limit, and you will not be able to achieve compliance with a lower speed limit on the dual carriageway.
- There are further concerns that using Stratfield Brake for match day travel may be problematic and conflicting should there be rugby being played at the same time. Again no details of how pedestrians will safely cross the dual carriage way to get to the stadium.

- Significant concerns should the venue be used for other large events such as music concerts – If the pitch is converted for standing, attendance numbers may be very significantly higher than they are currently proposed for football – compounding and elevating the risk of all of the above concerns.
- Kidlington already has a fragile road network that is effected when there are issues on the surrounding road network, such as the A40 and A34. What plans are in place to mitigate against additional disruption and prevent further negative impacts on the local road network? We do have concerns that the existing infrastructure is not sufficient to support the addition of the stadium, and improvements will need to be made.

Counter Terrorism

- The impending protect duty must be considered at this stage – we don't know the full extent of what this legislation will require but there will be a lot more onus on the stadium owners and operators, and the local authority to manage and hold risk. What measures have been taken to protect the development and its users from terrorism, both on match days and during normal community use?
- The commercial side of the development also falls under counter terrorism considerations, with the hotel and other uses also being designated "Crowded Places" and publically accessible locations. As such detail must be provided as to what protective measures will be in place.
- Hostile Vehicle Mitigation is of fundamental importance for this development, and current proposals around site access are a "recipe for disaster" and a "nightmare scenario", with no segregation possible – we will have large volumes of people walking alongside main arterial roads and the railway line, where the restricted width of the road and lack of separation create significant safety risks. Vehicle as a Weapon attacks are a risk that must be mitigated against. The fan route to and from wherever the applicant is proposing car parking and coach pick up/drop off and the train station must have sufficient vehicle mitigation measures in place to prevent any such attack. I have concerns that without all of this land being in the control of the applicant, whether this will be achievable which raises concerns.
- All counter terrorism measures should be designed in from the start – it is difficult and extremely expensive to add them later.
- There are a number of significant vulnerabilities at the existing stadium that have not been addressed, and it is extremely important that these are not transferred across to the new stadium.
- There are many different vehicle-borne threats and penetrative vehicle threats that will be relevant to this development – We must mitigate against these risks before the stadium is built, not try to mitigate against them after the build.
- **Counter terrorism Security Advisors request further consultation with them ASAP, particularly regarding HVM measures. TVP have a significant wealth of experience and would encourage the developers to approach us for completely free advice, prior to finalisation and submission of any plans for planning permission.**
- Oxford Parkway train station is not currently a site of any risk and is not laid out and managed to deal with the additional risk that football footfall will bring. I ask that you consult with BTP regarding these concerns.

Football Policing and Operations

- Plans provided for the stadium in the pre-application pack were not of sufficient resolution to provide accurate feedback at this time. With the open concourse design we need to know how segregation of home and away fans will be achieved – will this be via mobile screens as seen at other stadiums?
- We have concerns that there is not a lot of free space around the stadium, to facilitate safe emergency evacuation of the stadium. Plans indicate a lack of space which would likely result in fans rushing straight out onto the main road in the event of an emergency evacuation, which would be of great concern. We need to see more details of the emergency plans – some drawings also appear to show steps at emergency exit points?
- Football fans will move as they want to, and will not follow signposted routes – for example the proposed home and away fans using different sides of the road to get to the train station will not comply with that guidance. Again re-iterating the point made by traffic officers, the away fans will not follow the proposed route to their car park and will take the shortest route with the home fans.

You will see a mix of fans together along the narrow road which will become a flashpoint for crime and antisocial behaviour/disorder.

- The one route in and out is a concern – very likely to see the same scenario as at Adams Park in High Wycombe – during higher risk games you will see crime and disorder due to fans being forced together on one route in and out.
- There is a risk that whilst only for a short time, this route is going to be inundated with foot traffic, which will close the road for a period of time. Concerns that the volume of fans on egress creating obstructions on the highway could have a knock-on impact to business as usual for the park and ride and train station – this location may become very claustrophobic and have a negative impact on other users of the park and ride/train station. On a Saturday 5pm match day for example, the mix of different people and uses you will see going on all at once in this location will create issues and require additional police resourcing to manage.
- I note a lot of the tree planting and vegetation surrounding the stadium is proposed to be retained – however it is vital that lighting and surveillance is not compromised by this. Particularly at the main entrance to the site (The Oaks for example), CCTV operations and lighting must have maximum visibility to detect and deter crime and ASB.

Neighbourhood policing

- The Park and ride/railway station are very often used by residents of Kidlington and surrounding. What plans are in place to mitigate the impact of match/event days on local residents?
- We have concerns with an increase in alcohol related crime and ASB in the local area – if fans are having to park in Kidlington and the surrounding area, they will head to the drinking establishments in this area before the game to drink, so may have an impact on local crime levels.
- We ask for further details of the applicants proposals to address Violence against Women and Girls – particularly for games after dark how will travel from the stadium to car parking and park and ride facilities be made safe? What proposals are there for additional CCTV and lighting in the area?

Lighting

Lighting throughout the development must meet the general standards of BS5489-1:2020. Lighting plans should be provided which should set out how this standard will be achieved not only on adopted highways, but also external circulation areas and parking. Lighting must be designed holistically with planting and CCTV to maximise surveillance and visibility. Trees and hedge planting must not impinge on lighting and create areas of shadowing.

Bin and cycle storage

Bin and cycle stores must be designed to meet Secured by Design standards – Bin stores in particular are vulnerable to crime and arson attack and as such must be robustly secured. Staff cycle storage should be fully secured and enclosed to prevent opportunities for theft.

The above comments are made on behalf of Thames Valley Police and relate to crime prevention design only. I hope that you find these comments of assistance. If you have any queries relating to crime prevention design, please do not hesitate to contact myself.

Kind regards

Kevin Cox.

APPENDIX 2

Green Belt Assessment



**OXFORD UNITED FOOTBALL CLUB –
NEW STADIUM:**

Green Belt Assessment

February 2024

fabrik Ref:

D3263

CONTENTS

- 1.0 Introduction and Scope
- 2.0 Description of the Site and its Surroundings
- 3.0 Landscape Character
- 4.0 Policy Context
- 5.0 Green Belt Studies
- 6.0 Site Assessment
- 7.0 Assessment of Effects on the Green Belt
- 8.0 Green Belt Conclusions

Prepared by:

Liz Simes BA (Hons) Dip LA, Dip UD, CMLI and Sean Rushton BA (Hons), MLA,
CMLI

1.0 INTRODUCTION AND SCOPE

1.01 This document describes:

- The baseline analysis of the existing Green Belt within which the Site lies;
- The Green Belt policy context;
- A summary of the findings of the Oxford City Council Green Belt Study (2015) alongside the Cherwell District Council Green Belt Assessment (2017) in relation to the Site;
- A more detailed analysis, which considers:
 - The contribution the Site makes to the five purposes of the Green Belt; and
 - The existing openness of the Site and its current contribution to openness of the Green Belt in the vicinity of the Site.

1.02 The above is provided in order to establish a baseline position against which the impact of the Proposed Development on the openness of the Green Belt can be compared.

1.03 A visual assessment of the Site has been carried out and is fully described in the LVIA Chapter within the Environmental Statement (ES). Overall, views of the Site, either the boundary vegetation, or the internal arrangements, are limited to the immediate local area.

2.0 DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.01 The Site is not subject to any landscape designations at the local, regional or national level, nor does it lie within a defined viewing corridor protected by policy. In landscape value terms, it is therefore at the lower end of the landscape value scale relative to NPPF para 174.

2.02 The whole of the Site is located within the Oxford Green Belt, to the north of the city, and forms part of the Green Belt between Oxford and Kidlington. It lies wholly within the administrative area of Cherwell District Council. The green field aspect of the Site is currently leased as a commercial Willow plantation surrounded by the road corridors of Oxford Road and Frieze Way to the east and west respectively. The boundaries of the Site are defined by mixed, predominantly deciduous vegetation associated with the Oxford Road and Frieze Way road corridors and the existing mature woodland to the south of the Site. The green field aspects of the Site are therefore visually well enclosed and not currently publicly accessible. The proposed access steps to Oxford

Parkway Station and the sections of Oxford Road and Frieze Way within the Site boundaries are publicly accessible but are well enclosed by boundary vegetation.

2.03 Stratfield Brake to the west of the Site is an area of woodland designated as Priority Habitat under Section 41 of the NERC Act (2006), which is managed by the Woodland Trust. It is also designated as a District Wildlife Site. The woodland to the south of the Site was formerly connected to Stratfield Brake, but was cut off by the construction of Frieze Way, rendering the woodland to the south of the Site inaccessible. Whilst this woodland is also identified as Priority Habitat and a District Wildlife Site, it is not under the management of the Woodland Trust. Stratfield Brake playing fields beyond the Site to the west provide a recreational aspect to the landscape. The internal Site arrangements are illustrated in the LVIA ES Chapter and presented on Figure 2.1 below.

2.04 The boundaries of the Site are formed by defensible road boundaries, Oxford Road to the east and Frieze Way to the west. The southern boundary is defined by the existing linear woodland block. The A34 and railway line cut through the landscape further to the south of the Site crossing under the section of Oxford Road within the Site.



2.05 Figure 2.1: Aerial photo of the Site and its immediate context



3.0 LANDSCAPE CHARACTER (OXFORDSHIRE WILDLIFE AND LANDSCAPE STUDY)

3.01 The Site lies within Landscape Character Type 17: Vale Farmland and within Landscape Character Area F: Peartree Hill. The key recommendations are to:

- *Safeguard and enhance landscape character of the hedgerow network and treelined watercourses.*
- *Ensure that all priority habitats are in favourable condition and management.*

3.02 This area, between Oxford and Kidlington, is largely characterised by medium to large sized arable fields and pastureland. The hawthorn and elm hedges are generally in poor condition and often gappy and fragmented. The main structural landscape elements are the thinly distributed hedgerow trees of oak, dead elm and ash, as well as some tree belts surrounding farmhouses. Stratfield Brake is a significant block of semi-natural deciduous woodland to the south of Kidlington and west of the Site. fabrik conclude that the landscape value of this character area overall is Medium to Low.

4.0 POLICY CONTEXT

National Planning Policy Framework (NPPF December 2023)

4.01 Protecting the Green Belt is the subject of Section 13. Para 142 states that: *“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”* Paragraph 138 sets out the five purposes of the Green Belt as:

- *“to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.”*

4.02 Proposals affecting the Green Belt are covered by Paragraphs 152 - 156. Paragraph 152 states that: *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

- 4.03 Paragraph 153 covers ‘Very Special Circumstances’ and states: *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”*

National Planning Practice Guidance – Green Belt

- 4.04 The guidance on Green Belt is set out at Section ID: 64-001-20190722 (Revision date 22 July 2019). Paragraph 001 covers the factors that can be taken into account when considering the potential impact of development on the openness of the Green Belt. It states: *“Assessing the impact of a proposal on the openness of the Green Belt, where it is relevant to do so, requires a judgment based on the circumstances of the case. By way of example, the courts have identified a number of matters which may need to be taken into account in making this assessment. These include, but are not limited to:*
- *openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;*
 - *the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and*
 - *the degree of activity likely to be generated, such as traffic generation.”*
- 4.05 Paragraph 002 covers how plans might set out ways in which the impact of removing land from the Green Belt can be offset by compensatory improvements. It states: *“Where it has been demonstrated that it is necessary to release Green Belt land for development, strategic policy-making authorities should set out policies for compensatory improvements to the environmental quality and accessibility of the remaining Green Belt land. These may be informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and could for instance include:*
- *new or enhanced green infrastructure;*
 - *woodland planting;*
 - *landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);*
 - *improvements to biodiversity, habitat connectivity and natural capital;*
 - *new or enhanced walking and cycle routes; and*

- *improved access to new, enhanced or existing recreational and playing field provision.”*

Existing Green Belt Openness of the Site and Local Surroundings

4.06 The term ‘openness’ is not defined within the NPPF or PPG. In the interpretation of the term ‘openness’ relevant case law, which deals with the concept of openness is therefore a material consideration. A High Court judgement is helpful in clarifying the meaning of openness and states that:

“Openness” is not a defined term but, in my view, it is clear in this context that it is openness of the Green Belt that must be considered not the site as such. That is not merely the wording of the paragraph but must be the case because any infill would, almost by definition, have an impact on the openness of a site.”

4.07 In Green Belt terms, the concept of ‘openness’ relates to the absence of built development (which includes both buildings and hard surfacing) and is capable of having both spatial and visual aspects. The Planning Practice Guidance provides further guidance for considering the potential impact of development on the openness of the Green Belt which includes the visual aspect.

Cherwell Local Plan 2011-2031 (July 2015)

4.08 Policy PR3 of the Cherwell Local Plan looks to protect the Green Belt to *“maintain its openness and permanence”* in line with the NPPF (September 2023) and where: *“Proposals for inappropriate development will not be approved except in very special circumstances...”* and that: *“very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”* in line with the NPPF.

5.0 GREEN BELT STUDIES

5.01 The Cherwell District Council Green Belt study considers in detail the performance of those proposed allocation sites only, rather than assessing how all the component Green Belt parcels perform against the five Green Belt purposes. In comparison, the county level assessment - The Oxford Green Belt Study (LUC, 2015) assesses the performance of all Green Belt parcels regardless of any proposed or emerging development allocations. As such, the Oxford City Council assessment is the most relevant study to inform this assessment.

Oxford City Council: Oxford Green Belt Study (OGBS) LUC, 2015

5.02 This assessment had an overall aim to: “*assess the extent to which the land within the Oxford Green Belt performs against the purposes of Green Belts, as set out in... the National Planning Policy Framework (NPPF)*”. The brief for this study did “*not advise on the suitability or potential of land in the Oxford Green Belt for development*” but has considered the performance of the Oxford Green Belt as a whole against the five NPPF Green Belt purposes.

5.03 The high-level, strategic nature of the county level study is considered to be appropriate in terms of assessing the Proposed Development.

Summary of Oxford Green Belt Study Findings

5.04 The OGBS assessed the performance of land parcels within the Oxford Green Belt against Green Belt Purposes 1-4 set out in the NPPF. Purpose 5: “*To assist in urban regeneration, by encouraging the recycling of derelict and other urban land*” was not assessed as it is not relevant to the Site. Purpose 1 has been split into two issues, which have been assessed separately. These are:

- Purpose 1, Issue A: “*Does the parcel exhibit evidence of urban sprawl and consequent loss of openness?*”
- Purpose 1, Issue B: “*Does the parcel protect open land from the potential for urban sprawl to occur?*”

5.05 Table 5.1 below sets out how the ratings used were defined:

Table 5.1: Summary of Criteria Ratings

<i>High</i>	<i>Parcel performs well.</i>
<i>Medium</i>	<i>Parcel performs moderately well.</i>
<i>Low</i>	<i>Parcel performs weakly.</i>
<i>No Contribution</i>	<i>Parcel makes no, or a negligible contribution.</i>

5.06 The majority of the Site (and the part containing the proposed stadium building) lies within the southern part of parcel KI5 relative to the land between the A34 and Kidlington as shown on Figure 5.1 on the following page. Parcel KI5 therefore extends further to the north-east beyond the Site boundaries.

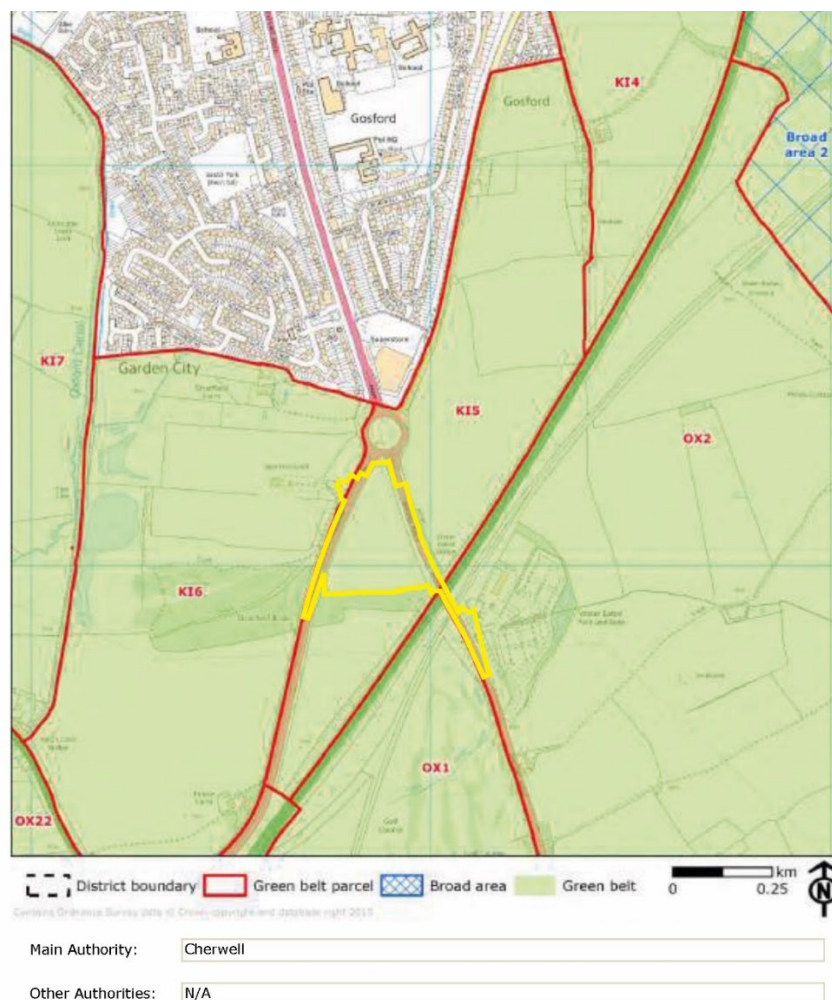


Figure 5.1: Plan illustrating Green Belt Parcel KI5 and the Site

5.07 Table 5.2 below shows the summary of the OGBS (LUC 2015) assessment against Purposes 1-4 specifically for the whole of Parcel KI5. This parcel is assessed as scoring one “High” (performs well), one “Medium” (performs moderately well), one “Low” (performs weakly) and two “No Contributions” (makes no or negligible contribution).

Table 5.2: Summary of Oxford Green Belt Study Findings

Oxford GBS Parcel Reference	Purpose 1 To check the unrestricted sprawl of large built-up areas		Purpose 2 To prevent neighbouring towns merging into one another	Purpose 3 To assist in safeguarding the countryside from encroachment	Purpose 4 To preserve the setting and special character of historic towns
	Issue 1a	Issue 1b			
KI 5	N/C	N/C	High	Medium	Low

5.08 Whilst the OGBS provides a general analysis of the performance of the Green Belt Purposes, it does not take into account the district level assessment(s), which were produced at a later point in time. Parcel KI5 is considered by the OGBS to perform highly against Purpose 2 and states: *“The parcel is located to the southeast of Kidlington, with the southern area of the parcel in close proximity to Oxford. The parcel is bordered by Kidlington on the western boundary and the A34 on its eastern boundary. The parcel is relatively flat in topography and has a sense of openness. Elevated topography at the southern end of the parcel, and in adjacent parcels OX1 (Pear Tree Hill) and OX22 (North Oxford Golf Club), together with the Stratfield Brake woodland, restrict intervisibility, and within the wider landscape this area is relatively well screened from view, but loss of openness would substantially reduce the physical gap between Kidlington and Oxford as experienced when travelling along the A4260 or A4165.”*

Cherwell District Councils Green Belt Assessment (CDC GBA) LUC, 2017

5.09 The Cherwell District Green Belt Study (LUC, 2017) recognises the challenges of the local Green Belt context in relation to development requirements and in particular housing targets. The Study identifies possible scenarios for accommodating a share of Oxford’s housing need. Three scenarios are identified for consideration as set out below. It is noted that any combination of these may also be possible and that these principles in terms of Green Belt harm could be applied to other forms of development in this report.

- Scenario 1: *“Focusing development on sites assessed as making a lower contribution to Green Belt.”*
- Scenario 2: *“Focusing development on the most ‘fragile’ areas of Green Belt.”*
- Scenario 3: *“Focusing development on new inset, or outer Green Belt edge, settlements.”*

Summary of Cherwell District Councils Green Belt Assessment Findings

5.10 The Site and Stratfield Brake Sports Ground to the west are not assessed in the Cherwell District Council Green Belt Assessment as they were not promoted for development. Parcels PR39a, PR39b (including a thin strip of land to the south of the A34), PR49 and PR178 are all located north of the A34 and assessed in the CDC GBA as illustrated on Figure 5.2 on the following page.

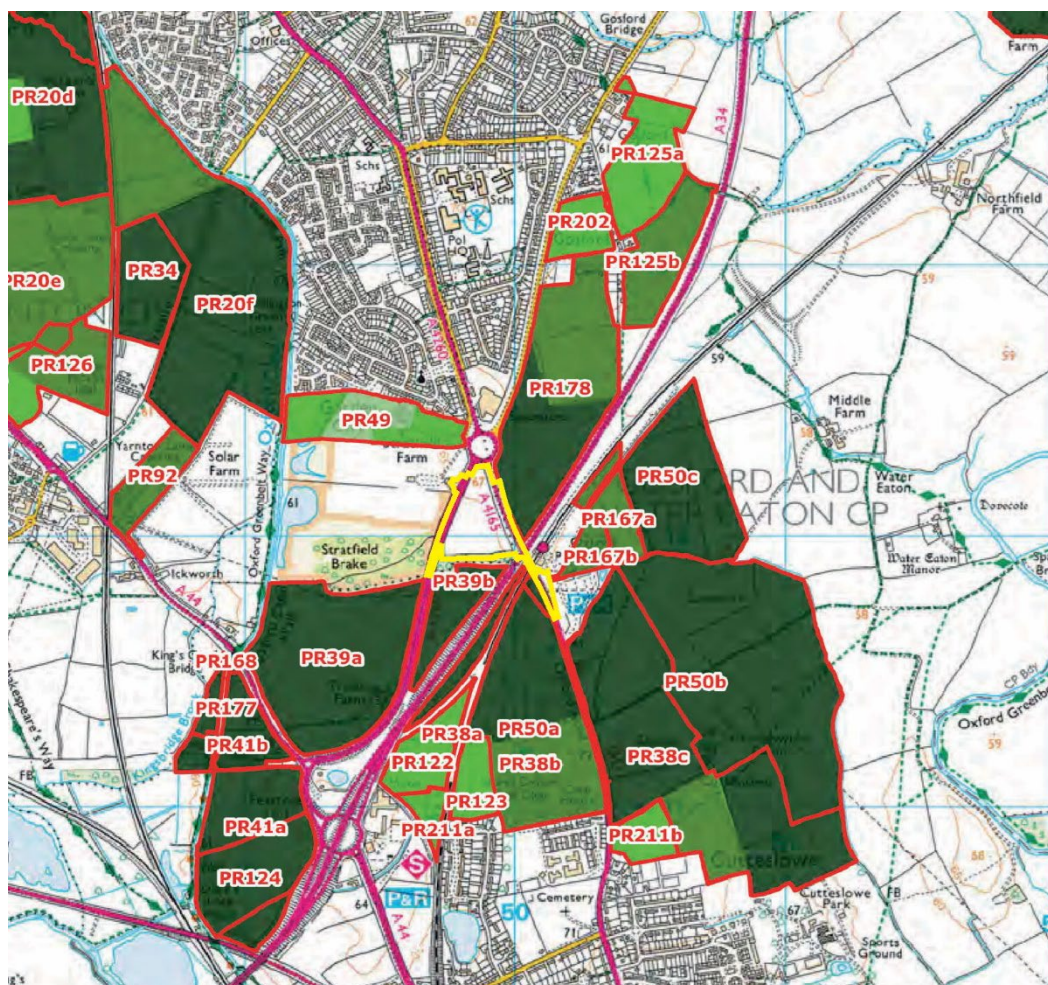


Figure 5.2: Plan illustrating location of GB parcel 39b



- 5.11 The CDC GBA assessed the level of “harm” that would arise through the release of each parcel from the Green Belt. The release of parcel PR39b is considered by the CDC GBA to result in a “high level of harm” to the Green Belt. *“PR39b lacks relationship with the urban fringe of Oxford but is too close to it to be associated with other settlements. Any development in this area would therefore be considered significant sprawl and an encroachment on countryside that would reduce the gap between Oxford and Kidlington/Yarnton”.*
- 5.12 The release of parcel PR178 to the east of the Site is considered by the CDC GBA to result in a “high level of harm” should the entire parcel be released. *“Release of PR178 would have a significant effect in terms of reducing the gap between Kidlington and Oxford. The presence of Oxford Parkway and the Park and Ride combines with infrastructure routes to fragment the countryside in the Kidlington Gap, so loss of openness between Kidlington and Oxford Parkway would further weaken the gap.”* The release of the two northern fields only within parcel PR178 is considered to result in a

“moderate high level of harm” to the Green Belt. “Release of just the fields at the northern end of the parcel would leave the Green Belt land to the south weakened by isolation from other countryside, but it would reduce impact on the Kidlington Gap. Any release affecting the northernmost fields would also weaken the remaining Green Belt to the north of the parcel between Bicester Road and Water Eaton Lane (assessed as PR202).” The Site was subsequently allocated in the Cherwell Local Plan Partial Review 2011- 2031 (September 2020) as site PR7a with the northern two fields released from the Green Belt and the southern fields promoted as open space within the Green Belt. No further commentary is provided relative to the effect on the remaining areas of the Green Belt as a consequence of this allocation.

Possible Green Belt Development Scenarios in the Landscape Between Oxford and Kidlington

- 5.13 Given that the Site (within Parcel KI5 of the OGBS) is identified within or adjacent to areas that would result in *“high harm”* to the Green Belt as defined by the CDC GBA, Scenario 2 in paragraph 5.09 above is considered to be the most pertinent scenario to this assessment in terms of considering potential development and harm to the Green Belt. In relation to the release of *“the most fragile areas of Green Belt”* land, the Cherwell District Green Belt Study states:

“Green Belt that occupies only a small/narrow area between separate urban settlements will tend to rate highly in terms of its role in preventing settlement coalescence. However, if environmental assessment determines that this land lacks significant value then a case could be made for accepting the coalescence, or near-coalescence, of settlements in order to maximise the scale of development in one area, and consequently to minimise the number of separate locations in which ‘exceptional circumstances’ for Green Belt release would need to be demonstrated.”

- 5.14 Furthermore, a potential location for this scenario is identified as in the CDC GBA: *“Between Oxford and Kidlington – either contained to the south of the A34, to retain a small Green Belt gap, or a larger expansion leaving no gap – e.g. defined to the west by Frieze Way and including land to the east of Kidlington between Bicester Road and the A34.”* It is deduced that this scenario has been a factor in the release of the allocated sites within the Cherwell Local Plan Partial Review 2011- 2031 (September 2020) surrounding the Site on the southern edge of Kidlington and northern edge of Oxford from the Green Belt, despite the identified harms by the CDC GBA and confers

a consistent analysis with fabrik's findings in terms of the value of the landscape between Oxford and Kidlington.

6.0 SITE ASSESSMENT

- 6.01 The Site contributes to the Green Belt between Oxford and Kidlington and forms part of the green approach to the City along the A4165 Oxford Road. Its boundaries are well vegetated and the green field aspects of the Site are not publicly accessible, therefore views of the internal arrangements of the Site are limited to the road corridors of Oxford Road and Frieze Way and their associated boundary vegetation. The Site plays a role in the separation between Oxford and Kidlington in combination with the surrounding landscape when viewed from the transport corridors (Oxford Road, Frieze Way and Bicester Road), Stratfield Brake Sports Ground to the west and PRoW 229/4/30 to the east. The existing sports ground and the recently consented sports pitches within the retained open space in parcel PR7a immediately east of the Site all contribute to the recreational character to the landscape separating Oxford and Kidlington. Built form is visible within the local environment and contributes to an edge of settlement character. The recently consented housing allocation to parcel PR7a to the north east of the Site (within wider parcel KI5 of the OGBS) would also contribute to this settlement edge character. The Sainsbury's superstore to the north is a single building of large mass, albeit relatively low height.
- 6.02 The boundaries of the Site are defined by mixed, predominantly deciduous vegetation associated with the Oxford Road and Frieze Way road corridors to the east and west respectively, and the woodland belt to the south of the Site, which create a degree of enclosure consistent with the analysis against Purpose 2 in the OGBS. The road corridors and associated vegetation compartmentalise the Site within the wider landscape between Oxford and Kidlington that is divided by numerous transport corridors. Whilst the central part of the Site between the road corridors is visually well enclosed and not currently publicly accessible, there is a perception of openness as a result of its current green field status. Overall, the Site is considered to have a moderate - high level of visual openness, and therefore makes a moderate - high contribution to the purposes and openness of the wider Green Belt Parcel KI5. This is reflected in the Oxford Green Belt Study (2015) assessment whereby the Site has one high rating against one of the NPPF purposes.

6.03 The Cherwell Local Plan residential allocations have altered the Green Belt boundary of Parcel KI5 and surrounding parcels since the OGBS was published. The sites released within Parcel KI5 after further analysis in the CDC GBA have allocated areas of land for development in the north of the Parcel adjacent to Kidlington and retained open space within the Green Belt in the south of the Parcel to maintain a sense of openness and separation with Oxford beyond the A34. This has added pressure to the role of the Green Belt between Oxford and Kidlington, but the release of this land confers that the landscape is at the lower end of the landscape value scale in line with the most pertinent Green Belt development scenario set out in the CDC GBA.

7.0 ASSESSMENT OF EFFECTS ON THE GREEN BELT

7.01 Table 7.1 below provides an assessment of the impact of the Proposed Development on the Site's contribution to the Green Belt purposes compared with the existing situation.

Table 7.1: Effects of the Proposed Development on the Green Belt Purposes

Green Belt Purpose	OGBS Score (Parcel KI5)	Commentary on changes to the Site and Green Belt Parcel KI5 as a result of the Proposed Development compared with the existing baseline
1. To check unrestricted sprawl of large built-up areas	N/A	No further assessment has been made in relation to this purpose, as all built development would have an effect on this purpose.
2. To prevent neighbouring towns merging into one another	High	<p>The Site lies in the southern part of Parcel KI5 within the landscape between Oxford and Kidlington, north of the transport infrastructure comprising the A34 and rail corridors, which both sever the landscape.</p> <p>The width of the Green Belt between Kidlington and Oxford identified as Parcel KI5 has been reduced, taking into account the residential development commitments both on the edge of Kidlington and Oxford in the adopted CDC Local Plan.</p> <p>The Proposed Development would see the existing vegetation around the boundaries of the road corridors and green field within the Site predominantly retained, except where to facilitate access, maintaining a degree of visual enclosure and separation with the wider Green</p>

		<p>Belt to the south, east and west. However, whilst the Site is not free from the settlement influences of Kidlington, the Proposed Development would result in the physical reduction of the gap in this location. The proposed stadium is located as far south within the Site as possible without impacting on the existing woodland that sits just outside the Site boundary. This has resulted in the retention of a green and open space in the north of the Site to maintain a sense of openness in this section of the Site in a way that allows green infrastructure connectivity with the retained areas of open space in the southern parts of the CDC allocations on the edge of Kidlington in the wider Green Belt Parcel. It is noted that the Proposed Development is for a football stadium, which is a use found in both urban and rural contexts. The Proposed Development is therefore considered to be at odds with this purpose.</p>
<p>3. To assist in Safeguarding the countryside from encroachment</p>	<p>Medium</p>	<p>The whole of the Site on its own has a medium contribution to this purpose. The Proposed Development is limited to the southern part of the Site only (and the south western section of the wider KI5 Green Belt Parcel), set within a retained and supplemented vegetated framework. The northern part of the Site is retained as open, green space. Due to its scale and mass, the building will be visible above the retained and intervening boundary vegetation and as such would compromise the openness of this small part of the Green Belt. The Proposed Development is therefore considered to be at odds with this purpose.</p>
<p>4. To preserve the setting and special character of historic towns</p>	<p>Low</p>	<p>The Proposed Development is set between Oxford and Kidlington and will alter the local settings to these settlements due to its scale and mass. The Proposed Development is therefore considered to be at odds with this purpose.</p>

5. To assist in urban regeneration by encouraging the recycling of derelict and other urban land	N/A	This was not assessed as the study considered that all Green Belt land makes an equal contribution to this purpose and therefore inclusion of this purpose would add no value to this Green Belt Assessment.	
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Impact on Physical Openness

- 7.02 The Proposed Development would wholly replace the green field use and open character in the southern part of the Site only with new built form of scale and mass, alongside surface level car parking and public realm. In addition, the intermittent use of the car park and increased vehicular and pedestrian activity in the Site as a result of the Proposed Development will also alter the sense of openness currently perceived. The northern part of the Site is retained as open, green space to retain a sense of openness as far as possible to the south of Kidlington.
- 7.03 The Proposed Development would be contained by defensible boundaries (existing road corridors) to the east and west and the designated woodland habitat to the south. The visual relationship between retained Green Belt areas to the east and west of the Site would be partially interrupted with the Proposed Development in place.

Impact on Visual Openness

- 7.04 The Proposed Development would alter the visual openness in the southern part of the Site. Whilst views from the wider Green Belt Parcel across the Site are limited by the existing boundary vegetation, the Proposed Development itself would limit and close down views across the Site further. However, the openness in the northern part of the Site is wholly retained through the retention of open, green space as part of the proposed landscape and public realm. The Proposed Development would contrast with the open landscape to the east and west albeit beyond the intervening busy road corridors, due to the presence of the proposed stadium building. The sporting use has a consistent character with the landscape to the west and east.
- 7.05 The effects of the reduced openness arising from the Proposed Development associated with the stadium would be limited to the Site and the immediate local area, as demonstrated in the visual assessment contained in the LVIA ES Chapter. When viewed from Stratfield Brake Sports Ground to the west or PRoW 229/4/30 to the east

within the wider KI5 Green Belt Parcel, the northern part of the Site would retain a sense of openness and separation from Kidlington in combination with the surrounding landscape and open nature of Kidlington roundabout. The Proposed Development would also be perceived from Oxford Road and Frieze Way within and to the north and south of the Site, albeit set behind the retained and proposed boundary vegetation along the road corridors.

8.0 GREEN BELT CONCLUSIONS

8.01 In conclusion, it is considered that the Proposed Development would result in a physical reduction in the landscape gap between Oxford and Kidlington (Purpose 2); an encroachment into the countryside (Purpose 3); a change in the physical and perceived openness in the southern part of the Site and within the local area (Purpose 3); and would alter a small part of the landscape setting to Oxford (Purpose 4). Overall, therefore, considering the scale and mass of the scheme proposals, the Proposed Development is considered to be at odds with the Green Belt purposes, albeit set in the context of the retained defensible boundaries provided by the surrounding road corridors, the existing retained vegetation structure and with a retained open space in the north of the Site to maintain separation from Kidlington and reduce the level of harm as far as possible.

APPENDIX 3

Design Review Panel Feedback

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Site	The Triangle, Land to the East of Stratfield Brake, Kidlington, Oxfordshire
Proposal	Erection of 16,000 capacity stadium, incorporating a 180 bed hotel, restaurant and café, flexible community and business facilities, gym, external community and multi-functional plaza, and associated parking, landscaping and other supporting infrastructure
Local Authority	Cherwell District Council
Applicant	Oxford United Football Club
Agent	Ridge and Partners LLP
Architecture	AFL Architects
Landscape	Fabrik
Review Date	7 th November 2023

This design review panel session was booked by Ridge and Partners, and this is the first time The Design Review Panel has reviewed this scheme. The session incorporated a site visit.

The information presented for review is considered to have been clear and professional. This is welcomed by the Panel and this presentation material is of benefit to the design review process. Notwithstanding this, due to the information being provided by the Design Team only on the day of review, the session focused on wider operational and site issues. Generally architecturally it is felt the proposal is ambitious and based on the limited inspection of the presentation information that could occur within the time constraints of the session, the Panel recognizes and supports the aspirational nature of the project coming forward.

Paragraph 133 of the NPPF states: -

“Local planning authorities should ensure that they have access to, and make appropriate use of, tools and processes for assessing and improving the design of development. These include workshops to engage the local community, design advice and review arrangements, ... In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.”

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The Panel comments as follows:-

The session began with a site visit and a walk around of the surrounding area. This was extremely useful for the Panellists, particularly in terms of helping understand how people will access and egress the site. The visit revealed a site significantly constrained in many ways, not least by its awkward shape and the busy highways that adjoin the site on two of its three sides. These factors alone make the development of the site challenging.

Identifying sites for stadium development is a notoriously difficult task and it is understood and accepted by the Panel that the Football Club has undertaken a comprehensive site search before resolving to promote the current scheme. Accepting that the site is not ideal in many respects, not least in terms of walking distance for the majority of the fan base, the Panel's view is that the Football Club and Design Team have put considerable effort into the question of how football supporters and other visitors will be able to access the site and have proposed some positive ideas. These include promoting access by rail and by coach and potential discounted ticketing solution following discussions with transport operators. Considerable thought has also been given to how the flow of pedestrian traffic will make its way from the station and across the busy A34 to the site entrance. This is a particular challenge for matchdays when the majority of supporters arrive and exit the stadium during relatively short periods before and after the game.

Notwithstanding the above, there is a concern that the proposed main entrance area point to the stadium may not be able to safely accommodate the sheer volume of fans. It is felt there may not be enough arrival space to accommodate the supporters before they disperse to their seats. A lack of space in this area could also give rise to problems of supporter segregation. The practical problems of access are also accentuated by the difference in levels from the highway.

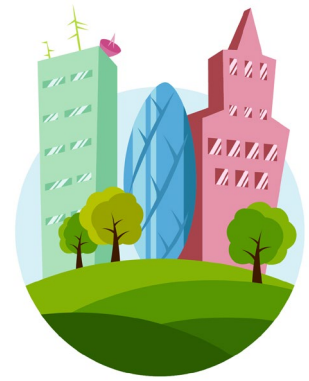
The Panel suggests that consideration be given to re-orientating the stadium slightly in a clockwise direction to create some additional arrival space. This may lead to the loss of some car parking on the western side of the site and potentially to a loss of some trees. However the Panel's view is that the benefits of reorientation in terms of crowd safety and management may outweigh these concerns.

It was not clear from the presentation, how rigorously any optioneering exercise has been in determining the correct siting for the stadium within the site. Options are undoubtedly limited because of the shape and size of the site and the Panel does not dissent from the view that the current siting is broadly correct, however it may be beneficial to demonstrate evidence of an options exercise which looked at landscape and visual impact in addition to operational factors.

Putting aside difficulties of access to the site, the Design Team and Football Club have put forward an admirable project which, in addition to a striking piece of architecture comprises a genuine community led facility. The scheme vision and founding principles are felt to be visionary, very

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clearly articulated and it may be helpful for these principles to be used as “guiding lights” as the project progresses further.

The Football Club clearly recognises its important role in the social fabric of the city but is also sensitive enough to recognise that a stadium is rarely perceived as a good neighbour. This sensitivity manifests itself in a genuine attempt to embed the stadium within the village of Kidlington and to encourage local residents that it belongs to them as much as the football club and its supporters. This objective is articulated most obviously in the community garden and plaza but some of the proposed commercial uses may also serve the local community.

In regard to the proposed garden, the Panel is very impressed by the design and it is considered to be in the correct part of the site, close to Kidlington village. It has the potential to be something special but the Panel notes that it may require a relatively high level of management. It is therefore suggested that it may be beneficial to ensure that a realistic budget for maintenance is reserved annually. Similarly the plaza has significant potential as a community space but will most likely be heavily used and thus it is felt it would be beneficial for materials to be of the highest quality.

The use of an arch to signify the main point of arrival with its historic echoes of the former Manor Ground is both an appropriate nod to tradition and a potential means of heightening the arrival experience; it is felt that this is a good idea that is supported by the Panel, although it is considered the images are not yet convincing and the proposed scale may benefit from further consideration. Furthermore in a spirit of helpfulness, it is suggested that rotating the arch slightly could be beneficial. This adjustment may better align with the direction of travel of the end users, more effectively reflecting their desired paths and harmonizing with the proposed boulevard's layout. Additionally, it may be beneficial to further examine the design of the ramp and steps, particularly focusing on their spatial relationship and positioning relative to each other.

The Design Team persuasively articulated the arrival experience and the way in which visitors move around the stadium via a series of events including the entrance arch, tree planted boulevard and the plaza. This legibility is admirable and use of landscaping as a means of moving people through spaces is a clever one. It is noted that the challenge will be to create a landscape which is not only beautiful but also robust to cope with the high footfall at peak times.

The Panel's chief concern regarding the project is that the awkward shape of the site and its relatively small size may potentially be prejudicing the delivery of the laudable aspirations for public realm. Aside from the concerns regarding the size of the arrival space, there is a general feeling that everything is ever so slightly squeezed and that there is no spare land. The Panel suggests therefore that the quantum of car parking be reduced and that consideration be given to steepening the rake of the stadium seating in order to reduce the stadium footprint. It is recognised that both of these interventions are challenging – no doubt the quantum of car parking is influenced by the requirements of the hotel operator and a steeper rake may unacceptably increase the height of the

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stadium and lead to greater construction costs – but it is nevertheless suggested that it may be beneficial for this to be seriously explored.

Regarding the height, and indeed the general scale and massing of the stadium, it is suggested that it may be beneficial for the Design Team to prepare a full Landscape Visual Impact Assessment. This may be particularly relevant given that the site is within the Green Belt, and will be required as part of any future planning application.

In terms of the main stadium building, the Panel is impressed by its well-considered and elegant form. It represents a considerable improvement on the club's existing stadium in visual terms and, through a combination of the existing planting to the south and proposed new planting, will have the benefit of a soft green setting, which it is felt will set it aside from most football stadiums. It is likely that the stadium will be visible from some distance but the elegant form of the building and its gently undulating roof form may contribute positively to the wider Oxfordshire landscape.

Perhaps even more importantly, it is felt that the facilities for spectators and users of the hotel and conference centre will be of a high standard, which is welcomed. The Panel is particularly impressed with the thought that has been given to all different fan groups. The facilities make the stadium accessible for all, and the special thought that has been given to wheelchair supporters and those with sensory impairments is felt to be cutting edge. The warm welcome will clearly extend to away supporters which will help to ensure that everybody will enjoy their visit, whatever the result.

Notwithstanding its general support for the design, the Panel would have liked to have seen some more detailed elevations to fully understand the visual appearance. It would also have been helpful if the material had been circulated in advance so that panellists had more time with which to digest the details. The material palette for the stadium is also somewhat unclear, and it is considered that appropriate choices will be critical to the project meeting its objectives.

The lighting of the stadium will be a key component of its appearance and it is noted that a balance will need to be struck between using the lighting scheme positively, almost as feature, and respecting its semi-rural hinterland. Subtle lighting of the soffits may be way using light imaginatively and showing off the stadium without creating something too intrusive.

The Panel notes and supports the aspirations in terms of sustainability for the whole project. The aim of 90% of travel to the stadium being by sustainable modes is challenging but also necessary given its location. This may be unachievable without the proximity of the railway station and the Panel is pleased to see how much work has already been undertaken by the Football Club and Design Team to maximise this opportunity. The zero plastic pledge and proposed use of renewable energy and storage on site is to be applauded. The aspiration to meet BREEAM excellent is challenging, given the location of the site, but it may be beneficial for every effort to be made to achieve this.

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Returning finally to the site visit, panellists noted that the ground was unnaturally contoured in parts, suggesting some fill had been imported. It may therefore be prudent for a full ground conditions survey to be undertaken before the design is progressed further.

In conclusion, the Panel reiterates its admiration for the scope of the project. The site is challenging in terms of location shape and size and the development timetable very tight. However the work undertaken to date is impressive and the emerging design is both striking architecturally and very much fit for purpose in terms of meeting modern aspirations for stadium users. The landscape strategy and the community garden, are particularly innovative for new stadium and combined with a mix of uses that will appeal on a day-to-day basis, have the potential to be a great place. It is considered there are logistical difficulties still to be addressed, particularly in terms of the entrance area and the movement of end users, but it is felt the project deserves to succeed and will hopefully secure the long-term future of the football club and enrich the lives of local residents.

The Panel would welcome a further opportunity to assess any future iteration of the scheme and suggest that it would again be beneficial for the Local planning Authority to be present at any such review.

SUMMARY OF RECOMMENDATIONS, (to be read in conjunction with the above)

In summary, the main conclusions of the Panel are: -

- Information presented was clear & professional, aiding the design review process.
- Site visit revealed the site's constraints, including its shape & busy highways.
- Panel acknowledges the Football Club's effort in site selection & access planning.
- Concerns about the proposed main entrance handling large crowds & level differences from the highway.
- Suggests re-orienting the stadium for more arrival space, accepting potential car park loss.
- Suggests demonstrating an options exercise for stadium siting considering landscape & visual impact.
- Commends the project's community focus, particularly the community garden & plaza.
- Urges ensuring a realistic maintenance budget for the garden & high-quality materials for the plaza.
- Supports the entrance arch concept, but suggests further consideration of its scale.
- Admires the use of landscaping for visitor movement but highlights the need for robust design.
- Suggests reducing car parking & steepening stadium seating rake to address spatial constraints.
- A full Landscape Visual Impact Assessment due to Green Belt location may be required.
- Impressed by the stadium's elegant form & spectator facilities, catering to diverse fan groups.

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- More detailed elevations & clarity on material palette may be helpful.
- Suggests subtle stadium lighting, to balance feature use with semi-rural surroundings.
- Supports sustainability goals, including BREEAM excellent aspirations.
- Notes ground irregularities; suggests a full ground conditions survey may be beneficial.
- Admires project's scope, community integration, & innovative landscape strategy.

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NOTES:

Please note that the content of this document is opinion and suggestion only, given by a Panel of volunteers, and this document does not constitute professional advice. Although the applicant, design team and Local Authority may be advised by the suggestions of The Design Review Panel there is no obligation to be bound by its suggestions. It is strongly recommended that all promoters use the relevant Local Authorities pre-application advice service prior to making a planning application. Further details are available on the Council's website. Neither The Design Review Panel nor any member of the Panel accept any liability from the Local Authority, applicant or any third party in regard to the design review panel process or the content of this document, directly or indirectly, or any advice or opinions given within that process. The feedback and comments given by the Panel and its members constitutes the members individual opinions, given as suggestions, in an effort of helpfulness and do not constitute professional advice. The local planning authority and the applicants are free to respond to those opinions, or not, as they choose. The Panel members are not qualified to advise on pollution or contamination of land and will not be liable for any losses incurred by the Local Authority or any third party in respect of pollution or contamination arising out of or in connection with pollution or contamination.



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