

**CHERWELL DISTRICT COUNCIL  
PLANNING COMMITTEE**

7 November 2024

**WRITTEN UPDATES**

**Agenda Item 7 – Pre-Committee site visits –**

**24/00539/F (Land to the East of Stratfield Brake and West of Oxford Parkway Railway Station), Oxford Road, Kidlington**

Members may be aware of the current planning application for the erection of a stadium (et al) on land to the east of Stratfield Brake and west of Oxford Parkway (known locally as 'The Triangle') for Oxford United Football Club. The application remains under consideration, and it is likely that it will be presented to committee, in the near future.

Members are therefore requested to decide whether they wish to carry out a formal committee site visit prior to the consideration of this application due to the scale and significance of this proposal.

The site visit will aim to allow members to see key points of interest on and around the site.

**Resolution Required** – Members to agree or not agree that a site visit be carried out by the Committee.

**Agenda Item 8 - OS Parcels 7685 6871 8775 1582 3675 3173 1865 0250 8545 7331 1724  
And Part 0006 Adjoining Stratford Road A422 Wroxton**

**Agent:** Additional information submitted on Highways and Ecology.

**Neighbours:** 11 additional letters received reiterating the concerns, which are highlighted within the Officer's report.

**Planning Officer:** Depending on the comments received from the re-consultation process it may be required to remove reasons for refusal 3 and 4. However there will need to be an additional reason for refusal for the lack of a S106 to mitigate the impact of the development.

**Amended Recommendation:**

**DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO REFUSE PERMISSION, FOR THE FOLLOWING REASONS:**

- 1. The proposal is in a location that is reliant on the private car for access and no specific need for the facility has been identified to meet the requirement of paragraph 89 of the NPPF. Further, there is no identified functional need for the proposal to be located in such an inaccessible rural position. Therefore, the proposal represents an unsustainable form of development in the open countryside that is contrary to policies SLE3 and ESD1 of the Local Plan and paragraphs 88 and 89 of the NPPF.**

2. By virtue of the significant mass of the proposed development, created by it is the engineering work involved, location of structures within the site, it is considered to have an unacceptable urbanising effect on the rural landscape and would appear as an isolated addition to the landscape. The harm is exacerbated by the footpaths running through the site. Taken altogether Officers consider the proposed development would therefore unacceptably harm the rural agricultural character of the area and this would be contrary to policies ESD13 and 15 of the CLP 2015, saved policies C8 and C28 of the CLP 1996 and paragraph 134 of the NPPF.
3. Insufficient information has been submitted to demonstrate the acceptability of the proposal on highway safety, therefore it is considered to be contrary to Policies SLE4, ESD15 of the CLP 2015 and paragraph 115 of the Framework.
4. In the absence of any drainage documents, it has not been demonstrated that the proposal would be adequately drained and therefore it is contrary to policies ESD6 and ESD7 of the CLP 2015.
5. Due to the absence of an appropriate protected species surveys as highlighted within the Preliminary Ecological Appraisal Report by Ramm Sanderson dated October 2023, the impact of the proposals on protected species cannot be assessed. Therefore, the Local Planning Authority cannot be certain that the proposals would not harm any protected species. As such the scheme is contrary Policy ESD10 of the CLP 2031 Part 1, advice contained in the PPG and Natural England's Standing Advice, and section 15 of the National Planning Policy Framework.
6. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure contributions required as a result of the development, and necessary to make the impacts of the development acceptable in planning terms. As such, the proposal is contrary to Policy INF1 of the Cherwell Local Plan 2011-2031, CDC's Planning Obligations SPD 2018, Policy BL9 of the Bloxham Neighbourhood Plan 2015 - 2031 and Government guidance within the National Planning Policy Framework.

Reason for Refusal 5 and 3 may be removed/altered subject to the Local Highway Authority and Ecology removing their objection.

### **Agenda Item 9 – Kidlington Garage, 1 Bicester Road, Kidlington, OX5 2LA**

**CDC Sports and Recreation:** The Council's Sports and Recreation department have revised their s106 contributions. Previously, they had based their contributions on the average occupancy of a household in the district, but they are now basing the contributions on the average occupancy of the size of the flats. Therefore, the occupancy Figures are calculated using the 1 bed occupancy of 1.28 and the 2-bed occupancy of 1.85 (these figures are from the Developer Contributions SPD) and not 2.4 persons per average residential unit.

On this basis, the revised CDC contributions are:

### Community Hall Facilities

6 x 1.28 = 7.68

12 x 1.85 = 22.2

Total residents = 29.88

29.88 x 0.185m<sup>2</sup> = 5.53m<sup>2</sup>

5.53m<sup>2</sup> x £2,482.00 = **£13,725.46**

### Outdoor Sport Provision

For a 1 bed, figure to be reduced to £1,075.75 per dwelling and for a 2-bed £1,554.79.

This would make the total outdoor sport contribution **£25,111.98**.

### Indoor Sport Provision

Using the above occupancy rates, Total residents = 29.88

29.88 x 335.32 = **£10,019.36**

**Planning Agent:** The applicants' planning agent has queried OCC Highways request for a bus service contribution of **£23,868**. He has requested further information to see if it meets the CIL Reg tests.

**Planning Officer:** Officers have sent the agent's request to OCC Highways but, at the time of writing this written update, have not heard back. Therefore, officers request delegated authority to review, discuss and determine OCC Highways additional justification post planning committee and to amend the sports and leisure contributions in line with the above

### **Amended Recommendation:**

**DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO**

- I. **THE CONDITIONS SET OUT IN THE COMMITTEE REPORT (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY);**
- II. **THE COMPLETION OF A PLANNING OBLIGATION AS SET OUT IN THE COMMITTEE REPORT (AND ANY AMENDMENTS AS DEEMED NECESSARY);**
- III. **THE AMENDING OF THE SPORTS CONTRIBUTIONS AS DETAILED WITHIN THIS WRITTEN UPDATE; and**
- IV. **TO REVIEW, DISCUSS AND DETERMINE OCC HIGHWAYS BUS CONTRIBUTION**

**FURTHER RECOMMENDATION: IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED BY 12<sup>TH</sup> NOVEMBER 2024 AND THE PERMISSION IS NOT ABLE TO BE ISSUED BY THIS DATE AND NO EXTENSION OF TIME HAS BEEN AGREED BETWEEN THE PARTIES, IT IS FURTHER RECOMMENDED THAT THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:**

1. **In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement the Local Planning Authority is not satisfied that the proposed development provides for appropriate infrastructure contributions required as a result of the development and necessary to make the impacts of the development acceptable in planning terms, to the detriment of both existing and proposed residents and contrary to Policies PR2, PR4a,**

**PR4b, PR5, PR8 and PR12 of the Cherwell Local Plan Partial Review, Policies BSC7, BSC10, BSC11, BSC12, SLE4 and INF1 Cherwell Local Plan 2015 and the aims and objectives of the National Planning Policy Framework**

**Agenda Item 10 – 60 Castle Quay, Banbury, OX16 5UW**

No updates

**Agenda Item 11 – Appeals Process Report**

No updates