

Cherwell Development Watch Alliance

PRESS RELEASE

Re: CDWA`s Claim for Judicial Review of Cherwell`s Local Plan Partial Review dismissed in the High Court, 30 July 2021.

REPRIEVE DENIED FOR GREEN BELT NORTH OF OXFORD

Any hopes that campaigners had of stopping Cherwell District Council from building on the Green Belt to the north of Oxford were finally dashed by a ruling in the High Court last Friday 30 July.

Cherwell`s Local Plan Partial Review (`the Plan`) proposes to build 4,400 houses on the Green Belt around Begbroke, Kidlington and Yarnton to meet Oxford`s housing need. Ever since it was set in motion in 2015, local campaign groups have been fighting the plans for development.

In 2019, five of them formed an association – the Cherwell Development Watch Alliance (CDWA) – and took Cherwell and the Secretary of State for Housing, Communities and Local Government to court in a last-ditch attempt to challenge the Plan. Mrs Justice Thornton`s decision to dismiss CDWA`s challenge ended six years of campaigning and widespread local representation against the Plan.

CDWA`s Claim for a Judicial Review was on two grounds, both of which failed: the acknowledged fall in the level of Oxford`s housing need and the allocation of the North Oxford golf course for development despite inadequate provision for a replacement site. In relation to housing need the judge accepted that the Inspector of Cherwell`s Plan could rely on the findings of another Inspector who examined Oxford`s Plan. On the golf course she considered that the evidence before the Inspector was sufficient for him to have made a rational decision. On both grounds she noted that, in law, Inspectors have considerable latitude to exercise their planning judgement and were not required to give detailed reasons.

CDWA`s Chair, Suzanne McIvor, commented:

“Most cases fail to get to court, so we did well to get as far as we did. We had to show that the decision was not just wrong but taken unlawfully. We faced powerful interests with substantial resources and a system which can ignore both local opinion and rational argument.”

Committee member Alan Lodwick continued:

“CDWA is very disappointed by this outcome. We remain certain that Cherwell`s plan was based on misleading and erroneous analysis, and that building over the Oxford Green Belt is unjustified and will be hugely regretted in the future.”

David Young of golfer`s group Greenway Oxon said:

“Though we knew there was a high bar to overturning such a decision, we did think that in these particular circumstances, we had a genuine chance. This and future generations will doubtless look at whatever is developed on this precious green lung gem – and themselves be the real judges of whether the sacrifice of a 114-year-old course was in any way justifiable.”

A series of planning applications are now expected to be submitted on the six sites allocated for development in the Plan. These will build on Green Belt in the gaps between North Oxford, Kidlington, Gosford, Begbroke and Yarnton. The character of the area will be transformed into a northern extension of Oxford.

Cherwell is proceeding with its Plan despite what it has acknowledged was `unprecedented` public opposition at consultation stage. All four affected local parish councils, and the District Councillors representing those wards, also opposed the plan.

Linda Ward, of Kidlington Development Watch, said:

"I'm deeply saddened that Kidlington is now set to merge with Oxford and surrounding villages. The 'growth at all costs' policy is already ramping up more plans to cover much of our beautiful, rural county in concrete. I'm disillusioned with the whole public consultation process. The planning and legal systems have all failed us but the ultimate responsibility for ignoring opposition and adopting the Plan does not actually rest with the planning Inspector. It rests with Cherwell Council and in particular those Cherwell councillors who supported their leader Barry Wood in voting it through. The current consultation on the Oxfordshire 2050 Plan includes ominous signs that there is more to come. It will be important to tell our councillors and MPs what we think and, if they don't listen, to vote them out."

CDWA acknowledged the importance of Oxford University to the local and national economy but remained concerned about the impact of the University's aspirations for ongoing growth and expansion on the local environment and the people who live there.

Suzanne McIvor again:

"We know that the University intends to put staff housing on the golf course and to retain 1,000 of the proposed homes in Begbroke for its own use. We think this is why these sites were allocated by Cherwell District Council. The Plan stated that it had been prepared in order to meet Oxford's unmet need and failed to mention the number of University homes to be built."

Giles Lewis, for the Begbroke and Yarnton Green Belt Campaign and a founder member of CDWA, commented:

"We have a government which continues to state that it will enhance and protect the Green Belt - yet 19,000 homes are already planned for the Oxford Green Belt. Furthermore, there are indications in the forthcoming Oxfordshire Plan 2050 that the Green Belt in Cherwell is considered a 'sustainable' location and yet more homes could be built there. The District Councils around the City seem willing to pick away at the Green Belt bit by bit, each time stating that it is only a small proportion of the whole so it doesn't matter. Sadly, and unless the government's attitude changes, we can expect to see the Green Belt undermined with yet more urban sprawl around Oxford in future plans."

Suzanne McIvor concluded:

"Throughout, we have been encouraged by knowing that we overwhelmingly represented local opinion. We thank all the organisations and individuals who supported us and generously provided funds to meet the substantial costs. It was important to take a stand for local voices and we remain proud of what we have done"

END