

Cherwell District Council

Planning Committee

8 September 2022

Development Brief for Local Plan Partial Review site PR6b – Land West of Oxford Road, North Oxford

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 PR6a – Land West of Oxford Road, North Oxford.

1.0 Recommendations

The meeting is recommended:

- 1.1 To approve the Development Brief for site PR6b (Land West of Oxford Road, North Oxford) 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 and the third was approved by Planning Committee in June 2022. Along with that for PR6a, the Brief for site PR6b is presented here at the September Planning Committee.
- 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 PR6b of the Partial Review of the Local Plan relates to land to the north of Oxford city and the suburb of Cutteslowe. The site, 32ha in total, is bounded by the A4165 (Oxford Road) to the east and the railway line to Oxford to the west. The site comprises a golf course and contains groups of trees, woodland, hedgerow and a pond. The site is located in close proximity to Oxford Parkway Station and is accessed from Oxford Road. The site generally falls from, a high point in the centre towards each of its boundaries. The ploughed remains of a round barrow are located in the central, southern portion of the site.
- 3.2 The site is allocated for 670 homes on 32 hectares of land, of which 50% is required to be affordable housing. There are policy requirements for formal sports, provision of play areas and allotments to adopted standards within the developable area; land to be reserved within the site to facilitate improvements to the existing footbridge over

the railway on the western boundary of the site; and the provision of emergency services infrastructure.

- 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:

'Land west of Oxford Road will become a contemporary urban extension and a gateway to Oxford city fronting Oxford Road that is fully integrated and connected with existing neighbourhoods to the south and the new neighbourhood to the east on site PR6a. Homes will be set within a well-treed landscape comprising the retained mature trees of the former golf course and green infrastructure corridors, while opportunities for sustainable travel into Oxford will be maximised by the provision of high quality walking and cycling routes connecting into the surrounding street and public right of way network including direct delivery of high quality cycle lanes on Oxford Road and facilitating access across the railway line towards Oxford North.'

- 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,
 - 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:
- Two points of vehicular access and egress from and to existing highways, primarily from Oxford Road, and connecting within the site
 - An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site, to the built environment of Oxford, to the allocated site to the east of Oxford Road (policy PR6a) enabling connection to Cutteslowe Park, to provide accessibility to Oxford City Council's allocated 'Northern Gateway' site

from Oxford Road, to Oxford Parkway and Water Eaton Park and Ride, and to existing or new points of connection off-site and to existing or potential public transport services

- Design principles which seek to deliver a connected and integrated extension to Oxford and which respond to the historic setting of the city
- An enhanced area of woodland along the northern boundary of the developable area to provide a clear distinction between the site and the Green Belt to the north

- 3.8 The Development Brief for PR6b 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 98 of the Partial Review Plan) and the development framework plan (page 25 of the draft Development Brief). There is no change to the site area.
- 3.10 In common with all Partial Review site policies, Policy PR6b 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 PR6a 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, which delivers on the requirements set out in the policy for the site. The movement and access network plan is shown at Figure 18 (page 42) and expounded in detail at Section 6.4 of the Brief (beginning at page 38).
- 3.12 The Brief identifies two vehicular access points to/from Oxford Road, three separate pedestrian/cycle crossing points over the Oxford Road and one additional bus stop. The southern-most of the two vehicular access points onto Oxford Road would be the primary vehicular access point, with the more northern of the two being a left in left out junction.
- 3.13 The intention of CDC and OCC has been to limit vehicular entry and exit points onto Oxford Road to aid the smooth flow of traffic on Oxford Road for all modes of transport, in the interests of highway safety and the amenity of highway users. The initial proposal was therefore for two crossroad junctions on Oxford Road, i.e. to align with site PR6b. It became clear to CDC and OCC that the two landowners were proposing different access points for the northern access. Accordingly, the strategy set out in the Development Brief is a solution which seeks to respond to the landowners' proposals (i.e. allows for flexibility as to the location of the northern access for the respective landowners) but delivers a scheme which is appropriate and optimal in highway safety terms.
- 3.14 The Brief also sets out the requirement for four areas of play across the development – one neighbourhood area of play to the northern end of the site, one local equipped area of play between development blocks to the north of the public right of way ('PROW'), and two local areas of play (LAPs) – one immediately north of the aforementioned PROW and one centrally located within the site just to the south of

the PROW. The Brief also provides outline measures for securing net biodiversity gains, provides for the maintenance and enhancement of existing tree lines and hedgerows.

- 3.15 The Development Brief for PR6b sets the design principles for the site, which seek to deliver a connected and integrated extension to Oxford while being sensitive to the historic setting of the City.
- 3.16 The Brief sets out that the built form in the development blocks adjacent to the Oxford Road will be 3-5 storey houses or apartments. Section 6.3.1 clarifies that the majority of development in this part of the site will be 3 storeys, with 4 and 5 storey buildings being appropriate only in key locations such as movement nodes, corners or vista stops where particular emphasis is required, and that the scale will need to be sensitive to adjacent building heights and uses. The rest of the site will be 2-4 storey houses and apartments set within parkland. The Brief sets out the opportunity for a 'pavilions in the landscape' layout typology with individual apartment buildings of 3-4 storeys set within a generous landscape; this approach would respond appropriately to the layout of existing trees and other existing planting across the site. The Brief sets out the alternative, street-based layout of 2-3 storeys in generous plots with landscape features retained in public green squares.
- 3.17 The Development Brief also sets out development principles in relation to green spaces and community uses, including allotments in the south-western corner of the site, woodland planting to the northern of the site and public parkland corridors through the site.

Consultation

- 3.18 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 78 representations were received, 52 to the email inbox and 26 via the Let's Talk website. 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

- 3.19 The comments raised from Gosford and Water Eaton Parish Council are summarised as follows:
- Unhappy with the large number of trees being removed. The buildings can work around the trees. Just because the developer considers most of the trees less important does not make these trees less important.
 - Comments made regarding pollution
 - Comments made on position of properties to maximise light and future energy facilities like solar panels.
 - 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.

- Comments that a pedestrian bridge is required over the Oxford Road to connect PR6a and PR6b, sited slightly to the northern side to allow it to be used for those walking to the train station.

Harbord Road Area Residents' Association

3.20 The comments raised by the Harbord Road Area Residents Association are summarised as follows:

- As per policy requirement, a new golf course needs to be provided and fully operational before any development start on the development.
- Concerns with possible commuter parking so believe a controlled parking zone should be put in place. Also, this should be put in place as people using Cutteslowe Park and potential new stadium at Stratfield Brake could park in this area.
- Would like to see more consideration of noise control measures from A34 and what could be done to mitigate this.
- Development brief fails to demonstrate any appreciation of the amount of biodiversity the site supports currently. Believes a requirement to provide proposals for wildlife management and maintenance should be included within development brief.
- Concern with Thames Water lack of capacity to cope with existing levels of sewage in the area so anticipates issues when development is built.
- Puts forward potential pedestrian and cycle access to site from the South where there is a narrow cul-de-sac between two houses at the end of Lakeside.

3.21 Greenway on behalf of the golfers at North Oxford Golf Course

- Believes wording needs to change in brief to follow what the Inspector advised in paragraphs 106 and 115 of their report to show that delivery of a replacement golf course should happen and there should be no period when golfing facilities are unavailable. Brief should show that through a planning agreement that the applicant should finance and deliver the reprovision of golfing facilities.

3.22 Oxford Cricket Club

- Outlined the threat of possible loss of current facilities within Oxford and propose that PR6B and development within Oxford (Jordan Hill) could be adapted to allow the retention of space for two cricket grounds and a pavilion by creating a site in part of PR6B. This would also retain green space within the proposed development and would be available not only for formal sport but also walking and casual recreation when not in use by the cricket club.

3.23 St Andrew's Church, Oxford

- Concerns that the local centre located on 6A is too far south east for residents on 6B. Would like to see brief go into detail on the steps required to engender a strong sense of community spirit and building a healthy community.

Members of the Public

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

- Belief that highway link to site should only be from the main road and not within local housing developments like Lakeside Avenue.
- Design of development should be trying to save as many trees as possible
- Concerns regarding the loss of golf course and green space/trees

Site Promoter Turnberry on behalf of Exeter College, the University of Oxford and Merton College

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

- Requests that the character areas plan is removed as they add nothing to the brief and are not based on any objective evidence base. Working with developers of PR6A to find a solution regarding Oxford Road.
- Turnberry recommend multiple amendment/word changes within the brief and give comments as to why.

Site Promoter Savills on behalf of Christ Church (PR6a landowner)

3.26 The comments raised by Savills on the consultation version of the development brief are as follows:

- Working with site promoters of PR6B regarding Oxford Road frontage. Clear that some removal of existing vegetation is needed to allow access junctions and depending on requirements, some widening may also be needed to the highway.
- Support references made in brief to ensuring safe and convenient access between PR6B and local centre and primary school on 6A.
- Request's removal of paragraph 4.2.4 Bullet as it suggests introduction of GCN into the pond. This is requested to avoid confusion or misinterpretation.

Environment Agency

3.27 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)

3.28 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

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

Summertown and St Margaret's Neighbourhood Forum

- 3.30 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

- 3.31 The County Council's comments are:

- 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, biodiversity, innovation and lead local flood authority sections

Berkshire Buckinghamshire Oxfordshire Wildlife Trust ('BBOWT')

- 3.32 BBOWT's comments are:

- Currently site has a significant wildlife habitat value especially linking habitats to the north of the site and for birds. Believes the majority of mature trees should be retained as a feature within the development guiding the layout of the streets and plots so that they are incorporated as street trees. The site also has some small areas of scrub / semi-improved grassland which should be retained and sensitively managed long-term.

Officer Response to Representations

- 3.33 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.

3.34 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.

3.35 In response to comments by St Andrews Church, Oxford:

- Section 6.2 of the development brief sets out the detailed requirements for healthy place shaping. Appendix 4 of the LPPR sets out the community infrastructure required at the site.

3.36 In response to comments by BBOWT:

- Parts 9-11 of Policy PR6b 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.
- 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 PR6b but this information has not been available to inform preparation of the brief, and would need to be determined at the planning application stage.
- Figures 14 and 21 show a series of public parkland corridors throughout the site to include tree planting and habitat corridors
- 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.

3.37 In response to comments by the Harbord Road Area Residents:

- The CPZ is outside of the scope of planning, but as with PR7a we are happy to add sentence at Paragraph 6.4.6 preceding 'Development principles' to state: "To avoid indiscriminate on-street parking, possibly by commuters, a controlled parking zone is likely to be needed on the site."
- We note the comment regarding biodiversity net gain. Although the land promoter would like the Development Brief not to require retention of certain trees, this is included in the Brief, e.g. as shown in Figures 12 and 13. Many of the fairways on the golf course run broadly north-south and the vegetation between them also run north-south; there appear to be two principal east-west corridors and these are retained / shown in the Development Brief, as shown in Figure 21.
- We note the point relating to wildlife management; Policy PR6b requires the submission of a Biodiversity Improvement and Management Plan and sets out what the Plan needs to include. The Development Brief reflects the above, and it is not considered necessary to add to what is already included
- We note the concerns with regard the discharge of effluent into waterways and Thames Water capacity, but this relates to matters of principle, which other than location go beyond the scope of the Development Brief. And the requirements of Policy PR6a take precedence in any event.
- Section 4.2.5 of the development brief does include connection to Linkside Avenue as a 'site opportunity' but it does not feature for the development framework for the site as set out from page 25 onwards - e.g. Figure 12 shows a walking & cycling connection to Jordan Hill but this is the only transport connection to land south of PR6b. The development brief does not allow for any connection, vehicular or otherwise, to Linkside Avenue.

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

- In relation to access points and road layout, the development briefs set out the requirements for access, both for PR6a and PR6b. Developers may choose to propose something different - this is a risk they run.
- The development of the PR6a and PR6b sites does not necessitate a bridge over Oxford Road because safe pedestrian and cycle movement is to be provided by signalised crossings of the road. There has been a Traffic Regulation Order consultation in July 2022 to reduce the speed of the road to 30mph.
- Having regard to the layout shown at Figure 15 it should be possible in certain places across the site to locate the highest building behind / to the north of the lower south facing ones, but it would not seem appropriate to make this a stipulation given the potential impact on dwelling numbers and other development principles.
- 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

3.39 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.

3.40 In response to comments raised by Oxford Cricket Club:

- We note the comments regarding the threats to the future of the club and the request for land at PR6b. The draft Development Brief states at page 24 that, "It is the Council's preference that in lieu of on-site formal sports provision an appropriate financial contribution be made towards new and improved facilities off-site." Appendix 4 of the LPPR, which sets out the infrastructure requirements for all of the sites, including open space and recreation. This includes formal sport pitch provision at PR7a, including one cricket ground.

3.41 In response to comments raised by Greenway Golf:

- Section 7 doesn't set out the particular planning obligations that will be required. Under 7.1 it states that the planning application will need to be accompanied by a S106 Draft Heads of Terms, and under 7.2 that obligations will be secured via a Section 106 agreement and that in preparing a draft Heads of Terms applicants are encouraged to consult the LPPR Infrastructure schedule. In order for the LPA to require re-provision at Frieze Farm it would need to be included in Appendix 4 of the LPPR.
- We acknowledge the importance of recreation provision and note the comments regarding demand and availability. It is considered, however, that Policies PR6b and PR6c are sufficiently clear in the requirement for and securing of replacement golf course provision.
- Spatially there is merit to the suggestion of the secondary access being located at the existing park and ride junction. However, land levels would prevent the access from being achieved here. With regard to linkages to the south, the only

one proposed is a walking and cycling route into the Jordan Hill site. No connections are proposed to Linkside Avenue.

- The Council's preference is for social housing and so we would expect to see 70% of the Affordable Housing and therefore 35% of all of the housing to be Social Rent. If the landowner wishes to develop housing for university accommodation this would need to be additional to the allocated 670 or form part of the non-Affordable housing.
- Policy PR6b requires that application(s) are supported by a Biodiversity Impact Assessment, a Biodiversity Improvement and Management Plan, measures for securing net biodiversity gain within the site and for the protection of wildlife during construction and measures for retaining and conserving protected/notable species within the development. Further details are set out in Sections 6.3.2 and 6.5 of the Development Brief, e.g. there is required to be a linear wildlife corridor/green buffer along the full length of the site's western boundary.

3.42 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.
- There are several requirements of the policy, some of which are elaborated upon within the Development Brief, which will secure mitigation for the development, particularly in regard to biodiversity, water, waste, soils
- Housing affordability is not within the scope of the Development Brief
- Although Section 4.2.5 identifies a connection to Linkside Avenue (among others) as an opportunity, this is not pursued from Section 5 onwards where the proposals for the site are detailed. The only linkage proposed by the Development Brief to the south boundary of the site is a walking and cycling route into the Jordan Hill site. No connections are proposed to Linkside Avenue. The Development Brief shows the allotments to be provided at the south-western corner of the site adjacent to Linkside Avenue.
- It is worth noting that the development will not be low-density. Gross density may be 20 dwellings per hectare, but net density is substantially higher. Aside from density, these comments relate to the principle of development, which has been set through the adoption of the LPPR.
- Policy PR6b includes requirements relating to biodiversity net gain and the Development Brief includes outline measures in this regard. Policy PR6b also includes the requirement for 50% of the homes to be Affordable Dwellings. We will give further consideration to the provision of a walking and cycling connection to Linkside/Lakeside.
- The development will be required to retain satisfactory separation distances to existing properties to the south e.g. 22 metres from principal elevation to principal elevation, and 14 metres from side elevation to principal elevation. This will be aided by the required retention of a group of trees to the north of Nos. 104-110 Linkside Avenue, trees within the gardens of Linkside Avenue properties and, to the north of Jordan Hill, retained and/or new hedgerows
- We note the comments in relation to the design approach for the development of site PR6b. These comments go to the heart of the remit of the Development Brief. Page 35 of the Brief sets out the development principles for the Parkland Setting Character Area of the site and which includes 'pavilions in the landscape' -

individual apartment buildings of 3-4 storeys, set within a generous landscape or, in part of the site, a street-based layout of larger houses of 2-3 storeys in generous plots, either way.

- Appendix 4 of the LPPR sets out the infrastructure requirements for all of the sites; this includes health care provision either at the local centres forming part of PR6a and PR8 or through redevelopment of Exeter Hall to accommodate existing practices
- Access and movement is a central component of the Development Brief. We note the comments made in relation to bus and train services in the area. However, the issues highlighted here go beyond the remit of the Development, the role of which is to expound how the Local Plan policy will be delivered.
- Appendix 4 of the LPPR sets out the infrastructure requirements for all of the sites; this includes health care provision either at the local centres forming part of PR6a and PR8 or through redevelopment of Exeter Hall to accommodate existing practices

3.43 In response to comments raised by Savills:

- With regard to the level of detail, most other commenters consider the Brief not detailed enough and it is notable that the land promoter considers it too detailed. The Development Brief strikes the appropriate balance, setting sufficient parameters to enable a successful development to be delivered, whilst allowing flexibility in respect of the details. Development Briefs are defined as documents that provide information on the type of development, the design thereof and layout constraints relating to a particular site; A development brief allows stakeholders and residents to influence the design of a development from the outset. It sets the parameters for a development in order to guide future planning applications and includes: an explanation of how the site meets national and local policies and guidance. a development brief: ‘...sets out the vision for a development. It is grounded firmly in the economic, social, environmental and planning context. Apart from its aspirational qualities, the brief must include site constraints and opportunities, infrastructure including energy and transport access and planning policies. It should also set out the proposed uses, densities and other design requirements.’
- Highways requirements need to be balanced against protection of trees (both for ecological and arboricultural reasons) and tree loss avoided where at all possible. If there are transport solutions which avoid tree loss they should be pursued. That the character and appearance of the Oxford Road will change is reflected in the Development Brief.
- Policies PR6a and PR6b require, for each site, the provision of two points of vehicular access from and to existing highways. The local highway authority (LHA) advised that these accesses would need to be aligned, i.e. two cross road junctions. Discussions on the matter with the land promoters for the two sites have highlighted that they wished not to locate their accesses in this way. The land promoter's position has been discussed with the LHA, who have accepted a compromise position that is now shown in the Development Brief, i.e. the LHA is willing to forgo the requirement for two crossroad junctions provided that one access is a crossroad junction and is the primary access and the second access for each site is a left in left out access. The alternative to this compromise position would be to go back to two crossroad junctions. The remainder of the proposals to which Savills refer have been worked through with the local highway authority and are fully supported by the local planning authority; they are considered

necessary and important both from a highway and pedestrian safety perspective and for urban design reasons.

- With regard to bespoke parking standard referred to by Savills, it is not considered appropriate to refer to guidance or standards which have not yet been adopted. Section 6.4.6 requires car parking provision and design to accord with Oxford City parking standards (this being a development to meet Oxford's unmet need) and have regard to the Cherwell Residential Design Guide and to Manual for Streets. It is not considered necessary to change this.
- School location - there is little if any difference to PR6b whether the school is located centrally at PR6a or more to the north at PR6a.

3.44 In response to comments raised by Turnberry:

- Policies PR6a and PR6b require, for each site, the provision of two points of vehicular access from and to existing highways. The local highway authority (LHA) advised that these accesses would need to be aligned, i.e. two cross road junctions. Discussions on the matter with the land promoters for the two sites have highlighted that they wished not to locate their accesses in this way. The land promoter's position has been discussed with the LHA, who have accepted a compromise position that is now shown in the Development Brief, i.e. the LHA is willing to forgo the requirement for two crossroad junctions provided that one access is a crossroad junction and is the primary access and the second access for each site is a left in left out access. The alternative to this compromise position would be to go back to two crossroad junctions. The remainder of the proposals to which Savills refer have been worked through with the local highway authority and are fully supported by the local planning authority; they are considered necessary and important both from a highway and pedestrian safety perspective and for urban design reasons.
- The land promoter had been consulted on the previous draft and their comments were taken on board in formulating the final draft issued for public consultation, not least in terms of the layout, with the land promoter's layout being employed except where there are clearly policy reasons why certain elements will not be acceptable. The process that has been followed has been previously discussed and agreed with the land promoter. It has also been agreed in a Planning Performance Agreement between the parties that as far as possible the content of the Development Brief will be jointly agreed but that where disagreement remains the Council will have the final say. The Council will of course continue to engage with the land promoter. The Council's chief concern is to implement the Policy. The Council would respectfully disagree with the land promoter as to the status of the Development Brief and would encourage the land promoter to refer back to the agreed PPA.
- We welcome the land promoter's agreement that the Development Brief should shape the development. We appreciate the land promoter's desire for there to be less detail. Most other commenters consider the Brief not detailed enough and it is notable that the land promoter considers it too detailed. The Development Brief strikes the appropriate balance, setting sufficient parameters to enable a successful development to be delivered, whilst allowing flexibility in respect of the details. Development Briefs are defined as documents that provide information on the type of development, the design thereof and layout constraints relating to a particular site; A development brief allows stakeholders and residents to influence the design of a development from the outset. It sets the parameters for a development in order to guide future planning applications and includes: an explanation of how the site meets national and local policies and guidance. a

development brief: '...sets out the vision for a development. It is grounded firmly in the economic, social, environmental and planning context. Apart from its aspirational qualities, the brief must include site constraints and opportunities, infrastructure including energy and transport access and planning policies. It should also set out the proposed uses, densities and other design requirements.'

- We would disagree in relation to the suggested lack of joint preparation. The Development Brief strikes an appropriate balance between the land promoter's desire for less detail and other commenters' desire for more. It sets out a vision and objectives for the site (Section 5), and a set of development principles (Section 6) for built environment (6.3), access and connectivity (6.4) and green infrastructure (6.5). The Development Brief accords with the National Planning Practice Guidance that has been quoted. If it was less detailed, it would lack teeth and would be less effective.
- We understand the land promoter's desire for less detail but would respectfully suggest that the Development Brief strikes an appropriate balance, and does what Development Briefs are expected to do. Contrary to the land promoter's suggestion, the Development Brief does allow for different solutions, e.g. "could include" (page 29, 4th bullet), "the urban block structure and internal street network shown on Fig. 154...is indicative and expresses general principles (page 31), "there is an opportunity for..." (page 35, 2nd bullet), "alternatively..." (page 35, 3rd bullet, where different options are set out). Certain solutions are ruled out only where they would be unacceptable in highway safety terms or where they would conflict with the Cherwell Residential Design Guide and/or would not be supported at the planning application stage; for the Development Brief to be clear on these points not only fulfils the role of Development Briefs but it provides certainty to all parties not least the developer.
- The objective of the Development Brief is to guide landowners and developers to an appropriate design solution that aligns with planning policy. The text of the Development Brief cited by the respondent reflects the requirement of Policy PR6b: "The application(s) shall be supported by, and prepared in accordance with, a comprehensive Development Brief for the entire site..." The respondent will appreciate that the Development Brief cannot set new policy or deviate from policy. We would disagree with the suggested wording that would require planning applications to "state how they are in accordance with the Development Brief" - the Council considers this to be superfluous and unnecessary requirement. We would agree that, where an applicant wishes to deviate from what is required by Policy PR6b and/or the Development Brief it would need to set out detailed justification for any departure, but does not consider it necessary for this to be stated in the Development Brief.
- The access strategy set out in the Development Brief has been prepared jointly with Oxfordshire County Council, who have advised on the necessary junction types. As stated above, it had been intended that the Development Briefs would require two crossroad junctions but in order to allow the land promoters / developers more flexibility we have compromised on the need for both access points to be crossroads, only requiring one on the condition that the second access for each site is left in left out, in order to convey cyclists and pedestrians safely along the corridor as a priority and to ensure bus services flow freely as possible. We would invite Turnberry to discuss this further with CDC and OCC.
- We would disagree with the comments in relation to character areas; the effect of the change would be to allow for an unlimited number of character areas which would negate the purpose of having character areas and would dilute the character of the development. Storey heights have not been arrived at arbitrarily or by one designer, but have been discussed between multiple designers and

planners. The Development Brief has been consulted upon and has provided a genuine opportunity for public involvement in placemaking. We would also note that planning application(s) for the site will be considered and determined by the local planning authority.

- We agree that the character of Oxford Road is an important consideration. The Development Briefs set out the design principles for the location of pedestrian and cycle routes, and for the public realm. Tree retention and active frontage are not mutually exclusive principles. We agree that some of the interventions should be seen as an opportunity to enhance rather than preserve, but the respondent will appreciate that there are also requirements, e.g., in terms of biodiversity, which will be aided by retention where possible.
- Most of the trees shown on the Oxford Road frontage are proposed new trees. There are 1 or 2 retained trees indicated between the northern access and public walking and cycle route beyond it, and there is a group of trees between the existing public right of way and the southern access which would need to be retained, albeit that the Development Brief does allow for thinning out (page 33, 2nd bullet, and page 48, 2nd bullet). The suggested replacement text would lack teeth and ineffective.
- Public walking and cycle routes are one of the key components of the Development Brief and responds to the requirements of part 8(c) of Policy PR6b. There is no justification for deleting this element of the Brief.
- That the sites may be brought forward separately is not precluded by the text as drafted - there is no good reason why it needs to be amended
- With regard to comments on active frontages, figure 11 sets out site opportunities, not requirements. An active frontage along Oxford Road is certainly an opportunity. The respondent's reasons for changing this text are not well founded.
- The suggested addition of the words "or replaced" in relation to trees would allow for the removal of the high and moderate quality trees. This is unacceptable. The respondent suggests that the quality of 'high quality trees' "may merit replacement". The comment would make sense if the quoted text just referred to trees in the broad sense, but this is not the case.
- The Development Brief is intended to provide guidance, and the text builds in the appropriate caveats. It would be inappropriate and unnecessary to make the changes suggested. The junction hierarchy is a direct response to the emerging plans of the land promoters and their desire for flexibility.
- We note points made in relation to biodiversity net gain, but the statements at para 47 are factual and do not in themselves stipulate a requirement.
- A central location for the school would be preferable from an urban design perspective, but unfortunately the constraints presented by the site's changing levels, the archaeology and the extent of the developable area in the central location mean that a central location for these uses is not achievable without harming the archaeological remains or encroaching into the Green Belt. The northern location is not constrained in these ways and is also where the adopted planning policy shows the local centre to be located.
- We support the request for continued engagement and collaboration. We disagree with the land promoters for PR6a and PR6b that there are competing tensions. We are pleased that the land promoters are carefully considering potential friction points at junctions.

3.45 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. It is not appropriate to refer to documents as yet unadopted, e.g. the Local Transport and Connectivity Plan, and the Innovation Framework. These will be material considerations when planning applications are submitted.
- For the same reasons the requested changes re car parking provision, cycle parking and the Oxfordshire Street Design Guide have not been made. It is important that the Cherwell Residential Design Guide takes primacy.
- The location of the primary school has been discussed in detail with OCC. Modelling discussed between CDC, OCC and the land promoter has shown only two locations workable from OCC's perspective, the central location preferred by the land promoter and the northern location shown in the Development Brief. Unfortunately, given the constraints in the centre of the site and the lack of flexibility possible to the layout of the school site, the central location is not possible. There are no inconsistencies in the Development Brief with regard to the school location - the early chapters reflect the LPPR proposals map, whereas Fig 1 and Chapter 5 onwards show the northern location that will be required if there remains insufficient flexibility on the layout of the school site.

Summary of Changes

- 3.46 In response to a comment by Berks, Bucks and Oxfordshire Wildlife Trust, the biodiversity requirements set out on page 49 of the Brief have been amended to emphasise the importance of wildlife connectivity.
- 3.47 In response to comments by the Harbord Road Area Residents Group,
- a sentence has been added at Section 6.4.6 preceding 'Development principles' to state: "To avoid indiscriminate on-street parking, possibly by commuters, a controlled parking zone is likely to be needed on the site."
- 3.48 In response to comments by Greenway Oxon,
- Page 19, 1st bullet - amended to state: "The site is currently in use as a golf course and club. An alternative site for the course at Frieze Farm (PR6c) has been identified in the LPPR. Policy PR6b requires a programme for the submission of proposals and the development of land at Frieze Farm as a replacement golf course before development commences under policy PR6b)."
 - a sentence has been added at Section 6.4.6 preceding 'Development principles' to state: "To avoid indiscriminate on-street parking, possibly by commuters, a controlled parking zone is likely to be needed on the site."
- 3.49 In response to comments by Savills,
- page 39, Figure 17 has been amended to reflect what is shown in the equivalent figure for the PR6a Development Brief.
 - 4.2.4, 4th bullet - "provides opportunities to" has been changed to "may"

3.50 In response to comments by Turnberry on behalf of the landowners,

- page 31, 2nd paragraph - amend amend "Fig. 145" to "Fig. 15" and "Fig. 154" to "Fig. 14"; 3rd paragraph - amend "Fig. 154" to "Fig. 14"
- page 1, page 24, "detailed design requirements" has been changed to "delivery requirements"
- figure 12 - "new improved pedestrian bridge" amended to "Improved railway crossing"
- page 23, text re the southbound bus lane has been amended as per Turnberry's suggestion
- page 44, 1st bullet - after 'Detailed designs' added "should promote cycle and pedestrian safety and"

3.51 In response to comments by Oxfordshire County Council,

- reference to the aggregate rail depot has been added to figure 10 and section 4.1
- section 4.2.5 - the 2nd bullet point has been amended to read: "Opportunity to integrate the site layout with adjacent development sites including PR6b and movement links outside the site including an onwards link to the Oxford North site via high quality crossing of Oxford Road and the rail line, and an onward link over the A40 via the existing bridge adjoining Cutteslowe Park. Regard should be had to published guidance including the Oxford and Kidlington Local Cycling and Walking Infrastructure Plans."
- section 6.4.6, second paragraph amended to read: "Reflecting the site's accessibility to public transport and walking and cycling routes, there is an opportunity to provide a mobility hub, including provision of hire vehicles such as e-scooters and e-bicycles, automated vehicle idling points, potential AV, cargo bike storage and an electric car club, together with features such as locker and storage space enabling delivery consolidation, delivered in association with reduced car parking requirements across the site."
- section 6.4.6, sentence added preceding 'Development principles' to state: "To avoid indiscriminate on-street parking, possibly by commuters, a controlled parking zone is likely to be needed on the site."
- 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 PR6b 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 PR6b - Land West of Oxford Road 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 PR6b 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:
Kimberley Digweed, Service Accountant. kimberley.digweed@cherwell-dc.gov.uk

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:
Shahin Ismail, Assistant Director - Law and Governance and Monitoring Officer

Shahin.Ismail@Cherwell-DC.gov.uk

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, Interim Assistant Director – Customer Focus, 01295 221556
Celia.Prado-Teeling@cherwell-dc.gov.uk

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, Interim Assistant Director – Customer Focus, 01295 221556
Celia.Prado-Teeling@cherwell-dc.gov.uk

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 West of Oxford Road

Appendix 2: Summary of representations and officer responses

Background papers

None

Reference Documents

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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