

Date 25 September 2017
Our Reference DCEA1/DCEA1/JAP122/1531
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Knights
1759

Planning Committee, Cherwell District Council
Bodicote House
Bodicote, Banbury
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Dear Sirs,

Land East of Larsen Road, Upper Heyford, 15/01357/F

We are writing in response to Eversheds Sutherland's letter of 29 August 2017 making further comments on the above application on behalf of Heyford Park Settlements LP (HPS); and repeating (at some length) their argument that the above application should not be determined by Committee at this stage as a Master Plan for the wider allocation does not yet exist and infrastructure contributions are not yet finalised.

We would respectfully suggest that the opinion of the Council's planning officers is to be preferred to that of HPS and that it is both appropriate and entirely reasonable that the Committee should be recommended to approve this application in principle at the forthcoming meeting on the basis that the details of the planning obligation package (through which this development will contribute to the infrastructure required to serve the scheme as a whole) will be negotiated subsequently as both the Council and Oxfordshire County Council clarify details of the comprehensive infrastructure requirements across the allocated sites¹.

The position is straightforward. The application site is allocated for development in the Local Plan.² The policy which governs its development is Policy Villages 5;³ and at para 8.9 of the Committee Report officers confirm that in principle this application broadly conforms with that policy.⁴

In their comments on the original submission HPS rely on the sequential approach preferred in a Statement of Common Ground. The latter specifically related to evidence developed as part of the then emerging local plan. Now that the Local Plan has been formally adopted that evidence is out of date

¹ As envisaged at para 9.3 of the Committee Report

² See paras 8.3 and 8.8 of the Committee Report.

³ At page 17 of the Committee Report officers confirm that the principle of the construction of 77 homes on the application site is supported by policy.

⁴ See also paras 8.19 and 9 of the Committee Report

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and the Statement of Common Ground carries no weight. Policy Villages 5, significantly, does not require the development of brownfield before greenfield land⁵.

Moreover, Policy Villages 5, while requiring a comprehensive integrated approach, does not require a Master Plan⁶ and indeed the Council is no longer pursuing the production of a Master Plan jointly with HPS. What is crucial is that the Council as local planning authority is satisfied that the application site can be satisfactorily integrated with the neighbouring development and will contribute appropriately to the infrastructure required to serve the scheme as a whole.

The applicant has demonstrated that the application site can be satisfactorily integrated with the neighbouring development⁷; and understands the need for a Section 106 agreement covering the comprehensive infrastructure requirements. The applicant is willing to agree fair and equitable contributions to wider goals before planning permission is actually granted.

The Committee is requested to approve this application in principle. This will give both the applicant and the landowner (who have waited patiently for over two years) confidence that permission will be granted once agreement on the planning obligation package has been reached. If for any reason agreement on the nature or level of contributions cannot be reached, the permission will not be issued and the application can be taken back to Committee.

Yours faithfully



Knights

⁵ This is confirmed by officers at para 8.18 of the Committee Report

⁶ This is confirmed by officers at page 18 of the Committee Report

⁷ See eg para 8.14 of Committee Report