

Case Officer: Nick Wyke

Applicant: Ainscough Strategic Land Limited

Proposal: Outline application for the demolition of existing building and development of up to 100 dwellings (Use Class C3) alongside open space, sustainable drainage and ancillary infrastructure. All Matters Reserved except for primary means of vehicular access from Barford Road

Ward: Adderbury, Bloxham & Bodicote

Councillors: Cllr Gordon Blakeway, Cllr David Hingley, Cllr Rob Pattenden

Reason for Major development

Referral:

Expiry Date: 20 April 2026

Committee Date: 4 June 2026

SUMMARY RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS AND S106 LEGAL AGREEMENT

1. APPLICATION SITE

- 1.1. The application site is located on the south-eastern side of Bloxham and comprises two parcels of land extending to 5.48ha. Both parcels are separated by a mature hedge and tree lines and are currently used for the grazing of livestock with an existing agricultural barn located in the south-western corner of the northern parcel. There is an existing vehicular access point off Barford Road opposite Maule Close. To the north of the site is Bloxham Mill Business Centre. To the east are agricultural parcels of land and to the south-east is the RAF Barford St John. The centre of Bloxham where there are a variety of shops and services is located approximately 0.7 miles to the north-west of the application site and is accessible via existing pedestrian footways along Barford Road.
- 1.2. According to the Cherwell District Council Proposals Map, the site is Grade 4 Agricultural Land. It also falls within the RAF Barford St John Safeguarding Zone.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The planning application has been submitted in outline with all matters reserved except access for the development of up to 100 residential dwellings (use class C3) alongside open space, sustainable drainage and ancillary infrastructure. The demolition of the existing agricultural barn also forms part of the proposals.
- 2.2. Matters surrounding layout, scale and appearance will be dealt with through the submission and agreement of reserved matters should the outline planning application be approved.
- 2.3. The application upon submission was for up to 130 dwellings, this was subsequently reduced to 114 dwellings by the applicant following comments being received from

the Council's Urban Design Officer. The current scheme is for up to 100 dwellings following concerns being raised by Officer's regarding over-development of the site and the incursion of development into the southern field parcel. The reduction in the number of dwellings proposed has removed all proposed dwellings from the southern field parcel which will now comprise open space.

- 2.4. The key consideration for this application is therefore whether the principle of development is acceptable and whether vehicular access onto Barford is safe suitable for up to 100 dwellings.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

LPA REF; 16/01412/OUT. Outline application for the erection of up to 3 dwellings (details of access submitted in full). Application was refused on the 12th September 2016.

LPA Ref; 02/01382/OUT. Renewal of 98/00764/OUT for agricultural dwelling and garage (outline). Application refused December 2002.

LPA Ref; 02/031/REM. Reserved matters application in conjunction with outline application for the erection of 1x agricultural dwelling and garage. Approved 13th November 2002.

LPA Ref; 08/00645/OUT. Outline planning application for the erection of new warehouse buildings and associated office accommodation and provision of new highway access to the site. (Land to the south of the application site.) Application withdrawn. 28th April 2008.

4. PRE-APPLICATION DISCUSSIONS

- 4.1 No pre-application discussions have taken place with respect to this proposal:

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **5 June 2025**, by advertisement in the local newspaper expiring **6 June 2025**. The overall final date for comments was the 20th March 2026. As per the Cherwell District Council Statement of Community Involvement, there is no requirement to send out letters to neighbours near to the application site where an application has been published on the Cherwell District Council website, by way of site notice and press notice.

- 5.2. Following the consultation 69 objections have been received, and 24 comments of support have been received. The comments raised by third parties are summarised as follows:

- Concerns over the highways impact of vehicles entering and existing onto Barford Road.
- Existing vehicle congestion in and around Bloxham
- Ability for surrounding infrastructure to accommodate further development including strain on doctors' surgery's, dentists and schools.
- The need for further housing development in Bloxham.

- Ecological impact as a result of further development
- Impact on the character of the village
- Landscape impact.

5.3. The comments received can be viewed in full on the Council's website, via the online Planning Portal.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **Bloxham Parish Council** have provided comments on the application raising concerns over the prematurity of the application and its impact on the Draft Neighbourhood Plan. The Parish Council have stated that they consider the application to be so substantial, and its cumulative effects with recent and other planned schemes to be so significant, that to grant planning permission would undermine the plan-making process by predetermining decisions about scale and location of new development that is central to the emerging Neighbourhood Plan. The Parish Consider that paragraphs 50 and 51 of the NPPF are engaged and Cherwell District Council should duly refuse the planning application on the grounds of prematurity.

STATUTORY CONSULTEES

- 6.3. **OCC Lead Local Flood Authority** have raised no objection to the proposals.
- 6.4. **CDC Environmental Health** has confirmed that they are happy with the contents and findings of the noise and air quality report. A potential risk from contamination was identified in the phase 1 report provided with the application. The EHO has recommended that a comprehensive intrusive investigation report is undertaken in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals. The further contamination work required can be conditioned should planning consent be approved.
- 6.5. **OCC Archaeology** have recommended that a staged programme of archaeological investigation be maintained during the period of construction. This can be ensured through the attachment of a suitably worded planning condition.
- 6.6. **CDC Building Control** have advised that a building regulations application will be required to be submitted.
- 6.7. **CDC Recreation and leisure** have advised a financial contribution will be required to be paid towards Community Hall Facilities, Outdoor Sport Provision, Indoor Sport Provision, Community Development Worker, Community Development Fund and Public Art. These financial contributions will be agreed through a S106 agreement.
- 6.8. **OCC Education** have advised there is insufficient capacity at Bloxham Primary School to accommodate the expected increase in pupil numbers to arise should this development go-ahead. They originally requested a financial contribution of £1,167,762 towards the expansion of the primary school. The primary school works were forward funded by Oxfordshire Council with the funds being reclaimable as set

out in paragraph 15 of the Department for Education Guidance. Oxfordshire County Council previously advised as part of their comments for the application at Hartshill Close Bloxham (Ref: 24/02541/OUT) that the construction works costs would be £2,224,000. In correspondence between Oxfordshire County Council and Cherwell District Council dated 04th July 2025, OCC advised that the costs had increased to £3,336,000. Whilst the increase in build costs is unfortunate, I did not consider the requested contribution of £1,167,762 met the required Community Infrastructure Levy Regulations 2010 requirements. A contribution of £1,242,300 has already been agreed in principle for the development at Hartshill Close, Bloxham. Another contribution of £415,316 and £35,896 was agreed as part of the S106 agreement following the appeal for 60 dwellings (LPA Ref: 23/01265/OUT) on land south of Tadmarton Road, Bloxham.

- 6.9. A contribution of £960,298 towards Primary School Education can in my opinion be justified in accordance with the Community Infrastructure Levy Regulations based on the previous build cost figure of £2,224,000 and taking account of the £1,242,300 agreed as part of the scheme at Hartshill Close, Bloxham and £415,316 agreed through the Tadmarton Road scheme.
- 6.10. The proposed development is expected to result in an increase of 0.7 pupil places at special schools in the area. A contribution of £82,627 towards special education has therefore been requested based on the percentage of the pupil generation who would be expected to require places at a special school.
- 6.11. **OCC Minerals and Waste** have advised that the application site is approximately 450m south-west of a safeguarded waste management site (Newlands Farm). OCC Minerals and Waste consider that policy W11 of the Oxfordshire Minerals and Waste Local Plan Core Strategy is therefore engaged. Policy W11 states *Proposals for development that would directly or indirectly prevent or prejudice the use of a site safeguarded for waste management will not be permitted unless:*
- *The development is in accordance with a site allocation for development in an adopted local plan or neighbourhood plan; or*
 - *Equivalent waste management capacity can be appropriately and sustainably provided elsewhere; or*
 - *It can be demonstrated that the site is no longer required for waste management.*
- 6.12. **OCC Minerals and Waste** go onto advise that: *There is existing development to the west of the waste site on either side of Milton Road, as well as north of the application site off Dickenson Road and so development at the application is unlikely to prevent or prejudice the use of the waste site. However, appropriate mitigation should be considered to the north and eastern boundary of the proposal.*
- 6.13. Appendix 2 of the Minerals and Waste Core Strategy (September 2017) sets out the existing and permitted Waste Management Sites Safeguarded under Policy W11. The list includes Newlands Farm as referenced in OCC's comments. The Appendix states that *These sites are safeguarded under Policy W11 pending adoption of the Oxfordshire Minerals and Waste Local Plan: Part 2 – Site Allocations Document.* The Position Statement on the Oxfordshire Minerals and Waste Local Plan Production as published by Oxfordshire County Council confirms that the Oxfordshire Minerals and Waste Local Plan Part 2 (Site Allocations Document) has ceased its progress through the plan making process and will consequently be given no weight in planning decisions. Paragraph 5.100 of the Minerals and Waste Core Strategy states that Pending the adoption of the Site Allocations Document, policy W11 safeguards all

sites that contribute, or have permission to contribute, to Oxfordshire's waste management capacity. This applies to all waste management facilities except landfill (to which policy W6 applies). Paragraph 5.101 goes onto state that *the Site Allocations Document will confirm whether or not safeguarding will apply to each site for the duration of the plan. Policy W11 sets out the types of site that will be safeguarded.* Paragraph 5.102 states that *Policy W11 provides that there should be a presumption against development that could compromise the future use of a safeguarded site for waste purposes. Other forms of development should only be permitted if a suitable alternative location for the waste use can be identified, secured and safeguarded.* Paragraph 5.103 states that *The Site Allocations Document will confirm where consultation may not be necessary, but pending the adoption of that document a consultation zone of 250m will be applied to all safeguarded sites.*

- 6.14. OCC have confirmed in their comments that the application site is approximately 450m away from a safeguarded Minerals and Waste site. This is outside of the 250m consultation zone as referenced in paragraph 5.103. It is not therefore considered that this application would directly or indirectly prevent or prejudice the use of the minerals site. Policy W11 is therefore considered to be accorded with.
- 6.15. **CDC Waste Management** have advised that a financial contribution will be required towards the expansion and efficiency of Household Waste Recycling Centres. This contribution will be agreed through a S106 agreement should planning consent be approved.
- 6.16. **Thames Water** have advised that they have been unable to determine the foul water infrastructure needs of this application and have therefore requested that a condition is attached to any scheme should it be approved. Thames Water have confirmed they have no objection with regard to Surface Water Drainage subject to the sequential approach to the disposal of surface water being followed. Thames Water have identified an inability for the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have requested a condition which requires all water network upgrades to accommodate the additional demand to serve the development have been completed or a development and infrastructure phasing plan has been agreed with Thames Water.
- 6.17. **CDC Strategic Housing** have advised in their comments that the most pressing housing needs are *for 3 and 4-bed rented homes and a small number of 5 or 6-beds. In the last few years, the need for rented 4-beds has increased due to very limited supply, with waiting times of around 4-5 years for those with significant housing needs to secure a rented 4-bedroom home through our housing register.* Strategic Housing have advised that at the time of providing their comments (June 2025) they are beginning to see the delivery of some 4-bed houses. They are now actively seeking the provision of some 5 and 6 bed houses as well as 4 beds to meet the needs of those larger families on the housing register. Based on the above Strategic Housing have advised that 15-20% of new-build rented dwellings are required as 4-beds to address this and approximately 30-35% as 3-bed. The following mix of rented units is therefore required.
- 1-bed 25-30%
 - 2-bed 25-30%
 - 3-bed 30-35%
 - 4+-bed 15-20%
- 6.18. Based on a scheme for up to 100 dwellings, with a policy compliant provision of 35% the following mix of affordable dwellings and tenures has been requested by Strategic Housing. Shared ownership (total 10 units).

Social Rent. (25 dwellings)

6 x 1-bed 2-person maisonettes with GF as M4(2) with Level Access Showers

7 x 2-bed 4-person houses

7 x 3-bed 5-person houses

1 x 3-bed M4(3) (2) (b) bungalow

4 x 4-bed 7/8-person houses

Shared Ownership

7 x 2-bed houses

3 x 3-bed houses

6.19. The above affordable housing mix will be agreed through a Section 106 agreement subject to the provision of the final number of dwellings which will be submitted through the reserved matters applications.

Urban Design

6.20. The Cherwell District Council Urban Design Officer has provided comments (dated 05th March 2026) on the proposals confirming his support for the proposals. A summary of the comments is provided below.

- To allow for design development I suggest that the reserved matters condition states that proposals should be 'broadly' in accordance with the development parameters.
- I suggest a condition stating that the open space design should follow the general design principles of the 'Illustrative Landscape Strategy' plan.
- I suggest the clarity is sought over the feasibility of the pedestrian footpath links. If links are feasible a direct pedestrian link between the development and the public right of way should be conditioned.
- For the avoidance of doubt the illustrative masterplan layout is not supported and should not be conditioned.

OTHER CONSULTEES

6.21. The **Campaign to Protect Rural England** have raised concerns over the potential cumulative impact of the proposals when taken with the scheme for 130 dwellings on land south of Hartshill Close, Bloxham that was recently given a resolution to grant at planning committee subject to a S106. CPRE have welcomed the attachment of conditions that reduce the standard timeframe for receipt of reserved matters should the application be approved on 5-year housing land supply. Concerns have also been raised over the potential impact of additional traffic flows on the surrounding highway network along with the impact of the proposals on ecology.

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 replaced several of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2015)

- BSC1 District Wide Housing Distribution
- BSC 3 Affordable Housing
- BSC 4 Housing Mix
- BSC 9 Public Services and Utilities
- BSC10 Open Space, Outdoor Sport and Recreation Provision
- BSC11 Local Standards of Provision – Outdoor Recreation
- ESD 1 Mitigating to climate change
- ESD 3 Sustainable Construction
- ESD 4 Decentralised Energy Systems
- ESD 6 Sustainable Flood Risk Management
- ESD 7 Sustainable Drainage Systems
- ESD 10 Protection and Enhancement of Biodiversity and the Natural Environment
- ESD 13 Local Landscape Protection and Enhancement
- ESD 15 The Character of the Built and Historic Environment
- Policy Villages 1: Village Categorisation
- Policy Villages 2: Distributing Growth Across the Rural Areas
- Policy Villages 4; Meeting the need for open space, sport and recreation
- Policy INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- H18 – New dwellings in the countryside
- C28 – Layout, design and external appearance of new development
- C30 – Design of new residential development
- C31 – Compatibility of proposals in residential areas

DRAFT CHERWELL LOCAL PLAN REVIEW 2042 (at Examination)

- SP1: Settlement Hierarchy
- CSD1: Mitigating and adapting to climate change
- CSD2: Achieving net zero carbon development residential
- CSD 8: Sustainable Drainage Systems
- CSD 9: Water Resources and Wastewater Infrastructure
- CSD 11: Protection and Enhancement of Biodiversity
- CSD 12: Biodiversity Net Gain
- CSD 16: Air Quality
- CSD 18: Light Pollution
- CSD 23: Assessing Transport Impact/ Decide and Provide
- LEC 6: Supporting A Thriving and Resilient Farming Sector
- LEC7: Best and Most Versatile Agricultural Land
- COM1: District Wide Housing Distribution
- COM2: Affordable Housing
- COM3: Housing Size/Type
- COM10: Protection and Enhancement of the Landscape
- COM11: Cherwell Local Landscape Designations

- COM 13: Settlement Gaps
- COM 14 Achieving Well Designed Places
- COM 15 Active Travel - Walking and Cycling
- COM 20 Providing Supporting Infrastructure and Services
- COM 22 Public Services and Utilities
- COM23 Local Services and Community Facilities
- COM24 Open Space, Sport and Recreation
- COM25 Local Green Space
- COM 26 Historic Environment

BLOXHAM NEIGHBOURHOOD PLAN

- BL1 – Policies on Sustainable Housing and Size of Developments
- BL2 – Sustainable Development
- BL3 – Policy on Connectivity
- BL4 – Policies on Parking
- BL5 – Parking standards for existing residential development
- BL6 – Water consumption
- BL7 – Flood Risk
- BL8 – Housing that adapts to demographic change
- BL9 – Residential amenity
- BL10 – Bloxham Conservation Area
- BL11 – Residential design
- BL12 – Importance of space and key street scenes and views

7.3. Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Written Ministerial Statement (July 2024)
- Written Ministerial Statement (December 2024)
- Housing Economic Needs Assessment (December 2024)
- Guidance issued by Natural England on Ancient Woodland, Ancient Trees and Veteran Trees (January 2022)
- Department for Education Securing developer contributions for education dated August 2023 which is a material consideration in the determination of this application
- Draft National Planning Policy Framework (December 2024)

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Principle of Development.
- Highways
- Landscape Impact
- Ecological Impact
- Urban Design
- Other Matters.

Principle of Development

- 8.2. Strategic Objective SO7 of the adopted Local Plan refers to the need to meet the housing needs of all sections of Cherwell's Communities, particularly the need to house an ageing population.

- 8.3. Policy ESD1 identifies the measures to be taken to mitigate the impact of development within the District on climate change. This includes distributing growth to the most sustainable locations as defined in the Local Plan.
- 8.4. Policies Villages 1 categorises the villages in Cherwell. Bloxham is categorised by Policy Villages 1 as being a Category A Village. These are the most sustainable villages as stated by the supporting text in paragraph XXII of the Local Plan (2015). Policy Villages 1 states that proposals for residential development within the built-up limits of villages will be considered based on their categorisation. As Bloxham is categorised as a Category A Village by Policy Villages 1 it is identified by the Local Plan as being suitable settlement for minor development, infilling and conversions. The fact it is a Category A settlement further shows that it is a sustainable location to accommodate development.
- 8.5. The Cherwell Local Plan (2015) Policies Map does not contain settlement boundaries for settlements within the District. The Bloxham Neighbourhood Plan does not identify a settlement boundary for Bloxham either.
- 8.6. Whilst limited weight can be attributed to the Regulation 19 Draft Cherwell Local Plan at this stage as it has not been tested at examination, Policy SP1 of the draft plan continues to identify Bloxham as a Category A Village Settlement. These are classified by the Draft Local Plan as being larger villages that have essential local services and facilities and often serve nearby smaller villages.
- 8.7. Policy Villages 2 sets out the distribution of growth across the rural area. It states that a total of 750 homes will be delivered at Category A Villages.
- 8.8. Policy H18 refers to the development of dwellings beyond the built-up limits of settlements.
- 8.9. The published Cherwell District Council latest Annual Monitoring Report dated December 2025 confirms that Cherwell District Council can only demonstrate a housing land supply of 3.1 years. Policy Villages 1 and 2 along with H18, BSC1 and COM1 cannot therefore be considered up-to-date. Policy PSD1 of the Cherwell Local Plan and the paragraph 11 (d) of the NPPF which set out the presumption in favour of sustainable development are therefore engaged.
- 8.10. Policy PSD1 states that: *where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether: any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or specific policies in the Framework indicate that development should be restricted.*
- 8.11. Paragraph 11 (d) of the NPPF states where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, planning permission should be granted unless:
- i) The application of policies in this Framework that protect areas of assets of particular importance provides a strong reason for refusing the development proposed; or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing

well designed places and providing affordable homes, individually or in combination.

- 8.12. The key consideration pertinent to the principle of development is therefore whether there are any adverse impacts that would significantly and demonstrably outweigh the benefits.
- 8.13. The Bloxham Neighbourhood Plan was adopted in December 2016. Paragraph 14 of the NPPF states that in situations where the presumption in favour of sustainable development applies to applications involving the provision of housing, *the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply:*
- a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and*
- b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).*
- 8.14. As Cherwell District Council cannot demonstrate a five-year housing land supply, the presumption in favour of sustainable development applies. The Bloxham Neighbourhood Plan became part of the development plan in December 2016 and is therefore more than five years old at the point of determination of this application. The reference to *and* in paragraph 14 of the NPPF implies that both parts A and B need to be met in order for the Neighbourhood Plan to be considered up-to-date. As the neighbourhood plan was adopted more than 5 years ago part A of paragraph 14 is not met. The housing policies in the Bloxham Neighbourhood Plan cannot therefore be considered up-to-date.
- 8.15. The adopted National Planning Policy Framework (2024) states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of grounds with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community.
- 8.16. The reference to the need to significantly boost the supply of housing aligns with the government's objective of building 1.5 million homes over the next 5 years as set out in the Building the Homes we Need Written Ministerial Statement dated December 2024.
- 8.17. To achieve this objective it is clear that sites in sustainable locations should be considered for development. The Cherwell Local Plan Proposals Map does not identify settlement boundaries. There is no reference to a settlement boundary within the adopted Bloxham Neighbourhood Plan either. As Cherwell District Council cannot demonstrate a five-year housing land supply, there is need to look at sites on the edge of sustainable settlements in order to meet this housing need. The site is considered a sustainable location being on the edge of the built-up boundary of Bloxham which in-turn is a sustainable settlement. This is reflected by its Category A Settlement status which is also be carried forward in the new Cherwell Local Plan.
- 8.18. Although the application is in outline with all matters reserved except access, having viewed the site it is clear that pedestrians could choose to walk from the site to the centre of Bloxham where there are a variety of shops and services. I acknowledge that some of the existing pedestrian footways to and from the village centre are narrow

in nature, the scope for widening these is however limited by the nature of the built form of the village.

- 8.19. Policy PSD1 requires the Council to take a proactive approach to reflect the presumption in favour of sustainable development contained within the NPPF. It goes on to state that the Council will always work proactively with applicants to jointly find solutions which meant that application can be approved wherever possible. Cherwell District Council has held regular meetings with the applicant throughout the application process and been clear on timescales for when amended plans are required to be submitted in order to meet key deadlines.
- 8.20. Of the up to 100 dwellings proposed, the applicant has committed to provide 35% as affordable housing thereby according with Policy BSC3 of the Cherwell Local Plan.
- 8.21. The provision of 100 dwellings will make an important contribution to the overall housing needs of the District along with the Government's wider objective for 1.5 million homes. This includes the high need for affordable housing which is recognised across the country and is specifically referenced in the comments received from the Strategic Housing team.
- 8.22. Bloxham Parish Council in their comments dated (March 2026) have raised concerns on prematurity grounds in the context of paragraph 50 and 51 of the NPPF. They consider that the development is so substantial, and its cumulative effect with recent development would be so significant, that to grant permission would undermine the plan-making process by pre-determining decisions about the scale and location of new development that are central to the emerging Modified Bloxham Neighbourhood Plan.
- 8.23. Paragraph 50 of the NPPF states:

Arguments that an application is premature are unlikely to justify a refusal of planning permission other than in the limited circumstances where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging plan; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

- 8.24. Paragraph 51 states *Refusal of planning permission on grounds of prematurity will seldom be justified where a draft plan has yet to be submitted for examination; or – in the case of a neighbourhood plan – before the end of the local planning authority publicity period on the draft plan. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how granting permission for the development concerned would prejudice the outcome of the plan-making process.*
- 8.25. In assessing applications against paragraph 50 of the NPPF, I consider that the application falls in the category of being *substantial* given it would broadly represent 1/3 of the housing target (340) referenced in the Draft Neighbourhood Plan. I do not consider that the cumulative effect in terms of highways, landscape or drainage could be considered significant and this has not been raised as an issue by the consultees. Other than on highways grounds as set out in paragraph 116 of the NPPF there is no requirement in the adopted Local Plan or NPPF to assess the cumulative effects of other developments when coming to a decision.

- 8.26. As the draft Neighbourhood Plan has not been examined and has not been found sound, I do not consider that allowing the application could be considered to undermine the plan making process. Further, I do not consider that the proposals are of a scale which mean the NP cannot be made, nor does it prevent the draft allocations within the draft Neighbourhood Plan from coming forward. For the same reasons I do not consider that we can clearly indicate at this stage how granting permission for the development would prejudice the outcome of the Neighbourhood Plan making process. The requirements of paragraph 51 of the NPPF are not therefore met.
- 8.27. Matters surrounding prematurity under paragraph 50 and 51 of the NPPF are a material consideration in the determination of the application. In applying the tilted balance as set out in paragraph 11D of the NPPF the decision maker must grant consent unless any adverse impacts of doing so would *significantly and demonstrably outweigh the benefit when assessed against the policies in this framework taken as a whole having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.* (My emphasis added).
- 8.28. I do not consider that the adverse impacts of granting consent in advance of the Neighbourhood Plan having been found sound or adopted would significantly or demonstrably outweigh the benefits. This is in the context of housing numbers not being minimum numbers, the reference in the NPPF to significantly boost the supply of homes (Paragraph 61) and identified need for affordable housing in the adopted Local Plan (See paragraph A.19).
- 8.29. Paragraph 11 d requires the decision maker to assess the application against the policies in the framework when taken a whole. Even if there was conflict with paragraph 50 of the NPPF, I consider that this application would accord with the NPPF when read as a whole.
- 8.30. Lastly, the Paragraph 11 d requires the decision maker to have particular regard to the key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination. Footnote 9 of the NPPF lists the key policies which need to be considered. Those listed do not include paragraph 50 or 51. These policies are not therefore considered key in the context of paragraph 11 (d) of the NPPF.
- 8.31. The principle of development is therefore considered acceptable subject to no adverse impacts significantly and demonstrably outweighing the impacts. Further details on the assessment of impacts is contained below.

Highways

- 8.32. Policy SLE4 states that development which is not suitable for the roads that serve the development, and which have a severe traffic impact will not be supported.
- 8.33. Paragraph 115 (B) of the NPPF requires safe and suitable access to the site to be achieved for all users. Part D of paragraph 116 requires *any significant impacts from the development on the transport network (In terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.*
- 8.34. Paragraph 116 of the NPPF states that development *should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.*

- 8.35. Paragraph 118 of the NPPF requires all developments which *generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so the likely impacts of the proposed development can be assessed and monitored.*
- 8.36. Means of access is matter for consideration in the determination of this application. The following are the key highways considerations,
- 1) Whether safe and suitable access can be achieved for all users
 - 2) Whether the development would result in an unacceptable impact on highway safety
 - 3) Whether the residual cumulative impacts on the road network, following mitigation would be severe, taking into account all reasonable future scenarios.
- 8.37. A new single 5.5m wide vehicular access point is proposed off Barford Road into the site with a 3m wide shared pedestrian footway/cycleway running along its northern side. Two separate pedestrian/cycle connections will be provided into the site via the road that serves Bloxham Mill thereby providing connections to the PROW and the existing pedestrian footway that runs along Barford Road. An uncontrolled crossing over Barford Road is proposed between the new vehicular access point and that serving Bloxham Mill. This will enable access to the existing pedestrian footway that runs along Barford Road into Bloxham.
- 8.38. Following an initial objection on highways grounds to the proposals the applicant undertook further highways work. The work undertaken by the applicant has included providing further information on the impact of the proposals on the roundabout where Church Street, Barford Road, and South Newington Road meet. The results showed that the proposed development is not forecasted to result in a material impact at this junction.
- 8.39. Oxfordshire County Council confirmed to Officers at CDC on Wednesday 29th April 2026 that they had no objection to the proposals subject to financial contributions being made towards public transport services (£163,680) in order to support the provision and enhancement of bus services, Public Transport Infrastructure (£36,000) in order to facilitate bus stop improvements (if not dealt with under a S278 or S38 agreement) and travel plan monitoring of £2,035 in order to enable the travel plan to be monitored for a period of five years.
- 8.40. The new site access off Barford Road and informal pedestrian crossing as shown on plan 4613-F03 Rev D, traffic calming measures, informal crossing over Barford Road, changes to the speed limit and footway/cycleway improvements along Barford Road between the proposed site access and Kings Road will need to be agreed through a Section 278 agreement.
- 8.41. Several conditions were also recommended to be attached to the decision notice should planning consent be approved. Further details on the conditions can be found in section 9.
- 8.42. Based on the no objection to highways that has been received from Oxfordshire County Council Highways, I am satisfied that Policy SLE4 is accorded with along with paragraph 115, 116 and 118 of the NPPF.

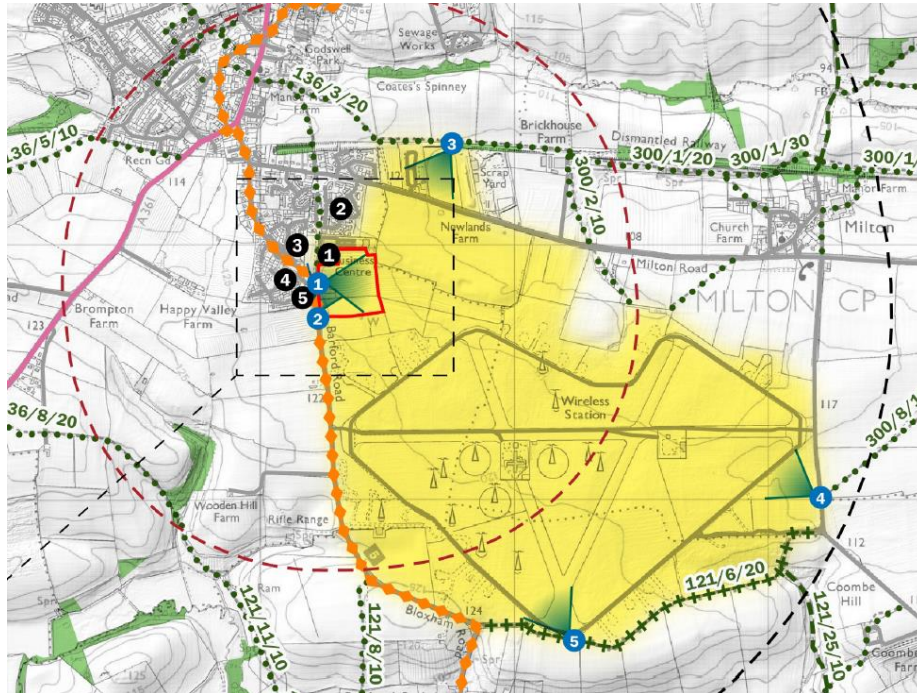
Landscape

- 8.43. Policy ESD13 states that development will be required to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. The inclusion of this wording suggests that damage to local landscape character will sometimes be unavoidable. The policy goes onto list 6 criteria where proposals will not be permitted. An assessment of the proposals against the 6 criteria is contained in table 1 below.
- 8.44. Strategic objective 12 of the Cherwell Local Plan seeks to focus development in Cherwell's sustainable locations, making efficient and effective use of land, conserving and enhancing the country and landscape and the setting of its towns and villages.
- 8.45. Paragraph B.87 of the Cherwell Local Plan states that *Cherwell's countryside, landscape and green spaces are important natural resources*. It goes onto state that *they form the setting of our towns and villages, contribute to their identity and the well-being of Cherwell's communities. The countryside's intrinsic character and beauty is important to the quality of life in Cherwell and remains an economically important agricultural resource*.
- 8.46. Policy BL11 of the Bloxham Neighbourhood Plan states all development shall be encouraged to respect the local character and the historic and natural assets of the area. Policy BL11 requires new development to make a positive contribution to the character of Bloxham and its rural feel.
- 8.47. Paragraph 187 of the NPPF requires planning policies and decisions to contribute to and enhance the natural and local environment by:
- 8.47.1. Protecting and enhancing valued landscapes (Part A)
- 8.48. Whilst relevant, is important to note that paragraph 187 of the NPPF is not a Key Policy as set out in footnote 9 under paragraph 11 (d) ii of the NPPF.
- 8.49. The Cherwell District Council proposals map does not identify the site as falling within the Area of Outstanding Natural Beauty or being within a locally designated valued landscape area.
- 8.50. The Landscape Assessment (1995) which forms part of the evidence base to the Local Plan shows Bloxham as falling within the Ironstone Hills and Valleys Character Area. This is defined as a strongly undulating complex of farmed hills and valleys. The LCA goes onto state that the *resulting landscaping is an intricate blend of mixed farming, with small variations in scale and local land use being closely related to topography, a tightly knit small scale rolling farmland with strong field pattern*.
- 8.51. The Cherwell Landscape Designation Assessment (2024) which forms part of the evidence base to the draft Cherwell Local Plan shows the site along with the wider area as falling within the Ironstone Downs Local Landscape Designation. However, as the draft Local Plan has yet to be examined and found sound it does not form part of the development plan and therefore carries limited decision- making weight.
- 8.52. In considering whether the landscape is valued in the context of paragraph 187 of the NPPF, consideration must be made towards relevant case law. In the Borough of Telford and Wrekin v Secretary of State for Communities and Local Government & Anor [2016] EWHC 3073 (Admin) (01 December 2016) case, Mrs Justice Lang stated that the NPPF *does not include a blanket protection of the Countryside in general*. For this reason it is important to establish whether a landscape is a valued landscape or merely countryside when assessing the extent to which a development complies with the policy in the NPPF.

- 8.53. In the Stroud Judgement (Stroud District Council v Secretary of State for Communities and Local Government and Gladman Developments Ltd [2015] EWHC 488 (Admin) (6 February 2015)) Mr Justice Ouseley stated that *'I accept that, currently, there is no agreed definition of valued as used in this paragraph. In the absence of any formal guidance on this point, I consider that to be valued would require the site to show some demonstrable physical attribute rather than just popularity. In the absence of any such designation, I find that paragraph 109 is not applicable to the appeal site.'* It is important to note that the paragraph's referenced in the NPPF relate to an earlier version of the current NPPF.
- 8.54. Mr Justice Ouseley stated that being valued by the community is not sufficient in itself for a landscape to be a valued landscape in NPPF terms. In other words, a site cannot be deemed a valued landscape simply because it is rural or popular. In order to cross the threshold into a valued landscape, the land must feature unique, demonstratable physical attributes that elevate beyond mere countryside.
- 8.55. I consider that whilst the landscape might be popular, it does not possess the physical attributes that elevate it beyond mere countryside.
- 8.56. Based on the above, Paragraph 187(a), 188 and 189 of the NPPF are not engaged.
- 8.57. The site was not assessed as part of the Cherwell Landscape Site Assessment dated September 2024 which forms part of the evidence base to the draft Cherwell Local Plan Review 2042.
- 8.58. The applicant has submitted a Landscape Visual Impact Assessment with the application. The assessment finds that the visual and sensory character of the site would change notably as a result of implementation of the proposals. It goes onto state that *the scale of change would be reduced by the fact that the site is already degraded and urbanised to some degree, and the fact that the proposals are compatible with the retention and enhancement of physical elements of the landscape, which will remain largely intact and enhanced.*
- 8.59. The LVA considers that due to the visual containment of the site due to the proximity of Bloxham Mill to the north and the existing vegetation surrounding the site, this level of effect on the LCA Ironstone Hills and Valleys and LT16 Upstanding Village Farmlands will be negligible.
- 8.60. Paragraph 7.6 of the LVA goes onto state that elevated levels of effect for visual receptors will therefore be limited to:
- Users of the PRow footpath 136/4/20 which runs along the western boundary of the site towards Bloxham Mill
 - Users of Barford Road/National Cycle Network Route 5 which runs along the sites western boundary
 - Residents of some five properties off Gascoine Way where the level of effect is due largely to the very high sensitivity of the receptors.
- 8.61. The LVA considers that these adverse effects could be reduced through mitigation and enhancement measures including
- Securing the retention, enhancement and ongoing management of existing pond, hedgerows and trees except for access.

- New tree, hedge and scrub planting and eras of flowered lawn for informal recreation with longer grass along the hedge lines with mown grass access.

8.62. I have visited the site and surrounding area on a number of occasions in order to better understand the visual impact of the proposals by walking the Public Rights of Way that surround the site including PRoW 136/4/20, PRoW 136/3/20 and PRoW 300/2/10. Figure 1 below is a snapshot of the Findings of EDP's Visual Appraisal (Drawing No. EDP9032_D019a) which forms part of the submitted LVA and shows the PRoW.



8.63. The site visit walk was undertaken in clear sunny conditions with good visibility. The intention of the site visit walk was not to provide a formal response to the methodology used in the preparation of the LVA, but rather better understand the visual impact of the proposals from surrounding receptors. My route started in Bloxham Village Centre walking first along route 136/2/20 to the site, then going back through the existing development of Maule Close and Gascoine Way before connecting onto PRoW 136/3/20 then onto PRoW 300/2/10. This route picked up all visual viewpoints (1-5) that are contained in the LVA as shown in figure 1.

8.64. The route of PRoW 136/2/20 from Bloxham village centre takes you through recently completed development of Havill Crescent, Callow Drive and Dickenson Road. There is clear sense that the application site is therefore edge of the built-up area of Bloxham. Once leaving the new built development the buildings that comprise Bloxham Mill are clearly visible along with the agricultural barn. Just before the PRoW joins onto Barford Road, the existing dwellings of Maule Close are visible. The existing vegetation surrounding the site and further afield limits the visibility of the northern parcel when viewed from PRoW 136/2/20. The southern parcel is more visible and rural in context when viewed from Barford Road and would therefore have a higher degree of sensitivity to change with some adverse impact.

8.65. The site was not visible at ground level from most properties on Gascoine Way with the exception of those closest to the junction of Barford Road.

8.66. The existing vegetation along much of the route 136/3/20 limits views of the site from this receptor. There is a gap in the hedge-line near the existing scrap yard where views of the site would be visible. These views are however seen in the context of the masts of the former RAF Barford St John so it cannot be considered in my opinion a completely undeveloped rural landscape.

8.67. The CDC Landscape Officer provided comments on the application after they joined Cherwell District Council in early 2026. In their comments dated 02nd April 2026, they raised concerns on the following points:

- 1) Ensuring the parameter plans detail where further landscape planting will be planted given this is a requirement of the LVIA
- 2) Clarification on the purpose of the blue ditched line as detailed on the parameter plan.
- 3) Recommendation for the inclusion of a hatched area on the parameter plan abutting the eastern site boundary.
- 4) Requirement for landscape planting to extend to 15m in width in places and average width of 7.5m.
- 5) Requirement for 2D and 3D modulation of the planted area
- 6) Requirement for details to be provided on the plant species.
- 7) Recommendation that a movement and access plan is provided showing a hierarchy of routes for walking, wheeling and cycling throughout the development
- 8) Requirement for proposed paths to be accessible to all. Planting adjacent to paths should be low in height and regularly maintained and mixed scrub is unlikely to meet these requirements. I request that ornamental planting is included and path designs reconsidered.
- 9) Vehicular maintenance access to SuDS and drainage features should be considered. If a 3m wide maintenance platform and easement is proposed, consideration should be given to incorporating this into the movement network.

8.68. I am satisfied that points 5-9 can be agreed through the landscaping reserved matters. Points 1-5 have since been addressed by the applicant through the provision of an updated parameter plan.

8.69. Based on my site visit, I am satisfied with the conclusions of harm reached in the LVA. The Cherwell District Council Landscape Officer have confirmed that they have no objection to the proposals.

8.70. As set out above, policy ESD13 states that development would not be permitted if they would:

Policy ESD13 requirement	My response.	Accordance with ESD13 bullet points
Bullet point 1.	Whilst the proposal would cause visual intrusion, I do not consider	Yes

Cause undue visual intrusion into the open countryside.	that the development would cause undue visual intrusion into the countryside given the sites containment by existing vegetation and its proximity to existing development.	
Bullet point 2. Cause undue harm to important natural landscape features and topography	As set out above, whilst the site falls within a character area it is not affected by a local or national landscape designation.	Yes
Bullet point 3. Be inconsistent with local character	The character of the site is rural in nature by way of the fact it is currently being used for agriculture and the grazing of livestock. It is however seen in the context of the existing development including Bloxham Mill and existing dwellings off Maule Close and Gascoine Way.	Yes
Bullet point 4. Impact on areas judged to have a high level of tranquillity	The Cherwell Landscape Character Assessment (2024) which forms part of the evidence base to Cherwell Local Plan 2042 includes a tranquillity map in figure 4.4. The map identifies areas in the district as being the most tranquil with blue being the least tranquil and yellow being the most tranquil. The site in question is shown in light blue and cannot therefore be considered to have a high level of tranquillity. A copy of the map is contained in Appendix 1 to this Officer report.	Yes
Bullet point 5. Harm the setting of settlements, buildings, structures or other landmark features, or	I consider there would be some degree of harm to the setting of Bloxham. Those mostly affected will be those travelling along Barford Road and users of National Cycle Network Route 5. Those users would however only be afforded glimpsed views of the site as they pass.	No.

	The views of those properties on Maule Close and Gascoine Way would also be affected.	
Bullet point 6 Harm the historic value of the landscape.	Remains of ridge and furrow are evident on the northern parcel. This is reflected in the archaeology and heritage assessment prepared by EDP. The loss of the ridge and furrow has not been raised by the Conservation Officer in their consultation response.	Yes

Table 1. Policy ED13 criteria.

- 8.71. Policy EDS13 does not make reference to the above criteria being a closed list nor does it contain reference to the word *following* that would require all the criteria to be satisfied.
- 8.72. The development concept plan submitted shows new tree and hedge planting around the perimeter and within the application site. This will not reduce the landscape impact of the proposals to zero but will help reduce the level of impact once the planting has reached a 15-year maturity age.
- 8.73. However, It should be noted that policy ESD13 envisages that damage to local landscape character will sometimes be unavoidable. I do not therefore consider that the development would conflict with policy ESD13 when read a whole. The Inspector deciding the scheme at Warwick Road, Banbury (APP/C3105/W/24/3338211) came to a similar conclusion on policy ESD13.
- 8.74. I acknowledge that the development does not comply with strategic objective 12 or BC11. However, the site is a sustainable location and given the absence of a housing land supply little weight can be attributed to BC11.

Ecology

- 8.75. Policy ESD10 (Protection and Enhancement of Biodiversity and the Natural Environment) seeks to protect and enhance biodiversity and the natural environment.
- 8.76. Policy ESD10 sets out 12 criteria for how biodiversity and the natural environment will be achieved. The criteria include achieving a net gain in biodiversity, protection of existing trees, increasing the number of trees through planting of new trees and incorporation of features to encourage biodiversity.
- 8.77. Policy BL11 states that all development shall be encouraged to respect the local character and the historic and natural assets of the area. Policy BL11 goes onto state that development should take opportunities to protect and wherever possible enhance biodiversity and habitats.
- 8.78. Paragraph 187 of the NPPF states planning policies and decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

8.79. The applicant has submitted an Arboricultural impact assessment which confirms that 2 individual trees, 22m of Category C hedgerow will be required to be removed to facilitate the proposed development. These were found by the Arboricultural Impact Assessment to be split across 1no. category B and 1no. Category C trees.

8.80. The applicant has submitted an ecological appraisal and biodiversity net gain assessment as part of the application. The Ecological Appraisal has assessed the impact of the proposed development on important ecological features which are anticipated to be affected from the construction or operation of the development. The important ecological features assessed include:

- Slade Local Nature Reserve
- Barford Mash Oxfordshire Local Wildlife Site
- Northern Valley Conservation Target Area
- Swere Valley and Upper Stour Conservation Target Area
- Non-Statutory Sites
- Hedgerows, tree and woodland
- Ponds
- Bats
- Birds
- Reptiles
- Great Crested Newts

8.81. The site falls into the SSSI Impact Risk Zone for Bestmoor SSSI which is located approximately 8 miles to the south east of the site.

8.82. The Ecological Appraisal considers there will be no significant effect on the important ecological features assessed.

8.83. In their comments dated 26th February 2026 the Council's Ecologist has reviewed the information provided and made the following comments:

The revised plans are positive for biodiversity. The decision to focus development within the northern parcel is beneficial for maintaining habitat quality and supporting existing species across the wider site - this new layout also allows for more open space and areas which will benefit wildlife, rather than overcrowding the site with houses/built up areas. The updated BNG assessment and metric are acceptable, and I have no concerns with the submitted plans. As stated previously, the HMMP and the associated monitoring fees will need to be secured through a legal agreement.

8.84. The Environment Act 2021 introduced mandatory biodiversity net gain for planning permissions in England, with a minimum of 10% increase in biodiversity value. The applicant has submitted a Biodiversity Impact Assessment Metric as part of the application. It shows that the proposals will result in a net 24.94% in habitat units with a net gain of 10.58% of hedgerow units.

8.85. The latest concept masterplan shows the planting of 378 native planting of trees, grassland and shrubs within areas of open space, around drainage feature onsite along with hedgerow enhancements. New trees are shown as being planted alongside the proposed internal road network thereby achieving the objective of tree lined streets as required by paragraph 136 of the NPPF.

8.86. The proposed on-site biodiversity gain will be secured through a S106 legal agreement.

8.87. Based on the above, it is considered that Policy ESD10, BL11 and paragraph 187 of the NPPF are accorded with.

Infrastructure

8.88. Policy INF1 requires development proposals to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.

8.89. Oxfordshire County Council have requested a developer contribution of £960,298 towards the expansion of Bloxham Primary School and towards special education.

8.90. The contribution towards Bloxham Primary School is being sought towards the final phase of the expansion of the primary school in order to create a new larger hall and kitchen and create space to support the delivery of the curriculum.

8.91. Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 states that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.

8.92. OCC have advised that the capital works were phased in response to a shortage of capital funding, but it became unreasonable to delay this final phases any longer to the detriment of pupils at the school. OCC have referred to Department for Education Guidance (paragraph 15) in their response which makes clear that *When school places have been forward funded, you can secure developer contributions to recoup the monies spent, including interest, fees, and expenses as well as the principal sum spent.*

8.93. Paragraph 56 of the NPPF requires local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of condition or planning obligations. The Department for Education Guidance makes clear that when school places have been forward funded you can secure developer contributions to recoup the monies spent.

8.94. I consider that due to the increased number of primary school aged children attending Bloxham Primary school the contribution requested towards primary education meets the three tests contained in paragraph 58 of the NPPF in terms of being necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development.

8.95. A contribution of £82,627 has also been sought towards Special Education Provision serving the development. The proposed development is expected to further increase demand for places at special schools in the area, and a contribution towards the expansion of special schools is therefore sought based on the percentage of the pupil generation who would be expected to require places at a special school. OCC have based their contribution on pupil census data. The Special Education provision is therefore considered to meet the three tests contained in paragraph 58 of the NPPF.

8.96. Other developer contributions have been requested towards this development can be summaries as follows:

- Expansion and efficiency improvements of Household Waste Recycling Centre. £10,350.

- £90,502.80 towards creation of additional clinical capacity at Bloxham and Hook Norton Surgery or an identified primary care estates project in the local area to serve the development. As part of their response the ICB have provided evidence to demonstrate that the cross internal area of the practices at Bloxham and Hook Norton are below the NHS England size standards. There is therefore a need to reconfigure Bloxham and Hook Norton surgery in order to provide additional clinical space and to improve the existing GP services to accommodate the increase in population.
- The Recreation and Leisure team at Cherwell District Council have requested the following contributions towards:
 - Enhancement of Community Hall Facilities in the locality based on 2.4 person per dwelling = £110,200.80
 - Outdoor Sport provision based on £2,840.14 per dwelling = £284,014.00. This contribution is considered to accord with policy BSC11 and the CDC Playing Pitch Strategy which identifies the need for improved pitches at Bloxham Recreation Ground.
 - Indoor Sports provision contribution based on £445.95 per occupier of each dwelling based on 2.4 person per dwelling. = £107,028.000. This contribution will go towards improving indoor sport provision.
 - Community Development Worker contribution of £18,724.80. The Community Development Worker would help integrate residents into the community and wider area.
 - Community Development Fund. Based on £45 per dwelling = £4,500. This contribution is considered to accord with the aims of chapter 8 of the NPPF and promoting health and safe communities, specifically the aim of promoting social interaction.
 - Public Art. A contribution of £250 per dwelling plus 5% management and 7% maintenance has been requested towards public art. Based on the above this would amount to £28,000 based on 100 dwellings plus £1,500 for the management fee and £2,100 for the maintenance fee. No details have been provided on what public art this will be used to fund so I do not consider that it would meet the three tests contained within paragraph 58 of the NPPF. The applicant has however agreed to pay this contribution so this is a benefit in the planning balance.

8.97. Oxfordshire County Council have requested the following financial contributions:

- £163,680 towards public transport services
- £36,000 towards bus stop improvements
- £2,035 towards travel plan monitoring

8.98. Oxfordshire County have provided further information in their response to back up the above contributions and demonstrate how they meet the three tests contained in paragraph 58 of the NPPF.

8.99. The applicant has also agreed to pay the above contributions should planning consent be granted.

Design

- 8.100. Policy ESD15 (The Character of the Built and Historic Environment) requires new development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. It goes on to state that all new development will be required to meet high design standards.
- 8.101. Policy BL11 of the Bloxham Neighbourhood Plan and BSC2 of the Cherwell Local Plan require all new development to not exceed 30 dwellings per hectare. The supporting text (paragraph B.102) to policy BS2 makes clear that it is important to make efficient use of land. It goes on to state that in general, new housing should be provided at a net density of at least 30 dwellings per hectare and that the density of housing development will be expected to reflect the character and appearance of individual localities.
- 8.102. Based on a net developable area of 5.48 hectares and the development of up to 100 dwellings, the density is expected to be 18 DPH. Policy BSC2 refers to *at least* 30 dwellings per hectare. The author of the policy clearly therefore considered that 30 DPH is not a maximum figure. Given the shortfall in Cherwell's housing land supply and the Government's commitment to build 1.5 million homes over the next 4 years there is a need to make effective use of land in sustainable locations such as this. I do not therefore consider the development would be in conflict with Policy BL11 or BSC2.
- 8.103. The Cherwell Residential Design Guide states: *a High quality design supports a positive legacy, leaving successful places which are both functional and beautiful, which engender a sense of community, are long lasting and age well.*
- 8.104. The application has been submitted in outline with all matters reserved except access. Matters surrounding the layout, scale and appearance of the dwellings will all be dealt with through the submission and approval of reserved matters should planning consent be approved.
- 8.105. The applicant has submitted a Design and Access Statement which provides an overview of how the development has taken account of the site's opportunities and constraints. The Cherwell District Council Urban Design Officer provided an initial set of comments (dated 17th July 2025). In his comments, the Urban Design Officer raised concerns over the fact the landscape mitigation measures set out within the LVA had not been incorporated into the design parameters and conditioned to help ensure they are fully embedded into the scheme. The applicant has submitted amended plans and the Urban Design Officer has since confirmed that they are supportive of the proposals subject to a condition that requires the following:
- The reserved matters to be broadly in accordance with the development parameter plan.
 - Open space design should follow the general design principles of the illustrative landscape strategy plan/
 - Clarity is sought over the feasibility of the pedestrian footpath links. If the links are feasible a direct pedestrian link between the development and the public right of way should be conditioned
- 8.106. For conditions to be attached to a planning consent, paragraph 57 of the NPPF requires conditions to be enforceable, precise and reasonable in all other respects.
- 8.107. I do not consider that a condition that requires reserved matters to be broadly in accordance with the development parameter plan to be precise as there is no clarity on what the reserved matters need to accord with and do not. The same applies to

the open space design and pedestrian footpath links all of which will be agreed as part of the reserved matters. I do however consider future reserved matters should provide internal connections from within the development to surrounding public rights of way. I also consider that the future reserved matters should be brought forward in accordance with the parameter plan.

Flood Risk and Drainage

8.108. According to the Flood Risk Map for Planning, the site falls within Flood Risk Zone 1 and is not at risk of surface water flooding. The Local Lead Flood Authority have advised in their comments dated 28th May 2025 that they have no objection to the development subject to a condition that requires details of a surface water drainage scheme to be prepared, submitted and approved prior to the commencement of development. This a standard approach to take to development within flood risk zone 1 and I am therefore satisfied that the condition as requested meets the tests set out in paragraph 57 of the NPPF.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The presumption in favour of sustainable development as set out in paragraph 11 of the NPPF is engaged due to the shortfall in the five-year housing land supply across the District.
- 9.2. Part D of Paragraph 11 of the NPPF requires applications to be approved where the policies which are most important to the determination of the application are out of date. As set out above, I do not consider that the adverse impacts on landscape would significantly and demonstrably outweigh the benefits when assessing the application as a whole against the NPPF.
- 9.3. Part D of Paragraph 11 of the NPPF requires particular regard to be made towards key policies for directing development to sustainable locations, making effective use of land, securing well designed places, and providing affordable homes, individually or in combination. The key policies referred to are set out in Footnote 9. Appendix 2 attached to this Officer report demonstrates how the proposals accord with the key policies.
- 9.4. I do not consider that the adverse impacts of granting consent in advance of the Neighbourhood Plan having been found sound or adopted would significantly or demonstrably outweigh the benefits. This is in the context of housing numbers not being minimum numbers, the reference in the NPPF to significantly boost the supply of homes (Paragraph 61) and identified need for affordable housing in the adopted Local Plan (See paragraph A.19).
- 9.5. Based on the above, I consider the application accords with the NPPF when read a whole and the key policies referenced. I therefore recommend that planning consent is approved subject to conditions.

10. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR - PLANNING TO GRANT PERMISSION, SUBJECT TO

- i) THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY) AND**

ii) THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING (AND ANY AMENDMENTS AS DEEMED NECESSARY):

- **Provision of 35% affordable housing on site based on the 70:30 social rent and shared ownership tenure splits.**
- **Payment of financial contributions towards improvements to off-site community and healthcare, policing services and infrastructure.**
- **Payment of contributions towards education provisions.**
- **Payment of contributions to Health infrastructure.**
- **BNG provisions related to HMMP and monitoring fees.**
- **Appropriate monitoring fees for the delivery of the s106.**
- **Commuted sums and maintenance provisions for open spaces/recreational facilities.**
- **Off-site transport improvement works.**
- **Payment of contributions towards transport and public transport enhancements.**

FURTHER RECOMMENDATION: IF THE SECTION 106 AGREEMENT/UNDERTAKING IS NOT COMPLETED WITHIN 6 MONTHS OF THIS RESOLUTION 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 - PLANNING IS GIVEN DELEGATED AUTHORITY TO REFUSE THE APPLICATION FOR THE FOLLOWING REASON:

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 and provisions 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 contrary to Policies BSC3, BSC10, BSC11, BSC12, SLE4 and INF1 Cherwell Local Plan 2015 and the aims and objectives of the National Planning Policy Framework.

Conditions

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of two years from the date of this permission and the development hereby permitted shall be begun either before the expiration of three years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved whichever is the later.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure (England)) Order 2015 (as amended).

Reserved Matters

2. Details of the layout, scale appearance, access and landscaping (hereafter referred to as the reserved matters shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by section 51 of the Planning and Compulsory Purchase Act 2004, and Article 6 of the Town and Country Planning Development Management Procedure (England) Order 2015 (as amended).

Approved Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:
 - Site Location Plan. Drawing Reference No. LP01
 - Parameters Plan. Drawing Reference No. WE002 PP01 Rev M
 - Proposed Northern Site Access. Drawing No. 4613-F03 Rev D
 - Illustrative Landscape Strategy Plan. Drawing No. EDP 9032_D013c

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Access

4. No development shall commence unless and until full details of the means of access between the land and the highway, including, position, layout, construction, drainage and vision splays have been submitted to and approved in writing by the Local Planning Authority. The means of access shall be constructed in strict accordance with the approved details and shall be retained and maintained as such thereafter. Agreed vision splays shall be kept clear of obstructions higher than 0.6m at all times.

Reason: In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Vision Splays

5. The vision splays shall not be obstructed by any object, structure, planting or other material of a height exceeding 0.6m measured from the carriageway level.

Reason: In the interests of highway safety and to comply with government guidance contained within the National Planning Policy Framework.

Traffic Calming

6. No development shall commence unless and until full details of a scheme of traffic calming across the site access along Barford Road, including position, layout, vision splays, construction, drainage and lighting, have been submitted to and approved in writing by the Local Planning Authority, together with a timetable for its implementation. Thereafter these works shall be constructed in accordance with the approved details and timetable.

Reason: In the interest of Highway Safety.

Cycle Parking

7. Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

Electric Charging Points

8. Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of the unit they serve and retained as such thereafter.

Reason: To comply with Policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

Construction Traffic Management Plan

9. Prior to commencement of the development hereby approved, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved CTMP.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Government guidance contained within the National Planning Policy Framework.

Travel Information Pack

10. Prior to first occupation the development a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter the first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: To ensure all residents and employees are aware from the outset of the travel choices available to them, and to comply with Government guidance

contained within the National Planning Policy Framework.

Travel Plan

11. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented and operated in accordance with the approved details.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

Removal of Permitted Development Rights

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that order with or without modification, no development as specified in Schedule 2, Part 14, Classes A, B, H, I, and J, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To safeguard the operation of technical equipment located at RAF Barford St John by providing a reasonable and appropriate level of control over the installation of microgeneration equipment. To ensure the development accords with the requirements of paragraph 102 (b) of the National Planning Policy Framework (December 2024).

Landscaping

13. In order to ensure a sufficient quantum of planting in the structural landscape planting mitigation area as shown on drawing No. PP01 Rev M a minimum overall density of 1 plant per 1m² is required.

Reason in the interests of achieving a satisfactory landscape mitigation scheme as required by Policy ESD13.

Construction Environment and Traffic Management Plan

14. No development shall commence until a Construction Environment and Traffic Management Plan has been submitted to and approved in writing by the local planning authority. The statement shall provide for at a minimum:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Storage of plant and materials used in constructing the development;
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
- Measures to control the emission of dust and dirt during construction;
- Delivery, demolition and construction working hours;
- The mitigation measures recommended at [Add References] of the submitted Environmental Statement.

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with saved Policy ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Landscape Ecological Management Plan

15. Prior to first occupation of the development hereby approved a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority. The development shall not be carried out other than in full accordance with the approved LEMP including any/all timescales set out therein.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

Lighting

16. Prior to the first use of the development hereby approved details of the external lighting/security lighting/floodlighting including the design, position, orientation and any screening of the lighting shall be submitted to and approved in writing by the local planning authority. The lighting shall be installed in accordance with the approved scheme prior to the first use of the development hereby approved and shall be operated and maintained as such at all times thereafter.

Reason: In the interests of visual amenity and highway safety and to protect the amenities of nearby residents and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies C28 and ENV1 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Landscaping

17. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and

shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Open Space and Landscaping

18. No development shall commence above slab level unless and until full details of the provision, landscaping and treatment of open space within the site together with a timeframe for its provision shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the open space shall be landscaped, laid out and completed in accordance with the approved details and retained at all times as open space.

Reason - In the interests of amenity, to ensure the creation of a pleasant environment for the development with appropriate open space and to comply with Policy BSC11 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Tree Removal

19. No removal of hedgerows, trees or shrubs, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

Reason - To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Ecology

20. Within two months of the commencement of the development the site shall be thoroughly checked by an ecologist (member of the IEEM or similar related professional body) to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and government guidance contained within the National Planning Policy Framework.

Habitat Management and Monitoring Plan

21. No development shall commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The HMMP shall include:

- a non-technical summary
- the roles and responsibilities of the people or organisation(s) delivering the HMMP
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan.
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the approved completion date of the development
- the monitoring methodology and frequency in respect of the created or enhanced habitat
- Details and number and location of bird and bat boxes to be provided.
- Notice in writing shall be given to the local planning authority when the:
 - HMMP has been implemented
 - Habitat creation and enhancement work as set out in the HMMP have been completed.
 - The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP or such amendments as agreed in writing by the local planning authority.
 - Monitoring reports shall be submitted to the local planning authority in writing for approval in accordance with the methodology and frequency specified in the approved HMMP.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Surface Water Drainage

22. Construction shall not begin until/prior to the approval of first reserved matters; a detailed surface water drainage scheme for the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the “Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire”;
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change;
- A Flood Exceedance Conveyance Plan;
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details;
- Detailed maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element, and;
- Details of how water quality will be managed during construction and post development in perpetuity;
- Confirmation of any outfall details.

- Consent for any connections into third party drainage systems
- Details of the management of the culvert running between the site and the recreation ground opposite.

Reason: To prevent environmental and amenity problems arising from flooding and to comply with government guidance contained within the National Planning Policy Framework.

23. SuDS As Built and Maintenance Details

Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- (a) As built plans in .pdf file format;
- (b) Photographs to document each key stage of the drainage system when installed on site;
- (c) Photographs to document the completed installation of the drainage structures on site;
- (d) The name and contact details of any appointed management company information.

Reason: To prevent environmental and amenity problems arising from flooding and to comply with government guidance contained within the National Planning Policy Framework.

Contamination

24. Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management (LCRM)" and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

25. Contamination Remediation.

If contamination is found by undertaking the work carried out under condition [24], prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's "Land Contamination Risk Management (LCRM)" and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

26. Contamination. Completion of Remedial Works.

If remedial works have been identified in condition [24], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition [25]. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

If remedial works have been identified in condition [24], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition [25]. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with saved Policy ENV12 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework.

Archaeology

27. Prior to any demolition and commencement of development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason – To Safeguard the recording of archaeological matters within the site in accordance with the NPPF (2024).

28. Following the approval of the Written Scheme of Investigation referred to in condition 27, and prior to any demolition of the site and the commencement of development (other than in accordance with the agreed written scheme of investigation, a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within 2 years of the completion of the archaeological fieldwork.

Reason: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF.