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| This report is Public. | |
| Development Brief for Local Plan Partial Review site PR8 – Land East of the A44 | |
| Committee | Planning Committee |
| Date of Committee | 21 March 2024 |
| Portfolio Holder | Portfolio Holder for Planning and Development, Councillor Dan Sames |
| Date Portfolio Holder agreed report | 12 March 2024 |
| Report of | Assistant Director Planning and Development, David Peckford |

Purpose of report

To seek the Planning Committee's approval of the Development Brief for Local Plan Part 1 Review allocated site PR8 – Land East of the A44

1. Recommendations

The Planning Committee is recommended to:

- 1.1 To approve the Development Brief for site PR8 (Land East of the A44) of the Cherwell Local Plan 2011-2031 Partial Review, presented at Appendix 1 to this report, subject to (i) the changes recommended in paragraphs 4.40 – 4.45 of this report, and (ii) an additional three week consultation period following this Planning Committee
- 1.2 To authorise the Assistant Director - Planning and Development to publish the Development Brief, subject to (i) any minor amendments arising from that further public consultation and (ii) any necessary presentational or other minor corrections, in consultation with the Chairman

2. Executive Summary

- 2.1 This report relates to a Development Brief for a site allocated for development in the Local Plan (the Cherwell Local Plan 2011-2031 Partial Review Plan), adopted in 2020 and which 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 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.

Cherwell District Council

- 2.4 The Development Brief has been the subject of public consultation, for four weeks from 22 November to 20 December 2023. All representations received have been reviewed and taken into account, and this report summarises the representations received and sets out officers' responses.
- 2.5 Overall, officers are happy to conclude that the Development Brief for the site accords with Policy PR8 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.
- 2.6 It is recommended that the planning committee endorses this Development Brief as a framework for the development and delivery of site PR8 - Land East of the A44, subject to the changes to be made as per above and to any further changes considered necessary arising out of either the consultation that has taken place and/or the short public consultation to follow this Planning Committee, and that the finalised Development Brief will be a material consideration in the determination of any future planning applications for the site.

Implications & Impact Assessments

| Implications | Commentary | | | |
|---------------------------------------|---|---------|----------|----------------|
| Finance | 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. Kelly Wheeler, Finance Business Partner, 12 March 2024 | | | |
| Legal | The purpose of the development brief for site PR8 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. Shahin Ismail, Interim Head of Legal Services, 12 March 2024 | | | |
| Risk Management | 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. Celia Prado-Teeling, Performance Team leader, 12 March 2024 | | | |
| Impact Assessments | Positive | Neutral | Negative | Commentary |
| Equality Impact | | | | |
| A Are there any aspects of the | | X | | Not Applicable |

| | | | | |
|--|--|---|--|----------------|
| proposed decision, including how it is delivered or accessed, that could impact on inequality? | | | | |
| B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users? | | X | | Not Applicable |
| Climate & Environmental Impact | | X | | Not Applicable |
| ICT & Digital Impact | | X | | Not Applicable |
| Data Impact | | X | | Not Applicable |
| Procurement & subsidy | | X | | Not Applicable |
| Council Priorities | Business Plan Priorities 2023-2024: Housing that meets your needs Leading on environmental sustainability An enterprising economy with strong and vibrant local centres Healthy, resilient and engaged communities | | | |
| Human Resources | Not applicable | | | |
| Property | Not applicable | | | |
| Consultation & Engagement | 22nd November to 20th December 2023 Subject to the resolution of the Planning Committee, an additional 3 week consultation will be undertaken on the amended Development Brief | | | |

Supporting Information

3. Background

- 3.1 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.
- 3.2 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.

- 3.3 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
- 3.4 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”.
- 3.5 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.
- 3.6 Further to the Partial Review Plan’s requirement, Development Briefs have been 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 three others, for sites PR6a, PR6b and PR7a, were approved by Planning Committee in September 2022. The last of the six, here presented, relates to site PR8.
- 3.7 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 the Canal and River Trust) and public consultation. This report presents the draft final brief for approval and in doing so explains how it meets the objectives and policy requirements of the Partial Review Plan.
- 3.8 The Development Brief has been the subject of public consultation, for four weeks from 22 November to 20 December 2023. This report summarises the representations received and explains what changes have been made in response.

4. Details

- 4.1 Policy PR8 of the Partial Review of the Local Plan relates to land to the east of the A44. The site comprises 190 hectares of land to the east of the A44 and between the residential neighbourhoods of Begbroke to the north west and Yarnton to the south west. Begbroke Science Park and Yarnton Home and Garden are located in the northern part of the site, with the rest of the site generally in agricultural use. To the east, the site is bounded by the Oxford Canal, beyond which lies the village of Kidlington. To the north/north-east, the site is bounded by farmland and the Rushy
- Cherwell District Council

Meadow SSSI, beyond which is the Langford Locks Industrial Estate and London Oxford Airport. To the south, the site is bounded by Littlemarsh Playing Field and a disused Sewage Treatment Works. Rowel Brook crosses the northern part of the site, a rail line runs north-south through the eastern part of the site.

- 4.2 The site is allocated for 1,950 homes on c.66 hectares of land, of which 50% is required to be affordable housing. There are policy requirements for a secondary school on 8.2 hectares of land to incorporate a 4-court sports hall to Sports England Specification and available for community use; 1x primary school on 3.2 hectares of land with three forms of entry, 1x primary school on 2.2 hectares of land with two forms of entry; a local centre on 1 hectare of land; reservation of 14.7 hectares of land for Begbroke Science Park expansion; Local Nature Reserve on 29.2 hectares of land; nature conservation area on 12.2 hectares of land; public open space on 23.4 hectares of land; retention of 12 hectares of agricultural land; reservation of 0.5 hectares of land for a future railway halt; provision for a foot, cycle and wheel chair accessible bridge over the Oxford; Canal linking the site with land at Stratfield Farm (Policy PR7b); and facilities for formal sports, play areas and allotments.
- 4.3 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).
- 4.4 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.
- 4.5 The vision for Land East of Oxford Road, North Oxford, set out in Chapter 5 of the Brief, is as follows:

'The expansion of the University's Begbroke Science Park will be integrated within a distinctive, urban neighbourhood featuring innovation and high levels of sustainability, which will become recognised as a national placemaking exemplar. The new neighbourhood will have walking and cycling at its core, by creating an environment where the private car is a guest whilst catering for public transport. It will be publicly accessible, well connected by footpaths and cycleways to the surrounding neighbourhoods, existing local services and enhanced public transport links on the A44.'

'The development will be a distinct and unique blend of green space, water environments and natural spaces promoting good health habits. A new local centre, schools and green infrastructure corridors adjacent to the Oxford Canal will link existing communities with publicly accessible open spaces of high quality wildlife and biodiversity.'

'It will be successfully connected to Begbroke, Yarnton and Kidlington which will have retained their own identities.'

4.6 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 and an outline scheme for pedestrian and cycle access to the countryside surrounding Begbroke, Kidlington and Yarnton
- outline measures for securing net biodiversity gains informed by a Biodiversity Impact Assessment, and
- an outline scheme for vehicular access by the emergency services.

4.7 Policy PR8 sets out the following particular requirements for inclusion in the Development Brief:

- Points of vehicular access and egress from and to existing highways with at least two separate, connecting points from and to the A44 and including the use of the existing Science Park access road
- An outline scheme for public vehicular, cycle, pedestrian and wheelchair connectivity within the site (including for public transport services), to the built environments of Begbroke, Kidlington, Yarnton and to existing or new points of connection off-site and to existing or potential public transport services
- Accommodation of the pedestrian, cycle and wheelchair accessible bridge over the Oxford Canal
- In consultation with Oxfordshire County Council and Network Rail, proposals for the closure/unadoption of Sandy Lane, the closure of the Sandy Lane level crossing to motor vehicles (other than for direct access to existing properties on Sandy Lane), and the use of Sandy Lane as a 'green' pedestrian, cycle and wheelchair route between the development and the built-up area of Kidlington including the incorporation of a bridge or subway
- Design principles which seek to deliver an urban neighbourhood that responds positively to the Science Park and canal location and which respects the historic development of nearby villages
- The sites for the required schools and the Local Centre
- Proposals for the safe remediation and use of the former landfill site as shown including as a wildlife 'stepping stone' within the development
- The retention or replacement (to an equivalent quantity and quality) of the existing allotments and proposals for extending the allotment space in accordance with adopted standards
- The reserved land within the site for the future railway halt/station

- 4.8 The Development Brief for PR8 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.
- 4.9 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 128 of the Partial Review Plan) and the development framework plan (page 3/30 of the draft Development Brief). There is no change to the site area.
- 4.10 Following discussion with Oxfordshire County Council, the secondary school has been relocated from the north-west corner one field parcel to the east, the three form primary school has also been relocated eastward to be due south of the existing Begbroke Science Park, the local centre has been relocated northward so that it is adjacent to the three form entry school to its west and the existing Begbroke Science Park to its north, and flexibility has been built into the location of the employment land. However, in common with all Partial Review site policies, Policy PR8 allows for the consideration of minor variations in the location of specific land uses where evidence is available. Officers consider these changes to be acceptable as minor variations from the policy requirement. The extent of the developable area has not changed and there is no encroachment into the Green Belt.
- 4.11 The Development Brief for PR8 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 15 (page 44) and expounded in detail in Sections 6.4.2 – 6.4.45 of the Brief (pages 42-47).
- 4.12 The access strategy for the site has been worked in close collaboration with Oxfordshire County Council as local highway authority. The Brief identifies two vehicular access points to/from the A44, and a third vehicular connection eastward to Kidlington via a new bridge over the railway line; plus six separate pedestrian/cycle crossing points over the A44 and one additional bus stop.
- 4.13 The Brief also sets out the requirement for four areas of play across the development – one combined local equipped area of play ('LEAP') / neighbourhood area of play / multi games area potentially located in the new central park, one LEAP potentially located in the northern part of the site, and two LAPs – one in the northern part of the site and the other in the southern part of the site close to the two form entry primary school. The Brief also provides outline measures for securing net biodiversity gains, provides for the maintenance and enhancement of existing tree lines and hedgerows.
- 4.14 The Development Brief for PR8 sets the design principles for the site, which is to create a distinctive, higher density urban village which is contemporary in character, while being sensitive to the setting of the surrounding villages of Begbroke, Yarnton and Kidlington. The objective is to create an attractive frontage to the A44 on the approach to Oxford supporting a change in character away from a highways dominated environment and creating crossing opportunities. The contrast between the dense urban development and canal-side parkland setting will be used as a positive and integral design feature.

- 4.15 The existing and expanded Begbroke Science Park, allotments on the A44, and the former landfill site and existing residential dwellings all need to be well integrated into the overall layout. The site layout needs to be co-ordinated with proposals for site PR9 to the west of the A44 and PR7b to the east of the Oxford Canal in relation to the provision of access junctions, the A44 frontage, green infrastructure corridors and pedestrian and cycling connectivity. Mixed uses, the local centre and the Science Park are to overlook the open green spaces wherever possible to allow for visual connectivity and encourage passive surveillance of those spaces.
- 4.16 The Brief sets out that the built form to the eastern side of the site, chiefly between the ex-landfill site and the railway, will be 3-5 storeys, while development in the vicinity of the northern end of Yarnton will be 2-3 storeys, and the majority of development being 2-4 storeys. Where development abuts the green corridor, it should both front the corridor and create a softened urban/landscape edge which enables views from within the development into the landscape. The potential for green fingers connecting the landscape into the development should also be explored. The outline layout for the site sets out the positions of key frontages for buildings.
- 4.17 The Development Brief also sets out development principles in relation to green spaces and community uses, including the centrally located new park, allotments either as existing or re-provided elsewhere in the site, the local nature reserve in the north of the site, informal public parkland to the east and a nature conservation area with limited public access in land east of the railway line, all of that land being retained within the Green Belt.

Consultation

- 4.18 The brief was published for public consultation from 22 November to 20 December 2023 by way of advertisement on the Council's website and emails directly to parish councils and technical consultees. A total of 15 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. Oxford City Council was consulted, as required, but have not responded to date. Some comments were received during the consultation advising of difficulty in accessing the Development Brief on the Council's website. In the circumstances, and given that several changes are proposed in light of the consultation responses that have been received, it is considered appropriate for there to be a further short round of consultation before the final Development Brief is published on the Council's website.

SUMMARY OF REPRESENTATIONS

Kidlington Parish Council

- 4.19 The comments raised from Kidlington Parish Council are summarised as follows:
- Seeks greater clarity in the Development Brief on the land to the north of Sandy Lane in terms of the division of employment vs residential, e.g. will it be taken forward solely for business use and what are the implications of this for residential development in Kidlington?
 - Seeks to ensure the site is not utilised to address Oxford University's housing needs at the expense of Oxford's affordable housing need

Cherwell District Council

- Seeks direct reference within the Development Brief as to community benefits that can be achieved through this development, particularly for Kidlington
- Maintains objection to the proposed closure of the Sandy Lane crossing
- Seeks greater clarity in the Development Brief as to the sports facilities to be provided, especially playing fields to help address any overall shortfall within the wider area of the four relevant parishes
- Information in the Development Brief re education provision needs to be more specific as to how this is taken forward

Yarnton Parish Council

4.20 The comments raised by Yarnton Parish Council are summarised as follows:

- The PR8 site did not include the landfill site or the garden centre; they are both included in the Development Brief without explanation and it assumes they are part of PR8 and whatever happens on those areas can be part of the DB
- Will the development be a new community, a new parish or is it going to integrate with existing communities? The Development Brief speaks of a new urban village with its own identity and centre, yet the development lies entirely within the parishes of Begbroke and Yarnton, and contiguous with the latter. For which parish is the parish office intended?
- Will the connection to Kidlington be severed? The Development Brief sees Kidlington as the local hub and centre to which existing villages and the new PR8 developments relate & refer; yet there is no public transport link between Kidlington and Begbroke and Yarnton and PR8 and 9, and it is proposed to close the only road that directly links them. The District Council recently (July 2023) endorsed the maintenance of the vehicular connectivity between the villages and the new development.
- Pick up points required as well as drop off points, and need space for more cars if not to be a nuisance to other traffic.
- The LPPR allocation is 1950 dwellings, 50% of those affordable. The Development Brief also lists university related housing (3.1.1) – would does this refer to? Is it part of the 50% affordable housing or in addition to?
- Little Marsh Playing Field – mention of ball-strike risk assessment (4.1) but is this required now as cricket no longer played there; no mention in the Development Brief of the mature oak tree on its north-east boundary with the PR8 area; this tree has implications for the suitability of the allotments to its north-east
- Comments re bus connectivity, re the location of a skateboarding area, and re the existing canal bridge
- Notes various typographical errors in the document

4.21 Historic England - No objections or comments.

4.22 Network Rail

- For development that increases Level Crossing risk, Network Rail looks to the developer to mitigate the potential impacts
- Notes that the design of the bridge has not yet been finalised
- Assumes that the existing canal bridge and level crossing to the north-east that is referred to in the Development Brief is the Roundham Locks LC
- In the case of Roundham Locks LC, if improvement and promotion of this route was to occur then a new vehicular bridge would be required if private road rights

cannot be released. Alternatively, a public right of way only bridge would be required, to include access for non-mechanical vehicles. Network Rail has asked OUD for their projected traffic figures over the crossing in order to calculate the level of additional risk

4.23 Canal and River Trust

- The canal is integral part of the site and brings unique opportunities to the development – the canal’s benefits should be fully exploited
- It is likely the towpath will require improvement and a proportionate contribution to its improvement should be sought from any allocation in proximity
- During lockdown towpath use rose in similar areas by 600%. Future residents of PR8 are likely to use the towpath for commuting or recreation
- The walking and cycling route identified in the Development Brief should extend northwards towards Langford Lane.
- Questions the need to provide an adjacent new route when an existing towpath may be acceptable. The towpath may require widening and bank stabilisation to allow a suitable width.
- The CRT is not obliged to accept the proposed new bridge over the canal, and would not pay for it or maintain it or take ownership of it – this is a matter for CDC, OCC and the developers.
- The precise location of any bridge has not yet been agreed by the CRT. Requests that a reference is made to the CRT’s Code of Practice for works affecting the CRT and that its guidance document is included in the list of required supporting documents in Section 7.
- Also makes comments re wildlife/ecology, trees, sport/recreation, as well as the nature conservation area, informal public parkland, the retained agricultural land and the Biodiversity Improvement and Management Plan (all welcomed). In relation to wildlife/ecology and SSSI, as well as light pollution, makes comments as to what is expected as part of planning applications at the PR8 site.
- Comments re accessible areas vs undisturbed areas
- Comments re the provision of green roofs.

4.24 Thames Water

- Notes that sewers and rising mains across the site and that these are mentioned at section 6.8 of the Development Brief
- The Development Brief should make specific reference to waste water / sewerage and water supply infrastructure, recommending the inclusion of policy/supporting text.
- Comments re the need for development to make specific water efficiency standards; requests policy text is added in this regard
- Limiting the opportunity for surface water entering the foul and combined sewer networks is of critical importance – requests text be added in this regard

Members of the Public

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

- Concerns regarding a cycle route running through Gravel Pits Lane

- The loss of the Green Belt to this development, which would completely change what is currently a rural location; the development would be come “another faceless suburb of Oxford”
- Concerns regarding the closure of Sandy Lane to vehicular traffic
- Impact on wildlife habitats
- Impact on infrastructure including A44 congestion

4.26 Newcore / Yarnton Garden Centre - No objections or comment

4.27 Hallam Land

- Concerns regarding a cycle route running through Gravel Pits Lane
- Unclear as to the rationale for the Development Brief as presented, i.e. its content; queries the justification for and status of the Development Brief
- If the Development Brief is an interpretation of the LP policies and what they represent, then it risks predetermining what could be acceptable through the planning application process and removes the planning judgement of the local planning authority and its officers.
- Comments on some elements of detail, including noise attenuation, the cycle/footpath link in the Hallam Land site, the adjacent watercourse, what is required re the play area (i.e. equipped or not), and flood risk data
- Comments re a veteran oak on the boundary of the HLM site and whether or not it should be retained
- Queries an apparent dichotomy between creating a frontage to the A44 and the need for noise abatement
- Questions the requirement (p31) to “where possible exceed” local and national standards for sustainable development including biodiversity net gain.
- Suggests the requirement for a single comprehensive outline scheme is not in line with Policy PR8.
- No reference at p42 to the OCC Street Design Guide or to OCC’s Decide and Provide approach; queries the introduction of the southbound A44 bus lane
- Queries the required primary street width (p45)
- Queries the need for landscape design of noise attenuation between the development and the railway line; suggests an acoustic fence is sufficient; similar comments re noise abatement to the A44.
- Queries the scale of the stated requirement for allotments
- Suggests there is inconsistency in the Development Brief with regard to the land south of the local centre i.e. whether it is intended for a park or residential.

OUD

4.28 The comments raised from OUD are summarised as follows:

- Considers the Development Brief does not represent a sound policy position for the land
- The Development Brief does not reflect the work OUD has undertaken; queries the justification for and status of the Development Brief
- Considers the Development Brief to be overly prescriptive; it needs to be more flexible to allow the development to respond to circumstances and evolve
- Says it sought to coordinate the preparation of the Development Brief and the planning application by engaging members of the Development Brief team in the pre-application process

- Comments re the use of the land to the east of the railway
- Typographical error at Section 5.1, page 28
- Comments re veteran and transitional trees
- The location of the schools has been discussed with OCC; says that agreement has been reached with OCC on their location, which deviates from that set out in the Development Brief
- Questions the requirement (p31) to “where possible exceed” local and national standards for sustainable development including biodiversity net gain
- Section 6.3, page 33 – would like the words “parameter plans” replaced with “indicative figures” and the words “street-based layout” with “movement-based layout”
- Comments re the location of the allotments
- Suggests it should be acceptable to remove the trees which line the existing public right of way leading north from Sandy Lane and re-align that PROW
- Section 6.3.3, page 41 – would like the words “It is to be kept free from built development” to be removed
- Section 6.4.1, page 41 – add the words “and bus” after ‘wheelchair’
- Section 6.4.2, page 43 – suggests the weight limit is 3 tonnes not 1 tonne
- Queries the required primary street width (p45)
- Queries the need for and design of any rail station/halt at the PR8 site
- Section 6.5.1, page 52 – change “November 2023” to “January 2024”; suggests that the legislation will not mean a policy requirement to deliver 10% BNG
- Queries the mentions of the SSSI at Section 6.5.1, page 52
- Section 6.5.2, page 56 – takes issue with the paragraph which begins, “There should be no incongruity...” – considers it overly restrictive.
- Section 6.5.3, remove the words “of an urban character”

Oxfordshire County Council

4.29 The County Council’s comments are:

- The Development Brief is being consulted on after all the others for the Partial Review allocated sites
- Ideally this Development Brief should have been consulted on earlier as an outline planning application covering much of the allocated site was submitted July 2023 without the benefit of a confirmed brief
- Queries the role of Policy BSC4 and the lack of specialist care housing
- The Affordable Housing elements need to be agreed with Oxford City Council
- The Development Brief does not address the possibility of more houses than the number in Policy PR8
- Comments re the land retained in the Green Belt, inc the local nature reserve
- Seeks clarification of the text on p33 re ‘single comprehensive, outline scheme’ – supports its intention but asks the text be amended to indicate how the intent will be achieved
- Queries re Sandy Lane, the potential for an alternative bridge arrangement
- Would prefer the term ‘railway station’ to ‘railway halt’; comments that there needs to be one platform northbound and one southbound connected via bridge or tunnel
- The zone for the railway should be extended northwards
- Amendment to 6.4.8 (p51) may be needed re the services to such a station
- Suggests there are missing blue arrows on the Figure in page 3

Cherwell District Council

- Amendments required to Figure 2, inc re pedestrian/cycle routes
- Reference required at 2.1.3 (p12) to the LTCP and strategy for Mobility Hubs
- Amendment to 6.4.2 (p42) to clarify the intention
- On page 45 it should be noted that the primary street should have a width of 6.5m for a bus route; this is also needed in Figure 16
- Page 47, tertiary streets should be reviewed to encourage the “living streets” concept – narrower streets, without parking and potentially incorporating a one way system
- Comments re controlled parking zones
- Seeks added reference to the desirability of higher densities in locations close to a bus route
- Seeks reference at sections 6.4 and 6.6.2 to a mobility hub by the local centre
- Comments re the relative lack of mention of sustainable drainage
- Comments re the school area requirements and re the alternative locations OCC has been discussing with OUD; the schools should be located close to local centres; seeks flexibility on the wording around the size of the primary schools
- Comments re the sports hall requirements
- Comments re need to provide for some use of Sandy Lane

Officer Response to Representations

4.30 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. Some other requested changes are still being considered by officers and these are indicated in Appendix 2.

4.31 In response to comments by members of the public:

- The intention is that Gravel Pits Lane would be made suitable for cycling
- Whether or not Sandy Lane closes is outside of the scope of the Development Brief

4.32 In response to comments by the Canal and River Trust:

- Land extending north towards Langford Lane lies outside the PR8 site and therefore outside the scope of the Development Brief. That said, page 48 notes: "This should also extend northwards towards Langford Lane."
- Page 48 notes that this will be "either through enhancements to the existing towpath or provision of an adjacent new route while retaining the existing canalside hedgerow."
- Re the new bridge, noted, but it is of course the course that planning decisions do not supersede other legislative requirements or land ownership. It is hoped that a suitable design will be agreed with the CRT. The CRT's comments in relation to the ownership and maintenance of the bridge are noted.

- Water based sports facilities on the canal are outside of the scope of the Development Brief

4.33 In response to comments by BBOWT:

- Light pollution - This is noted and is a matter which will need to be addressed in the decision on planning applications

4.34 In response to comments by Network Rail:

- Change to the character and risk of use of the level crossing - It is noted that the LPPR Policy PR8 looks to reduce level crossing risk, whereas the applicant may intend to provide for vehicular access.

4.35 In response to comments by Kidlington Parish Council:

- The policy for the PR8 site requires a certain number of houses and a certain area for employment. These requirements are set. The objective of the Development Brief is to set out how these requirements are met. The development framework provides flexibility as to where the required uses are located. The intention is not to be over-prescriptive about the locations of these uses.
- We entirely agree with KPC's comment re housing needs for Oxford University. If OUD wishes to provide for housing to meet Oxford University's wants or needs, this must be in addition to the requirements of Policy PR8. It must be remembered that the site has been removed from the Green Belt specifically for the purpose of meeting Oxford's unmet need.
- The community benefits in terms of required infrastructure are set out at Appendix 4 of the Local Plan Partial Review Plan
- Re sports facilities requirements, these are set out at Sections 3.1, 5.1 and 6.6. The secondary school must incorporate a 4 court sports hall, the use of which must be shared with the community. The policy also requires "Formal sports and play areas within the developable area" although as per Section 5.0 it is the Council's preference "that in lieu of on-site formal sport pitch provision an appropriate financial contribution be made towards new and improved facilities at south-east Kidlington, based upon CDC adopted developer contribution standards."
- Re education provision, it is not the purpose of the Development Brief to replace planning policies or other development plan documents, but to guide the layout and design of the development, ensuring that the education requirements are met including the optimal location and layout. CDC has worked closely with OCC in regard to the site requirements for education provision.
- Re inclusion of the landfill site and Yarnton garden centre, the PR8 site as defined in the LPPR does include the former landfill site on Sandy Lane and the Yarnton Home and Garden Centre - Figure 8 shows the policy map for the site. At the start of the work for the Development Brief, the landfill site was in different ownership and did not form part of the development, but it has since been acquired by OUD and now forms part of their plans. This has afforded greater flexibility to the layout of the development, with this -essentially square- area forming a new public green space onto which housing will face on three sides and the local centre facing onto it from the northern side.

- Re whether a new community or parish will be created or whether the development will integrate with existing communities, planning policy documents shape only the design and layout of the development. Governance is not within their remit. In spatial planning terms, it is intended to create a new development which is integrated with the existing communities. The location of the convenience facilities is one example of this, to provide an improved offer to existing residents of Yarnton; another being the location of purely residential and educational uses on land bordering the existing village of Yarnton. The land south to the east and south of Begbroke is to be kept as a Local Nature Reserve.

4.36 In response to comments by Yarnton Parish Council:

- The reference for homes for university students and workers is in addition to the 50% Affordable Housing. It may form part of the 1,950 net dwellings or it may be in addition to that number, but it must be in addition to the 50% Affordable Housing.
- Re the statements about buses on page 20, these are factual and are not intended to imply anything further, but we note the point Yarnton PC makes.

4.37 In response to comments raised by Hallam Land:

- The very purpose of the Development Brief is "to provide a site specific vision and comprehensive development principles addressing land use, character, layout, green infrastructure, movement, utilities, healthy place making and sustainable design", to guide developers and help shape the design of the development.
- The place and role of the Development Brief is set out in the policy for the site.
- We note the points regarding the status of the dev briefs and the comparison to SPDs but the development brief is a Policy requirement intended to secure the comprehensive development of each site and (all briefs in combination) the overall vision and strategy of the LPPR. The brief is clearly concerned with land-use matters, its requirement within policy was tested at examination and it will be subject to public consultation in addition to extensive engagement with key stakeholders and landowners/promoters.
- The comment re the Development Brief predetermining what could be acceptable suggests a fundamental lack of understanding of the role of the Development Brief. Its very purpose is to guide the preparation of development proposals, to set parameters and principles which the LPA expects the development to follow and to form part of the planning judgement of the local planning authority. The Development Brief is a policy requirement and planning applications will need to accord with the Brief.
- We query whether further definition is needed re noise attenuation. If there is general alignment the points raised by Hallam can be dealt through the Planning application
- The dev brief sentence is an almost word by word replication of PR8 point 31 and not incorrect. "Single comprehensive outline scheme" does NOT mean a single planning application. However, dev brief in page 35 could cross refer to section 7 and section 7 could provide greater clarity on how to secure the delivery of a comprehensive scheme though multiple planning applications.
- Noise attenuation doesn't necessarily mean a barrier to frontages. The dev framework notes size/type to be confirmed. A 44 frontage is important, agree that perhaps it is a matter of addressing noise in the most suitable manner and based

on noise survey info but A44 frontage. This can be suitably explained in the text. Development Principles figure 14 notes the key frontages are indicative.

- Re 6.4.2, OCC's comments are a material consideration; the text has been drafted in partnership with OCC Highways and we are content that it does not need to be amended
- Re the level of detail at page 45, it is helpful that the Development Brief sets out these principles so as to give certainty and clarity to all parties as what is required
- Note issue of space raised by Hallam and their proposed acoustic fence. Preapp report for this site recommends that the development includes natural sound barriers within the acoustic barrier.
- Re allotments, 0.27ha seems right. But this is a detail for the preapp and planning application. The brief indicates overall requirement plus location.
- Re the land use south of the local centre, there is no inconsistency. Amenity space is to be provided to adopted standards within the developable area and not shown in other figures.

4.38 In response to comments raised by OUD:

- The Development Brief is couched in the terms of the planning policy; it does not set new planning policy; it may be more prescriptive than developers would prefer, but in a way that is one of the roles of the Development Brief. DM planners may agree something different as part of pre-application discussions and they have the flexibility to do so. However, this does not detract from the purpose and importance of the Development Brief in guiding and shaping appropriate development.
- Some elements of the OUD proposals are unchanged from before the public engagement and the design review panels. The design review panels expressed concerns and recommended various changes. It is for the OUD proposals to provide sound rationale for deviation from the policy and the Development Brief, not the other way around. The Development Brief has been formally consulted upon and is based on sound and robust evidence, and has been amended in various ways to reflect the OUD proposals. OUD is reminded of the policy requirements in respect of the Development Brief.
- The Development Brief is not overly prescriptive, and it does provide for sufficient flexibility
- The Council had good engagement with OUD's original planning team and the overall development framework for the site was agreed between the two parties. Unfortunately, OUD then changed its planning team and departed from that agreed strategy with an alternative development framework that had not been informed by robust evidence. That work has since taken place, but the overall development framework presented in the planning application had already been set out. The Development Brief team have attended meetings with the newer OUD planning team but despite best endeavours the dialogue was principally one-way.
- Section 4.1, page 23 - this text was amended in response to OUD's comments on an earlier version, where they advised that the remaining undeveloped part of Parkers Farm would not remain in agricultural use. They commented that there was a need for access to land east of the railway, but not for agricultural use. We agree in that the land will primarily be used for public green space, wildlife areas and nature conservation areas.
- The dev brief hatched area provides flexibility to accommodate the school and address concerns from OCC and sufficient land to enable contiguous expansion

to the Science Park if that were needed (need to check the area indicated as contiguous provides for 14.7 ha). Nevertheless, secondary school within a defined science education quarter shouldn't be a competing use particularly with shared use of sports hall.

- Once the principle of moving the school is established CDC does not have an objection to different location parcels subject to not preventing other policy requirements. As a note, it seems odd that OCC objects to the location in the LP in noise and air pollution grounds but has no objection to location by railway line.
- Section 6.3, page 34 – this text has already been amended in response to OUD's comments to an earlier iteration and there is no clear reason to amend further
- Section 6.3.1, page 39 - there is no justification for this change and no need to move the public right of way
- PR8 envisages informal public parkland and retention of agricultural use south of Sandy Lane/east of the railway line.
- The LP clearly notes 'free of buildings' but it was prepared under NPPF12 which addresses facilities for outdoor recreation in GB slightly differently. Mindful of OUD proposals for this area 'formal sports and recreation area'.
- LP envisages PR8 point 37 the areas north along Rowel Brook and east of the railway to reflect and enhance local landscape character and wildlife including the Oxford Canal and Rowel Brook. Point 38 notes the contrast between dense urban development and canal-side parkland setting should be used as a positive and integral design feature.
- Formal sports pitches bring an urbanising element not intended by the policy neither needed/ requested by CDC recreation. The policy wording should be retained. LPPR Evidence doc PR50 notes: "The open agricultural land between Kidlington, Begbroke and Yarnton provides an important separation to the settlements, preventing coalescence of the villages. The agricultural land also provides a setting to the conservation area associated with the Oxford Canal, which passes along the west edge of the village."
- If current agricultural use is no longer viable (the only info from promoter I am aware of is that Rowel Brook area has better quality agricultural land) need evidence. 12 hectares seems a reasonable size for smaller scale food production and could link with the retention of the orchard at PR7b.
- Not clear as to why the road names need to be amended
- Re Section 6.4.4, page 45 - The design of the road is not the same as its minimum width. The Development Brief is setting a parameter regarding the minimum width - considered important for urban design reasons, and beyond that the design of the primary street is to be agreed with OCC. OCC has requested 6.2m be amended to 6.5m because of the requirement for the primary street to be a bus route.
- The legislation does require a 10% biodiversity net gain
- Although the SSSI is outside PR8, the site must mitigate potential impact on SSSI. Agree to a point with the deliverability issue. Preapplication and application process better suited to ensure deliverable mitigation. No change.
- The development brief clearly indicates 'housing plots' and the intention of the dev brief here is not that of stifling innovation.
- Section 6.5.7, page 57 – this is a requirement worked through with consultees

4.39 In response to comments made by OCC:

- Timing – we agree. Resources meant that the Development Briefs had to be prioritised in order of sites coming forward for development. Other than PR6b,

PR8 is the last of the six sites to be subject of planning applications. Work on this Development Brief had progressed in Autumn 2022/Spring 2023 but was put on hold for wider review

- 2,100 homes would exceed the allocation of 1,950. This needs to be borne in mind by decision makers particularly in relation to the contributions / proportions of contributions made by PR8 applicants/developers towards infrastructure, but this is not a matter for the Development Brief. The Development Brief must not stray beyond the planning policy; its purpose is to provide detail as to how the policy should be implemented and the site developed. It would not be appropriate for the Development Brief to advocate, or address the potential for, a number of homes greater than that in the policy
- Re “single comprehensive, outline scheme”, this has been a common misunderstanding on the part of various interested parties. The words are taken directly from the planning policy for the PR8 site. It is necessary for each applicant to demonstrate how their development forms part of a single, integrated whole, so as to avoid a piecemeal approach, etc.
- The zone for the rail halt/station has already been expanded from earlier versions and now covers an area/distance measuring c.1km.
- We note the school areas sought by OCC. The figures in the Development Brief reflect those in LPPR Policy PR8, which have been through examination.
- Sports hall requirements - This is noted and we appreciate OCC's clarification. The Policy PR8 requirement is for a sports hall that can be used by the community outside school hours and it will therefore need to be designed to the Sports England dimensions. In view of OCC's response, additional funding would be required by the developer to meet the larger hall requirements.
- The Development Brief states that the school site locations are subject to further detailed assessment
- Schools location close to local centres - We entirely agree. The locations currently identified in the Development Brief are located close to local centres. We would expect any alternative locations proposed or agreed as part of the planning application to meet this objective as set out by OCC
- Number of form entries - The requirements set out in the Development Brief reflect the requirements of the Policy PR8. It would be inappropriate for the Development Brief to deviate from the specific requirements of Policy PR8. In addition, it would be easier to compromise on a less onerous position than to seek to negotiate up from a revised position.

Summary of Changes

4.40 In response to a comment by Canal and River Trust,

- an assessment of the compliance of the proposed bridge location of the bridge and towpath improvement details with our guidance document will be included in the list of required supporting documents in Section 7.

4.41 In response to comments by BBOWT,

- we note the comments regard access vs undisturbed areas and suitably worded amendments will be made to the text
- it would seem to go beyond the Development Brief's scope to require green roofs, but they should be encouraged as forming part of a wider strategy

4.42 In response to comments by Yarnton Parish Council,

- we note the comment regard pick up points as well as drop off points and the implications thereof; appropriate textual changes to be made at 6.4.4, 6.4.8 and 6.6.
- reference to be added to the oak tree that stands on the north-east boundary with the PR8 area. The related point re the location of the allotments is noted and the indicative location of the allotments will be moved west/north-westwards.
- we accept the point regarding the putative local centre location and happy to amend this. The sewage farm is located outside of the PR8 area so it is not within the scope of the Development Brief to suggest the skateboard area is located there. Perhaps the ex-landfill site is a better location, to the south of the local centre;
- the various typographical errors are noted and need to be corrected, as set out in Appendix 2

4.43 In response to comments by Hallam Land,

- with regard to play area vs equipped play area, the requirement is as per Figure 18; it is acknowledged that page 3 does not distinguish between LAP, LEAP, NEAP and MUGA and we will consider whether Figure 1/page 3 needs to be clarified
- the cycle/footpath – we will add a note to say that its exact position will need to be subject to further testing
- re page 18, site drainage, we agree that the site context figure does not reflect all water courses. It is picked up within the Site constraints map. We either include all relevant watercourses within the context map or none.
- re page 29 and sports pitch provision, Hallam Land is correct but we will add a sentence to the first para noting that informal play/amenity space will still be required to be provided within the built-up area to adopted standards, and to make clear that off-site contributions to formal sports is required
- Reference to be added at page 42, section 6.4.1, to OCC Street Design Guide. Also reference text box in page 53 should include Oxfordshire County Council Street Design Guide and any other relevant doc such as parking standards. Will be a need to strike balance between highways requirements and good urban design.

4.44 In response to comments by OUD,

- section 5.1, page 28 - change "provision of a foot, cycle..." to "provision for a foot, cycle..."
- we will make the necessary amendments regarding veteran and transitional veteran trees

- section 6.3, p34, allotments – the Development Brief should afford same flexibility as the LP in relation to the relocation of existing allotments if needed in addition to provision of allotments to adopted standards.
- section 6.4.1, page 42, the words “and bus” to be added, before ‘connectivity within the site...’
- section 6.5.1, page 52, the words “November 2023” to be replaced with “February 2024”

4.45 In response to comments by Oxfordshire County Council,

- in the 2nd para of 6.4.8 add after "Should a halt be developed" the words "and subject to further discussion with Network Rail"
- amend Figure 1 to include the blue arrows for the vehicular accesses from the A44.
- Figure 2 will be amended as far as applicable regarding walking and cycling routes
- section 6.4.2, page 42, the 5th bullet point will be amended to clarify that it refers to the crossing of the railway / Sandy Lane replacement bridge
- page 45 – the width of the primary street will be amended to 6.5m for a bus route. This is needed also in Figure 16.
- 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 agree with regard to the desirability of higher densities in locations close to a bus route and will make the relevant change
- mobility hub at / by the local centre – we will amend the text accordingly

5. Alternative Options and Reasons for Rejection

5.1 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 PR8 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.

6 Conclusion and Reasons for Recommendations

- 6.1 Overall, officers are happy to conclude that the Development Brief for the site accords with Policy PR8 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.
- 6.2 It is recommended that the planning committee approves this Development Brief as a framework for the development and delivery of site PR8 - Land East of the A44, subject to the changes to be made as per above and to any further changes considered necessary arising out of either the consultation at the end of 2023 and/or the short public consultation to follow this Planning Committee, and that the finalised Development Brief will be a material consideration in the determination of any future planning applications for the site.

Decision Information

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|---|----------------------------------|
| Key Decision | Not applicable |
| Subject to Call in | Not applicable |
| If not, why not subject to call in | Not applicable |
| Ward(s) Affected | Kidlington East, Kidlington West |

Document Information

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| Appendices | |
| Appendix 1 | Development Brief – Land East of the A44 |
| Appendix 2 | Summary of representations and officer responses |
| Background Papers | None |
| Reference 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 |
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