

# **Objection to Planning Application 25/01346/OUT - Land North of The Moors, Kidlington**

I am writing to object in the strongest terms to the outline planning application for Land North of The Moors, Kidlington. Before presenting detailed planning objections that follow, I wish to draw attention to the misleading tone, selective framing and policy manipulation that underpins this application.

The application is framed around the repeated suggestion that this is “Grey Belt” land — a term introduced in the December 2024 revision of the National Planning Policy Framework (NPPF) to guide Local Plan preparation, not individual planning applications. Despite this the applicant uses the phrase as if it legally or practically alters the site’s formal designation. It does not. The land remains designated Green Belt and is subject to the full protection as defined in the NPPF. No formal reclassification has occurred, nor can it occur outside of a duly adopted Local Plan — a process in which this site was considered and explicitly removed from the emerging Cherwell Local Plan 2042.

The application further leans heavily on the current housing land supply shortfall within Cherwell District. However, national policy and case law make clear that a five-year housing shortfall does not override Green Belt policy. The NPPF does not apply the “tilted balance” to Green Belt land and unmet need does not in itself constitute the Very Special Circumstances required to justify inappropriate development.

In addition, the proposal seeks to justify its impact through the inclusion of a new cricket facility, presented as both a public benefit and a contribution to Very Special Circumstances. However, this justification fails under scrutiny. The cricket club is not being displaced, faces no immediate operational constraint and has a long-standing presence at Stratfield Brake. The applicant’s own materials acknowledge that the club would only relocate if this development proceeds. This makes the facility an enabling device, not a required piece of community infrastructure. The environmental claims made in support of the new facility are now undermined by the fact that Stratfield Brake is receiving part of a 1.1million pound climate-focused investment from the Public Sector Decarbonisation Scheme. These upgrades directly address the sustainability arguments raised by the cricket club and developer, rendering the claim of environmental necessity for relocation redundant and inaccurate.

In short, this application presents itself as policy-compliant and benefit-led, but is in fact a speculative bid to develop housing on protected land, disguised behind the veil of sporting provision and artificially inflated by misleading interpretations of policy. The submission avoids outright untruths but clearly attempts to steer the planning authority through selective use of language, omission of key facts and reframing of core planning principles.

The objections that follow set out some of the material planning reasons why this application should be refused. However, it is this foundational misrepresentation of context, policy and public interest that must also be considered when assessing the true weight and integrity of the proposal.

If the site was not deemed appropriate for allocation — despite favourable technical assessments — then it cannot reasonably be considered appropriate for speculative development in isolation, particularly where no Very Special Circumstances have been demonstrated and the site remains designated Green Belt.

## **Policy and Legal Framework**

### **The Development is on Protected Green Belt Land**

The site is designated Green Belt and remains so under Cherwell’s adopted Local Plan. NPPF paragraph 153 confirms development in the Green Belt is inappropriate unless Very Special Circumstances (VSC) are demonstrated. The applicant’s assertion that the site is “Grey Belt” does not change its legal status. The site was also removed from the Regulation 19 draft Local Plan 2042, confirming the Council’s strategic intent not to release it.

## **Misleading Use of the Term 'Grey Belt'**

“Grey belt” appears at least seven times in the application but has no planning status at decision-making stage. It is a descriptive term for plan-making only. The site remains legally and policy-wise Green Belt. It contributes to at least 2 purposes as defined in NPPF para. 143 a) *to check the unrestricted sprawl of large built-up areas* and c) *to assist in safeguarding the countryside from encroachment*.

## **No Very Special Circumstances Have Been Demonstrated**

The application relies on housing shortfall and the relocation of Kidlington Cricket Club. Case law confirms housing need alone is not sufficient. No displacement or operational need for the club exists and the proposed facility is discretionary.

## **Tilted Balance Does Not Override Green Belt Policy**

The applicant cites Cherwell’s lack of a 5-year housing supply to imply a presumption in favour of development. However, NPPF paragraph 153 confirms that inappropriate development in the Green Belt should not be approved except in Very Special Circumstances (VSC). The “tilted balance” under paragraph 11(d) is disapplied in such cases, as confirmed by Footnote 7. This position is reinforced by case law, which makes clear that Green Belt policy takes precedence. Very Special Circumstances are still required and have not been demonstrated.

## **Prematurity in Light of Local Plan Examination**

The Cherwell District Council Regulation 19 Local Plan is at an advanced stage and due for examination. Approving this application now should be considered premature, especially under NPPF paragraphs 49 and 50, as the proposal undermines plan-making.

## **The Application is Procedurally Premature**

The site is not allocated and was removed from the Reg. 19 Local Plan. Infrastructure and services have not been planned or secured for this site. Approving it would undermine confidence in plan-led development (NPPF paras. 15–17).

## **Undermining Plan-Led Development and Procedural Integrity**

While the site was removed from the Regulation 19 draft of the Cherwell Local Plan 2042, the applicant continues to rely on documents prepared by the Council itself — including the Green Belt Study (2017 and 2022 Addendum) and the Sustainability Appraisal — to support this speculative planning application. This raises a legitimate procedural concern: that sites removed from the public, plan-led process may still proceed through ad hoc application, relying on the same evidence that was not deemed sufficient to support allocation.

Such an approach risks undermining the core principle of plan-led development, which is central to national policy (NPPF paragraphs 15–17). It also shifts the responsibility for development from the structured, consultative Local Plan process to individual planning decisions — which are often less transparent and more vulnerable to inconsistency. This creates confusion for the public, weakens confidence in strategic planning and erodes the credibility of Local Plan decisions.

## **Inadequate Justification and Misuse of Public Benefit**

### **Recreation Strategy Contradicts Planning Justification**

CDC's Leisure team has confirmed the cricket facility is an overprovision. Off-site provision at PR7a or Stratfield Brake would be more appropriate. This directly undermines the core Very Special Circumstances argument for Green Belt release.

### **No Legal or Financial Basis for the Cricket Club Relocation**

The application's justification for delivering a new cricket facility lacks any legal, operational or financial foundation. While the application references a proposed relocation of Kidlington Cricket Club, no supporting evidence is provided to demonstrate that the club is under threat, that it has agreed to relocate or that terms for land ownership or leasehold have been secured. This concern is echoed by the Cherwell District Council Recreation & Leisure consult response, which explicitly notes that no 10-year development plan or long-term operational strategy has been submitted by the club. Furthermore, the proposal lacks any business plan, confirmed funding mechanism or costed delivery programme for the facility. The design remains indicative, with the Recreation & Leisure consult response noting the absence of pitch dimensions and details for the pavilion. These omissions undermine the credibility and deliverability of the proposed community benefit. At the same time, Stratfield Brake — the club's current home — remains active and is identified in CDC's documentation as a recipient of ongoing public investment. In the absence of secured need, agreement, or funding, this element of the proposal cannot be given material weight in the planning balance.

### **The Housing is Disguised as a Sports-Led Development**

Despite the narrative of sports-led benefit, the vast majority of the site is allocated for housing. While the proposal includes two pitches and a pavilion, their footprint is modest relative to the scale of the proposed housing and these facilities are not secured or necessary under any strategic policy.

### **Public Open Space and Community Use Not Guaranteed**

The open space, orchard and cricket ground are not secured by condition or legal agreement. No long-term access, ownership or maintenance plan is provided or any guidance on how it will be delivered included within the application.

## **Infrastructure and Cumulative Impact**

### **Local Cumulative Housing Pressure is Being Ignored**

There is no meaningful assessment of traffic, education, health or infrastructure impact. The proposal does not account for 4,400 homes housing already planned or approved in the immediate area. No mitigation has been secured for additional strain on schools, GP services or transport infrastructure. Thames Water has identified that local supply infrastructure is currently insufficient.

While the NPPF does not refer to cumulative impacts in general terms, it does require (under paragraph 116) that residual cumulative impacts on the road network must be assessed and mitigated and (under paragraph 8) that development should contribute to sustainable communities by ensuring the provision of adequate infrastructure. Paragraph 20 reinforces the need for strategic policies to deliver infrastructure required for housing development.

In the absence of a comprehensive assessment or mitigation strategy, the proposal is premature and risks compounding infrastructure strain in breach of these national policy principles.

### **Lack of Defined and Deliverable Affordable Housing**

No Affordable Housing Statement or tenure mix is submitted. Without a signed S106 agreement, the 50% claim remains speculative.

## **Healthcare Services Are Already Under Strain**

GP surgeries in Kidlington, including The Key Medical Practice and Kidlington & Yarnton Medical Group — already face capacity challenges. National data (ref: <https://www.bma.org.uk/advice-and-support/nhs-delivery-and-workforce/pressures/pressures-in-general-practice-data-analysis>) shows that over 50% of GP appointments in England are not delivered on the day of booking with only 80% delivered within 2 weeks. The application proposes 340 new homes (approx. 850 residents) but includes no mitigation for primary care.

As of the 25th June, no consultation response has been received from NHS Oxfordshire and no healthcare contribution is secured through a Section 106 agreement. This omission fails to meet the infrastructure delivery expectations of NPPF paragraph 20, which requires strategic policies to make sufficient provision for health infrastructure.

## **Education Infrastructure Cannot Support Growth**

The application proposes 340 new homes but includes no mitigation strategy for education infrastructure. As of 25th June, there has been no formal consultation response from Oxfordshire County Council Education and no Section 106 agreement securing contributions for school places. Local schools are already under pressure: North Kidlington Primary is operating at 96% capacity. The Oxfordshire Pupil Place Plan and DfE forecasts confirm that pupil numbers are rising, particularly in areas of housing growth like Kidlington. Without a confirmed strategy or funding for additional places the proposal fails to meet the infrastructure delivery expectations of NPPF paragraph 20 and should be refused or deferred pending resolution.

*reference for North Kidlington Primary school statistics. <https://www.get-information-schools.service.gov.uk/Establishments/Establishment/Details/123025>*

## **Water Supply Capacity Not Yet Secured**

Thames Water identifies insufficient network capacity and requests a phasing condition. Without it, future supply is uncertain.

## **The Development Relies on Vague Infrastructure Promises**

There is no signed S106 agreement. Contributions to sport, education, public transport and open space are undefined and not legally binding.

## **Transport and Access**

### **The Moors is Not Suitable for a Strategic Access Route**

The Moors is the proposed primary vehicular access route to the development. It is currently a residential, two-way street with traffic-calming measures, a 20mph speed limit and a continuous pedestrian footway on one side. It was not designed to carry the level of traffic forecast for a development of this scale.

The Transport Assessment applies a TRICS adjustment factor of 0.544, reducing forecasted peak-hour trips for 340 dwellings to under 90. Without this adjustment the unadjusted figure would be approximately 165 trips — nearly double. No clear justification is provided for applying such a substantial reduction. This method understates the likely impact on The Moors and one that is not fully justified against local car ownership or travel behaviour.

The Moors is referenced in Oxfordshire's Local Cycling and Walking Infrastructure Plan (LCWIP) and shown on the applicant's own documents as part of a cycle-friendly strategic corridor. The introduction of hundreds of daily vehicle movements on this corridor directly undermines that function. It would compromise both the safety and attractiveness of cycling infrastructure, contradicting the travel plan's own claims to support sustainable transport.

There is also no detailed safety audit provided for the junction of The Moors and the A4260, nor is there a clear plan for accommodating this volume of new traffic safely through a traffic-calmed residential area. No evidence is presented to show how increased vehicular movement will be reconciled with existing walking, cycling and school traffic patterns.

The proposal therefore fails to meet NPPF paragraph 116, which requires cumulative impacts on the road network to be adequately assessed and mitigated

### **Conflict with Public Rights of Way (PRoW)**

Two PRoWs (265/15/10 and 265/17/10) cross the site and a third runs along its boundary. There is no diversion order or access plan

## **Environmental and Local Character Concerns**

### **Heritage and Landscape Setting Would be Harmed**

The submitted Landscape and Visual Impact Assessment (LVIA) acknowledges that the proposed development will cause “moderate adverse effects” on the landscape character and visual openness of the site, particularly from nearby sensitive receptors such as St Mary’s Church (Grade I listed) and the Kidlington Conservation Area. This level of harm is significant within the context of Green Belt policy, which places strong weight on the preservation of openness and landscape setting (NPPF paragraph 153).

The LVIA’s own findings suggest that views toward the site from existing heritage features will be altered in ways that reduce rural character and increase perceived urbanisation. This conflicts with the requirements of NPPF paragraph 208, which states that great weight should be given to the conservation of designated heritage assets and their settings.

### **Removal of 39 Trees with No Replacement Schedule**

The Arboricultural Impact Assessment confirms the removal of 39 trees, including Category B specimens. There is no replacement plan or Tree Protection Plan.

### **Drainage Strategy is Incomplete**

The application provides only an illustrative SuDS layout with no infiltration testing, seasonal groundwater monitoring or secured maintenance plan. These omissions mean the drainage strategy cannot be properly assessed, nor can it be relied upon to manage surface water effectively. Thames Water advises that high infiltration risks exist and that the drainage hierarchy must be applied, yet no sequential strategy or discharge route is presented. This fails to meet the requirements of NPPF paragraph 182 which requires sustainable drainage systems in major developments, backed by long-term operational and maintenance arrangements. Until this is addressed, the drainage proposals remain incomplete and non-compliant.

### **Biodiversity Value of Pond and Hedgerows Has Been Underrepresented**

The application does not provide a detailed ecological assessment of the site's pond or hedgerows, despite their likely importance as wildlife habitat and ecological corridors. No condition assessments or protection measures are submitted and the Biodiversity Net Gain calculation uses the outdated Metric 4.0, rather than the statutory DEFRA Metric now required under the Environment Act 2021. The hedgerows are not assessed against Hedgerow Regulations 1997. These omissions suggest that key habitat features have been undervalued and the application fails to demonstrate compliance with NPPF paragraph 187(d), which requires measurable net gains in biodiversity.

## **Community Impact and Wellbeing**

### **Inadequate Community Consultation**

The applicant's consultation does not meet national or local expectations for a major development on protected land. According to their own Statement of Community Involvement, only 677 online visits were recorded and no in-person events were held. The consultation was limited to a website and contact form, which offered little opportunity for meaningful engagement.

The materials focused heavily on the proposed cricket facility, with limited information on the impacts of 340 homes — including traffic, healthcare, education and Green Belt loss. This selective framing risks misleading residents and does not reflect the scale or seriousness of the proposal.

Given the scale of public interest and the irreversible nature of Green Belt development, the minimal consultation undertaken should weigh against the application in the planning balance.

### **Neglect of Existing Residents' Health and Wellbeing**

The application places disproportionate emphasis on the future wellbeing of new residents, yet significantly neglects to assess and mitigate the adverse impacts on the existing community. The introduction of approximately 850 new residents across 340 homes will inevitably exacerbate existing strains on vital local services, including GP surgeries, dental practices, school places and road infrastructure. This pressure will lower the quality of life and make it harder for existing Kidlington residents to access essential services. This directly conflicts with NPPF (December 2024) paragraph 8(b), which requires development to support the health, social and cultural well-being of all communities through accessible services that reflect current and future needs.

### **In Conclusion**

This application presents a range of serious and unaddressed issues — from the misleading representation of Green Belt status and public consultation shortcomings, to under assessed transport impacts and insufficient infrastructure mitigation. It fails to comply with multiple provisions of the National Planning Policy Framework (December 2024), including sustainable development objectives, health and infrastructure policies and the protection of designated land.

The proposal does not demonstrate the Very Special Circumstances required to justify development in the Green Belt and key technical assessments rely on assumptions that are poorly evidenced and not locally validated. Public engagement has also been narrowly focused and lacked the transparency expected for a development of this scale.

For these reasons, I strongly object to the proposal and urge the local planning authority to refuse permission in the interests of policy integrity, landscape protection and community wellbeing.

Kind Regards

Chris Cordell