

Cherwell District Council

Planning Committee

16 June 2022

Development Brief for Local Plan Partial Review site PR7a – Land at South East Kidlington

Report of Assistant Director - Planning and Development

This report is public.

Purpose of report

To seek the Planning Committee's approval of the Development Brief for Local Plan Part 1 Review allocated site PR7a – Land at South East Kidlington.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Development Brief for site PR7a (Land at South East Kidlington) of the Cherwell Local Plan 2011-2031 Partial Review, presented at Appendix 1 to this report.
- 1.2 To authorise the Assistant Director - Planning and Development to publish the Development Brief subject to any necessary presentational or other minor corrections in consultation with the Chairman.

2.0 Introduction

- 2.1 The Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need was adopted on 7 September 2020, effectively as a supplement or addendum to the adopted Cherwell Local Plan 2011-2031, and forms part of the statutory Development Plan for the district.
- 2.2 The Partial Review Plan provides a vision for how Oxford's unmet housing needs will be met within Cherwell, which seeks to respond to the key issues faced by Oxford in providing new homes, in addressing the unaffordability of housing, in supporting economic growth and in dealing with its land supply constraints.
- 2.3 The Partial Review Plan allocates land to deliver 4400 houses across six sites:
 1. Land East of Oxford Road, North Oxford (policy PR6a) - Gosford and Water Eaton Parish
 2. Land West of Oxford Road, North Oxford (policy PR6b) - Gosford and Water Eaton Parish

3. Land at South East Kidlington (policy PR7a) - Gosford and Water Eaton Parish
 4. Land at Stratfield Farm Kidlington (policy PR7b) - Kidlington Parish
 5. Land East of the A44 at Begbroke/Yarnton (policy PR8) - Yarnton and Begbroke Parishes (small area in Kidlington Parish)
 6. Land West of the A44 at Yarnton (policy PR9) - Yarnton and Begbroke Parishes
- 2.4 For each of the six sites, the Local Plan policy includes a requirement for the application to *“be supported by, and prepared in accordance with, a comprehensive Development Brief for the entire site to be jointly prepared and agreed in advance between the appointed representative(s) of the landowner(s) and Cherwell District Council”*. It further states, *“The Development Brief shall be prepared in consultation with Oxfordshire County Council and Oxford City Council”*.
- 2.5 The development brief will then be a material consideration in the determination of any future planning applications for the site to which it relates. They will inform developers in progressing their proposals and this committee in determining future planning applications.
- 2.6 Further to the Partial Review Plan’s requirement, Development Briefs are being prepared for each of the six sites. The first two, relating to sites PR7b and PR9, were approved by Planning Committee in December 2021. The third, here presented, relates to site PR7a.
- 2.7 Design consultants appointed by the Council have prepared the brief working with officers and with the benefit of input from technical consultees, stakeholders (including Oxford City Council) and public consultation. This report presents the proposed, final brief for approval and in doing so explains how it meets the objectives and policy requirements of the Partial Review Plan.
- 2.8 The Development Brief has been the subject of public consultation, for six weeks from 26 January to 8 March 2022. This report summarises the representations received and explains what changes have been made in response.

3.0 Report Details

- 3.1 Policy PR7a of the Partial Review of the Local Plan relates to land to the south eastern edge of Kidlington, bounded by Oxford Road (A4165) to the south-west, the A34 to the east, Water Eaton Lane to the north-east and Bicester Road to the west. The site is currently in agricultural use, comprising two pastoral fields and two arable fields, with established hedgerows and occasional trees along the field boundaries. The site’s central field is indented by a cemetery and includes a small car park with vehicular access off Bicester Road. To the south-west of the site, on the western side of the Oxford Road, lies the Stratfield Brake recreation ground containing playing fields.
- 3.2 The site is allocated for 430 homes on 21 hectares of land, of which 50% is required to be affordable housing. There are policy requirements for 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, provision for play areas and allotments to

adopted standards within the developable area; and contributions towards community facilities.

3.3 The Development Brief sets out its background, purpose and status, its structure and the community involvement that has taken place (Chapter 1); the strategic vision and context, the role of the site, its economic relationships and movement corridors (Chapter 2); the planning policy context, spatial context and the site's attributes (Chapter 3); a site appraisal including opportunities and requirements (Chapter 4); the vision and objectives for the site (Chapter 5); then the development principles (Chapter 6); and closes with a section on delivery and monitoring (Chapter 7).

3.4 Preparation of the Development Brief included review of baseline information and the planning policy context, preparation and agreement of the scope for the Brief, identification of opportunities and constraints, workshops to establish the vision, the principles concerning movement, water management, landscape, biodiversity, heritage and archaeology, and subsequent workshops and one to one engagements with technical consultees including the preparation of parameter plans, review of early drafts of the Brief and discussion with the site promoters.

3.5 The vision for Land at South East Kidlington, set out in Chapter 5 of the Brief, is as follows:

'The development site will become an extension to Kidlington that will be fully integrated and connected with the surrounding built environment. It will provide an attractive residential neighbourhood, with high quality, publicly accessible and well-connected green infrastructure and a modern, highly functioning outdoor sports facility. The development will maximise opportunities for walking, cycling and wheelchair use and will connect to sustainable movement routes towards Oxford Parkway Station, Kidlington, Oxford and Begbroke and existing footpaths.'

3.6 Each Partial Review policy sets out a detailed list of required elements for the Development Brief. There are common elements to each site, for example:

- A scheme and outline layout for the delivery of the required land uses and associated infrastructure,
- Protection and connection of existing public rights of way (where applicable) and an outline scheme for pedestrian and cycle access to the surrounding countryside,
- Design principles which seek to deliver a connected and integrated extension to the adjacent built settlement,
- Outline measures for securing net biodiversity gains informed by a Biodiversity Impact Assessment, and
- An outline scheme for vehicular access by the emergency services.

3.7 Policy PR7a sets out the following particular requirements for inclusion in the Development Brief:

- The site for the cemetery extension
- Points of vehicular access and egress from and to existing highways
- An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site, to the built environment of Kidlington, to Oxford Parkway Railway Station and Water Eaton Park and Ride, to enable the crossing

of Bicester Road, to achieve public accessibility between the residential development and the land for formal sports, and to existing or potential public transport services

- Design principles which seek to deliver a connected and integrated extension to Kidlington while being sensitive to the historic development pattern of Water Eaton Lane
- An enhanced area of woodland along the south-eastern boundary of the site and the establishment
- The maintenance and enhancement of tree lines and hedgerows.

- 3.8 The Development Brief for PR7a sets the development framework for the site. The parameters for the brief are established by the Local Plan. The brief is intended to provide additional detail to help implement the Local Plan policy and guide the preparation and consideration of applications for planning permission. The brief comprises guidance and not new policy.
- 3.9 The Brief provides a scheme and outline layout for delivery of the required land uses and associated infrastructure. There is no material change in the extent of the residential area between the policy map for the site (page 112 of the Partial Review Plan) and the development framework plan (page 24 of the draft Development Brief). There is no change to the site area.
- 3.10 In common with all Partial Review site policies, Policy PR7a allows for the consideration of minor variations in the location of specific land uses where evidence is available. That said, there are no such variations in this Development Brief.
- 3.11 The Development Brief for PR7a provides an outline scheme for vehicular, cycle, pedestrian and wheelchair connectivity within the site, for pedestrian and cycle access to the surrounding countryside, and for vehicular access by the emergency services. The Brief identifies two vehicular access points to/from Bicester Road, three separate pedestrian/cycle crossing points over the Bicester Road and one additional bus stop. It also provides outline measures for securing net biodiversity gains, provides for the maintenance and enhancement of existing tree lines and hedgerows. It also sets out the requirement for three equipped areas of play across the development – one combined local equipped area of play (LEAP) / neighbourhood area of play (NEAP) / multi use games area (MUGA) in the southern part of the developable area, one combined local area of play (LAP) / LEAP) in the central part of the site and an additional LAP at the very northern edge of the developable area near Beagles Close.
- 3.12 The Development Brief for PR7a sets the design principles for the site, which seek to deliver a connected and integrated extension to Kidlington while being sensitive to the historic development pattern of Water Eaton Lane.
- 3.13 The Brief requires the majority of the built form to be 2 - 2.5 storey houses. “2.5 storeys” means a two-storey eaves with accommodation in the roof, achieved through a combination of dormers and rooflights. This is distinct from the 2 - 3 storeys which is permitted on plots fronting the main roads through the site and plots fronting the Bicester Road (except for the block immediately south of the cemetery). The outline layout for the site sets out the positions of key frontages for buildings. These are labelled ‘indicative’ but importantly show no frontages facing towards existing

properties on Water Eaton Lane or Beagles Close – development adjacent to these neighbours will need to be ‘side-on’ or gardens to new dwellings.

- 3.14 The Development Brief also sets out development principles in relation to green spaces and community uses, including the cemetery extension, allotments towards the southern end of the developable area, and the new public park which will front Bicester Road in the central/southern part of the site.

Consultation

- 3.15 The brief was published for public consultation from 26 January to 8 March 2022 by way of advertisement on the Council’s website, emails directly to parish councils and technical consultees, and invitations to parish councils to a virtual meeting to raise or seek or clarification on particular matters. A total of 12 representations were received. The representations have been made publicly available alongside this report and a schedule containing a summary of each and officer responses is provided at Appendix 2. A precis is provided below.

SUMMARY OF REPRESENTATIONS

Gosford and Water Eaton Parish Council

- 3.16 The comments raised from Gosford and Water Eaton Parish Council are summarised as follows:
- Buildings backing onto Water Eaton and Beagles Close should be two storeys to match the character of the housing on these roads. Would like the distance of the new housing to be as far back away from the boundaries of existing dwellings as possible so they are not overlooked, lose privacy or lose light.
 - Would like to see solar panels on properties with south facing roofs and place taller buildings to the north of the lower building to increase the light on properties.
 - Facilitate safer passage for walkers and cyclists to cemetery from inside development and leisure area must be able to be used for all residents not just for sports users.

Kidlington Parish Council

- 3.17 The comments raised by Kidlington Parish Council are summarised as follows:
- Would prefer cemetery extension to be sited to the east and to have the cemetery open to the residential road passing north south. Concerns on how site will be left and on existing trees and access routes in relation to surrounding development and existing cemetery.
 - Believes emphasis is required on the importance of effective drainage over the site. Experience shows water levels can be high in winter so would like assurances that any proposal will be robust in dealing with drainage and avoid any impact on properties in Water Eaton Lane and Beagles Close.
 - Advised that temporary allotments abandoned due to waterlogging. Would prefer allotments to be integrated into the area near the sports pitches within the developable area. Would strongly object to attempt to move allotments out of developable area and into the Green belt because this would reduce the

attractions of the remaining Green Belt area, as a vital residue of the Kidlington gap.

- Wants clear links between green spaces throughout the site
- Would like to see a pelican crossing on the Bicester Road and would like to see a wider proposal of 20mph speed limit in all primarily residential roads across Kidlington.
- Considers there is a need for an artificial pitch and this may be a suitable location.
- Only minimal text provided on affordable housing and believes this should be emphasised more in accordance with the principles set out in the Partial Review.

Members of the Public

3.18 The comments raised from members of the public are summarised as follows:

- Increase in NO2 emissions along the Bicester Road and additional traffic along local roads. Also damage to environment through extra traffic and car park for formal sports ground with addition to possible Stratfield Brake development
- Flooding issues at Cemetery and Beagles Close and site close to flood plain and River Cherwell. Are any flooding mitigation and drainage issues to be implemented?
- Pedestrian links required from PR7A to PR6 where primary school is proposed to encourage walking school run instead of using a car.
- Pressure created on local facilities like schools, doctors and hospitals
- Improve cycling and walking provision for Kidlington-Summertown-Oxford route and have completely separate walking and cycling infrastructure.

Site Promoter Pegasus on behalf of Barwood

3.25 The comments raised by Barwood on the consultation version of the development brief are as follows:

- Allotment location – Barwood has advised it wishes the land to the south of the allocation site which is within green belt to be the location for the allotments. The Brief mentions existing allotment provision to east of cemetery; however, these no longer exist
- Cemetery extension land – agreement between Barwood and Hill (promoter of northern part of site) that the cemetery extension land required by policy is accommodated in land controlled by Hill
- Planning application strategy & securing comprehensive development – the Brief could go further in recognising and acknowledging that the site will be subject to two planning applications from each of the respective landowners
- Biodiversity net gain – requests removal of the reference to 10% net gain as the legal requirement is not yet in place.
- Environmental Impact Assessment (EIA) – the Brief should be updated to show that a Screening Opinion has been issued by Secretary of State on 11 October 2021 that confirms the proposal is not EIA development

- Playing pitch provision - It is not the responsibility of the developers of PR7a to meet existing sports pitch deficiencies, and whilst they are willing to make land available to address this need, the provision will need to be funded externally. The Development Brief should provide flexibility on this issue
- Disagrees with the level of playing pitch provision set out in the development brief
- Would like the blue infrastructure requirements (section 6.5.3) to include the words “wherever possible”

Environment Agency

- 3.26 No comments provided as the brief itself would not form part of the statutory development plan.

Avison Young on behalf of Oxford Aviation Services Ltd (Owner of Oxford Airport)

- 3.27 Would prefer that the development brief sites were not developed for noise sensitive uses like residential. Onus on developers to ensure that suitable noise conditions are created for future occupiers that accounts for the existing noise constraints associated with aircraft movements. Recommends planning permission is subject to Section 106 obligations that require developer(s) to formally notify future purchasers in writing of the existence of flight paths that cross the sites.

Scottish and Southern Electricity Networks

- 3.28 No comments; had already commented in 2019 at the time of the Cherwell Local Plan Partial Review.

Summertown and St Margaret’s Neighbourhood Forum

- 3.29 The comments raised from Summertown and St Margaret’s Neighbourhood Forum are summarised as follows:
- Disappointed the Brief does not seem to take the opportunity to provide a 21st century development in terms of high-quality design and low carbon development
 - Due to proximity of all development brief sites, the Forum suggests there should be an overarching planning framework to ensure the sites are developed in coordination with clear timescales, phasing, and infrastructure provision (for example traffic, public transport, cycling and pedestrian planning) to secure an integrated approach
 - New developments should provide adequate compensation in terms of development quality and environmental protection in and around these sites to reflect the scale of loss of the green belt
 - Opportunity to create an innovative delivery mechanism - a public/private partnership to deliver these schemes and capture land value, comprising opportunities for community land trusts and community participation in protecting and managing the environment.

Oxfordshire County Council

3.30 The County Council's comments are:

- Since production of the draft development brief a proposal has been put to the County Council as landowner for Stratfield Brake by Oxford United Football Club to consider the potential to lease the land at Stratfield Brake. Response sent prior to cabinet meeting on making decision but they advise that this should be brought to the attention of the Planning Committee when making a decision on the development brief.
- Development Brief should set out enhancement and beneficial use of the Green Belt land in the allocation will be achieved.
- Advises as to certain additions to the text and outlines some typographical errors and advised of certain additions and amendments to the text of the development brief regarding strategic planning, transport development control, education and lead local flood authority sections

Berkshire Buckinghamshire Oxfordshire Wildlife Trust ('BBOWT')

3.31 BBOWT's comments are:

- Concerns that there is no natural green space proposed for the development as all of it will be formal sports facilities and informal parkland. Believes believe that an area of around 16 ha of green space should be provided within site 7a, some of which should be natural green space managed for wildlife.
- There should not be public access across the entire area of the green infrastructure to achieve a net gain in biodiversity. There should therefore be informal recreation along a network of paths and openly accessible spaces included within a mosaic of areas that are closed off by appropriate use of hedgerows, screens, fencing and ditches.
- Scale of development proposed should be matched by large-scale habitat restoration and enhancement and concerns as to the impacts of the developments on wildlife.
- Welcomes submission of a Biodiversity Impact Assessment to be submitted as part of planning applications.

Officer Response to Representations

3.32 Responses to the representations made are included in the summary schedule at Appendix 2. Several comments relate to matters which either relate to the principle of development – which has already been set in the adoption of the Local Plan – or to matters relevant to the planning application. Where this is the case it has been noted as such in Appendix 2. In certain cases, specific comments have been made by respondents which are not been taken forward in the final Development Brief – where this is the case explanation is provided in the summary schedule at Appendix 2 and further coverage is provided in the paragraphs following this one. Officers are pleased to recommend to planning committee that some minor changes are made to the text of the Development Brief as set out later in this report.

3.33 In response to comments by London Oxford Airport:

- We note the comment that development of the Partial Review sites will introduce new receptors into a potentially noisy environment and that in accordance with 'agent of change' principles the existing airport use must not be prejudiced by this. However, the site has been allocated in the Development Plan for residential development.
- The need for detailed noise surveys and associated assessment work will be a relevant matter for planning applications for the site
- There is a need for consistency across the development briefs and those for PR7b and PR9 did not include reference to the need for developers to formally notify future purchasers in writing of the existence of flight paths that cross the sites. Nevertheless, insofar as this is a relevant point it will be picked up at the planning application stage.

3.34 In response to comments by BBOWT:

- Parts 10-12 of Policy PR7a set out the detailed biodiversity requirements for the site
- We note the comment regarding the potential for light pollution and the need to consider lighting strategically and to manage and mitigate the effects of potential light pollution arising from the development. This will be an important consideration for planning application proposals.
- In relation to the management of green infrastructure and an endowment fund, it is important there is consistency across the development briefs and this text was not included for PR7b and PR9.
- Matters relating to the impact of development on protected species of wildlife and to off-site compensation (also raised by Summertown and St Margaret's Neighbourhood Forum) will be relevant considerations for the planning applications but do not require amendment of the Development Brief
- We note the points made in relation to zoning and a hierarchy of access levels of the green areas. The Partial Review identifies other sites where nature conservation is the priority but for PR7a the allocation is for formal sports and green infrastructure. It may be that the BIA and BIMP may lead to areas needing to be protected to meet the requirements of Policy PR7a but this information has not been available to inform preparation of the brief, and would need to be determined at the planning application stage.
- We also note the points made in relation to biodiversity features, green roofs, wildlife connectivity and raising community awareness. With regard to green roofs, they are mentioned at Section 6.0 ("The scheme is to include provision of in-built bird and bat boxes, wildlife connectivity between gardens and the provision of designated green walls and roofs where viable") and further text is not considered necessary.
- Given that the PR7a site is 32 hectares and that 21ha is allocated for residential development it wouldn't be possible for 16ha of green space to be provided at the site. The remaining 11ha will be for provision of "formal sports facilities for the development and for the wider community and green infrastructure within the Green Belt".

3.35 In response to comments by Gosford and Water Eaton Parish Council:

- The detailed siting of solar PV panels and the extent to which they are provided will be a relevant consideration for planning applications at the site
- The 11ha for non-residential development is required by Policy PR7a to be provided for green infrastructure in addition to formal sports facilities, i.e. within the 11ha area both elements will need to be provided. At page 47, it is stated that 4ha of the 11ha will be formal sports facilities, with the other 7ha comprising an enhanced area of woodland, new woodland planting and informal public parkland.
- With regard to the distance between new housing on PR7a and the boundaries of existing houses on Water Eaton Lane and Beagles Close, separation distances are required to be at least 22 metres. It would be appropriate to seek greater distances given the extent of the change that neighbours would experience, and where there is a difference in height between proposed buildings and the neighbours (e.g. 4 additional metres per storey difference), but in some instances it may not be possible to insist on greater distances.
- We note the comment regarding the increased land value realised by landowners through allocation of these sites and the need to mitigate the impacts of development on existing land users, neighbours and infrastructure. The Summertown and St Margaret's Neighbourhood Forum has made the same point. This will be a matter for detailed consideration at the planning application stage and Appendix 4 of the Local Plan Partial Review ('LPPR') sets out infrastructure requirements.
- We note the comment regarding the need to maintain the green infrastructure separate from the formal sports provision, the need to maintain the gap between Oxford and Gosford/Kidlington, and regarding retention of all existing hedgerows and trees, but don't consider there to be a requirement for the Development Brief to be amended in these regards.
- The need for development to safeguard the amenities of neighbouring residents is noted and will be a matter for detailed consideration at the planning application or Reserved Matters stage.

3.36 In response to comments by Summertown and St Margaret's Neighbourhood Forum:

- We note the request to be consulted on the progress of the development briefs and on future planning applications at the site.
- We note the comment regarding the opportunity for the site to be of high quality design and a low carbon development. The objectives of the Development Brief include to provide comprehensive development of the site, to require high quality design, and to require traffic calmed safe neighbourhoods. Each Development Brief sets out a vision for the respective site.
- We note the comment regarding the need for an overarching planning framework to ensure the sites are developed in coordination with clear timescales, phasing and infrastructure provision to secure an integrated approach. This is one of the roles of the development briefs, i.e. to hold each development to the same standards. In addition, Appendix 4 of the LPPR sets out the infrastructure requirements for all of the sites.

- Loss of Green Belt - The principle of development has been established through the adoption of the Plan. Appendix 4 of the LPPR sets out the infrastructure requirements across the PR sites; these would be funded by the site developers. Housing - 50% must be Affordable Housing; green belt land has been released for housing on the basis of meeting Oxford's unmet need; Policy BSC4 of the Local Plan requires an appropriate housing mix and provision on sites of this size for extra care, and encourages the provision of specialist housing for older and/or disabled people and those with mental health needs. Impacts re traffic, trees, biodiversity, etc. - this will be a matter for the planning application assessment.
- We note the comment that leaving design, sustainability and infrastructure requirements to Section 106 agreements alone brings risk. However, Section 106 agreements will take precedence over and have more weight than the development brief. Development of the site will be required to conform to the LPPR requirements. The development briefs are intended to guide landowners/developers as to how the site(s) should be developed.
- We note the comment made in relation to self-build and their success at Graven Hill. However, there is no planning policy requirement for the provision of self-build as part of the development.

3.37 In response to comments raised by members of the public:

- The objectives of segregating traffic are captured in the development brief. It will be a matter for the planning application assessment to ensure these objectives have been met with the proposed development.
- The comments regarding the design of the Kidlington roundabout are noted; however, this is beyond the remit of the development brief as it falls outside the site. The development brief is not able to require more than the Local Plan policy.
- In relation to comments made concerning the vehicular access points, the overall amount of traffic generated by this development would be the same irrespective of whether there are one or two accesses. It is a better urban design and highway solution to have two accesses, and this is a requirement of the policy for the site.
- We note the comments in relation to the traffic impacts of the development and increased nitrous oxide emissions along Bicester Road. Beyond matters relating to the principle of development which has been set by the allocation of the site in the Development Plan, any necessary mitigation will be a matter for the planning application.
- The routes taken by construction traffic will be a matter for consideration at the planning application stage.
- We note the comments regarding the proposed provision of a car park for users of the formal sports facilities. Although alternative modes of transport will be encouraged and promoted, one can expect a proportion of uses to arrive by car. It would be better to accommodate car parking in a safe way rather than it become ad hoc through the residential part of the development and on surrounding roads.
- Any detailed flood risk mitigation necessary will be a matter for the planning application(s) and, if and when applications are approved, for monitoring and enforcement.
- Appendix 4 of the LPPR sets out the infrastructure requirements for all of the sites

3.38 In response to comments raised by Barwood:

- It does not seem imperative to state that there will be two (or four) applications. The requirements of paragraph 7.2 will apply irrespective of the number of parcels, landowners and/or applications. Para 3.2.1 notes that there are two land promoters.
- The comments regarding 10% biodiversity net gain are noted. However, the statements at para 47 are factual and do not in themselves stipulate a requirement, and there is no need for the development brief to be amended in this regard.
- Infrastructure requirements are set out in Appendix 4 of the LPPR. The Playing Pitch Strategy identifies the need as 4ha of pitch provision. The strategy is currently being updated, with completion scheduled for November. There is no justification at the present time for the development brief to be amended.
- Whilst the current requirement exceeds the adopted standards for provision this is consistent with the approach to other Partial Review sites, with significant green infrastructure provision being required in part as compensatory improvements to the Green Belt (environmental, quality and accessibility) following Green Belt release. The provision on PR7a is also in part meeting the needs arising from the other PR sites - we agree that necessary and proportionate contributions will need to be sought
- We have discussed with the local highway authority the comment regarding a secondary emergency access point for the Barwood site in the event it comes forward before the Hill development. The LHA agrees but does not consider the development brief requires amendment in this regard.
- It is considered that in the context of the green infrastructure requirements it is appropriate to encourage and aspire to the provision of green walls and roofs.
- In relation to blue infrastructure, the addition of the words “wherever possible” would remove the teeth of the requirement.

3.39 In response to comments raised by Kidlington Parish Council:

- We note the comments made in relation to drainage, the layout of the cemetery extension and detailed proposals for access, as well as public transport links, and speed limits within the development. Beyond what is already included in the development brief in this regard, these will be matters relevant to consideration of planning applications for the site and do not require changes to be made to the development brief.
- We note the concerns regarding connectivity re the green link around Kidlington but upon detailed review it is considered these concerns are addressed in the Development Brief as written
- We also note the comments regarding the detailed design of pedestrian crossing of the Bicester Road. This will be relevant to consideration of planning applications for the site and does not require change to be made to the development brief.
- We note the comments regarding an astro turf pitch and provision of the pavilion; the Council’s communities infrastructure team advises there is no evidence of need for an ATP surface at the site. The requirement as set out in Appendix 4 of the LPPR is for 2x 3G football pitches and 1x cricket ground. CDC will project

manage the construction of new pitches and pavilion in conjunction with local stakeholders.

- We note the comments made in relation to affordable housing provision. We consider this not to be a matter for the development brief but for detailed consideration as part of the assessment and determination of future planning applications for the site.

3.40 In response to comments made by OCC:

- The Development Plan requirement for specialist housing stands irrespective of whether it is reiterated in the development brief.
- The Stratfield Brake proposals do not form part of the Development Plan and at the present time no application for planning permission has been received. It can therefore not be a consideration in the preparation of the Brief.
- With regard to digital infrastructure, innovation, sustainable construction, future transport modes and also the Local Transport and Connectivity Plan, the requested text was not included for PR7b and PR9 and it is important there is consistency across the development briefs.
- For the same reasons the requested changes re car parking provision, cycle parking and the Oxfordshire Street Design Guide have not been made.
- Comments made in relation to education, vehicular access points, drainage attenuation and biodiversity are all noted, but are considered not to require further amendment of the development brief.

Summary of Changes

3.41 In response to a comment by Berks, Bucks and Oxfordshire Wildlife Trust, the biodiversity requirements set out on page 50 of the Brief have been amended to emphasise the importance of wildlife connectivity.

3.42 In response to comments by Gosford and Water Eaton Parish Council,

- Figure 17 and other diagrams have been amended to show the connection into the cycle way on the eastern side, and to reference an entrance to the cemetery from within the development; the text at 6.4.3 has been amended to reference the proposed connection
- The position of the northern LAP has been moved northward/north-westward, north of the area at risk of flooding, with Figure 13 and other amended accordingly
- While the text already notes that smaller trees should be planted where overshadowing needs to be minimized, the 5th bullet point on page 50 has been amended to include reference to planting larger trees where overshadowing will not impact on properties
- Officers agree with the comments made about the development block adjacent Water Eaton Lane; figure 15 has been amended to show 2-2.5 storeys immediately adjacent to Water Eaton Lane; the 4th bullet point at paragraph 6.3.2 has been amended to reference the requirement for 2-2.5 storeys adjacent to Water Eaton Lane where existing plots are shallower
- Officers agree with the principle of placing taller buildings to the north of the lower buildings to increase light and warmth from sunlight to all properties, but consider

it not appropriate to make this a stipulation given the potential impact on dwelling numbers and other development principles

- The 11ha of land for non-residential development is to provide formal sports facilities and green infrastructure; 4ha will be for formal sports facilities, with the other 7ha comprising an enhanced area of woodland, new woodland planting and informal public parkland

3.43 In response to comments by Kidlington Parish Council,

- officers agree that the allotments should be in the developable area as required by Policy PR7a and, noting the comments made by the parish council regarding the waterlogging of the temporary allotments at the rear of the cemetery, the allotments provision has been relocated towards the southern edge of the developable area; figure 13 and others have been amended to indicate allotments to the north of the sports pitches; residential development shown on land to the south of the existing allotments; the text of report at sections 6.3.1, 6.4.2, 6.4.6, 6.5 has been changed to reflect new proposed location for allotments

3.44 In response to comments by Pegasus on behalf of Barwood,

- The allotments did benefit from temporary consent but we note they are no longer in operation for the reasons given both by Pegasus and Kidlington Parish Council, and references to existing allotments have been changed to former allotments throughout the Brief
- Policy PR7a requires the allotments to be provided within the developable area and therefore it would not be appropriate to locate them in the 11ha required for formal sports facilities and green infrastructure; they have instead been placed immediately to the north of the latter in the southern end of the developable area
- Figure 13 and others have been amended to show the cemetery expansion to the north of the existing cemetery, and the text throughout the Brief has been amended to reflect the northern location
- The text at page 50, 4th bullet from the end, has been changed from “to be agreed with OCC” to “to be agreed by Cherwell District Council in consultation with OCC”
- We note the comment re the purposes of the sports clubhouse and the text of section 6.5.2 and 6.6 has been amended to identify that the sports pavilion may also be put to community use, and that the club room to have a joint community meeting room function - with the caveat that such use does not preclude the sports provision need from being met
- Section 7.1, page 59 has been amended to reflect the fact that the screening opinion has been issued, confirming that development of this site is not EIA development.

3.45 In response to comments by Oxfordshire County Council,

- The text of section 6.5 has been amended, but reference to land outside the allocated boundary has not been included as this is outside the remit of the development brief
- Reference to the aggregate rail depot has been added to figures 9 and 11, section 3.2.4 and 4.1

- The text at 3.1.1 has been amended to refer to the timing of provision of supporting infrastructure and facilities
- Various minor edits have been made to the text, including in relation to the promotion of health and wellbeing, cycle parking, cycle route connectivity, and the lead local flood authority.

4.0 Conclusion and Reasons for Recommendations

- 4.1 Overall, officers are happy to conclude that the Development Brief for the site accords with Policy PR7a and the vision and objectives for the site, and that it provides an appropriate framework for the development of the site – adherence to the Brief will be important in achieving an acceptable form of development.
- 4.2 It is recommended that the planning committee approves this Development Brief as a framework for the development and delivery of site PR7a - Land at South East Kidlington and that it will be a material consideration in the determination of any future planning applications for the site.

5.0 Consultation

Councillor Colin Clarke - Lead Member for Planning (briefing only)
Councillor George Reynolds, Chairman – Planning Committee (briefing only)

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to endorse the Development Brief. Since Policy PR7a requires the planning application for the site to be supported by and prepared in accordance with a Development Brief, this option would require a new Brief to be prepared, adding significant expense for the Council and delaying delivery of the development.

Option 2: To request further significant changes to the Development Brief. Officers consider that the final brief presented to Members represents an appropriate response to Local Plan policy and will assist in achieving high quality development. This option would also delay the determination of any planning application and may require further public consultation, thereby creating uncertainty.

7.0 Implications

Financial and Resource Implications

- 7.1 External work on the development briefs is being funded by the respective site promoters through Planning Performance Agreements but controlled directly by Council officers. Costs for internal work are included in existing budgets.

Comments checked by:

Janet du Preez, Finance Business Partner – Finance & Procurement

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Legal Implications

- 7.2 The purpose of the development brief for site PR7a is to identify how national and local policy requirements and guidance will be applied to achieve high quality sustainable development at this location. Once approved by the Council the brief will be a material consideration in the determination of future planning applications at the site.

Comments checked by:

Donna Lee, Planning Solicitor

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Risk Implications

- 7.3 The relevant Local Plan policy requires a Development Brief to be produced. Whilst not a reason for approval, not approving the brief may require re-consideration of the Planning Performance Agreement with the respective promoter. This and any other arising risks are monitored through the service operational risk and will be escalated to the Leadership Risk Register as and when required.

Comments checked by:

Celia Prado-Teeling, Assistant Director – Customer Focus

Tel. 01295 221556

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Equality & Diversity Implications

- 7.4 The proposed brief supports Local Plan policy that has been the subject of Equalities Impact Assessment and has been reviewed in line with this report. As there are no new impacts arising from this report, no new mitigations are required.

Comments checked by:

Celia Prado-Teeling, Assistant Director – Customer Focus

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8.0 Decision Information

Key Decision

Financial Threshold Met: N/A

Community Impact Threshold Met: N/A

Wards Affected

Kidlington East

Other wards affected by Partial Review sites: Kidlington West

Links to Corporate Plan and Policy Framework

Business Plan Priorities 2021-2022:

- Housing that meets your needs
- Leading on environmental sustainability
- An enterprising economy with strong and vibrant local centres
- Healthy, resilient and engaged communities

Document Information

Appendix 1: Development Brief – Land at South East Kidlington

Appendix 2: Summary of representations and officer responses

Background papers

Cherwell Local Plan 2011-2031 Partial Review:

<https://www.cherwell.gov.uk/info/83/local-plans/215/adopted-cherwell-local-plan-2011-2031-part-1-partial-review---oxfords-unmet-housing-need>

Report Author and contact details

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