

Cherwell Local Plan Review  
Community Involvement Paper 2: Developing our Options  
**Representations from Kidlington Development Watch**

**Part A Information.**

Organisation: Kidlington Development Watch (KDW)

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**Eight (Part B) representations are included on the following topics:**

- 1. Overall Comments on this consultation and our response.**
- 2. How many homes?**
- 3. The Green Belt**
- 4. Kidlington infill housing**
- 5. Small Scale Green Belt Review for employment purposes**
- 6. Local Green Spaces**
- 7. Proposed Bury Moor Fields Local Green Space**
- 8. Proposed St Mary's Conservation Area Local Green Space**

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Part B representations follow on the next page

## **Part B Representations.**

Note: LPPR denotes the adopted Local Plan Partial Review. CDC refers to Cherwell District Council. KDW=Kidlington Development Watch. Page references etc relate to the consultation document

### **KDW Representation 1. Overall Comments on this consultation and our response.**

This response from KDW is selective and concentrates on a few matters of particular concern. There are other aspects of the options document which we might support or comment upon, but we do not have the time or resources to devote to them.

**Please note that our response does include support for the proposal from Kidlington Parish Council to establish a connected ring of green space around the whole edge of Kidlington. (See Representation 6). We therefore propose two specific areas for designation as Local Green Space. Detailed justification is given in Representations 6, 7 & 8.**

In relation to a previous consultation on the LPPR, CDC summarised the response to the proposed housing numbers (the principal issue in the Plan along with Green Belt) as “overwhelmingly the representations objected to this figure”. Detailed expert evidence was also provided by us to show that the figures were not justified. However, there was no acknowledgement of this by CDC and no changes to the proposals were made as a result. Trust in the integrity of the planning process in Cherwell (and indeed across Oxfordshire) has therefore been severely eroded. We are looking to the Council to restore that trust by making this a meaningful consultation where comments will be reviewed with an open mind and the plan developed in response to them.

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### **KDW Representation 2: How many homes? (p36, paras 5.4.3 onwards)**

The document states that it is not known how many homes will be needed and that this is a matter for the Oxfordshire Plan. It quotes the three trajectories given in the Oxfordshire Growth Needs Assessment (OGNA) and states that the requirement “*is likely to be above the standard methodology set by government, which for Cherwell is currently 756 homes per year*” (716dpa, as the document states, using the actual rather than the OGNA ‘adjusted’ figure).

This is a surprising statement for a number of reasons:

- (1) 716 homes per year (the standard method figure) is very close to the figure CDC proposed in the original 2014 Submission Local Plan, but which was then overturned by a Planning Inspector following publication of the 2014 SHMA and the Council was forced, against its wishes at that time, to adopt the much higher figure of 1140dpa.
- (2) By saying that it is likely that the figure will be more than the standard methodology, CDC is prejudging the outcome of decisions on the Oxfordshire Plan. Oxfordshire Plan documents have not stated this and the Council’s planning should not be based on supposition. Why has this assumption on the requirement been made?
- (3) It is hard to see how CDC can have reached this advanced stage of plan preparation (this is presumably the final Reg 18 consultation) without knowing how many homes are being planned for.

Cherwell has a choice both about the housing requirement in its own local plan and, as one of the joint authorities preparing the Oxfordshire Plan, the overall requirement for that plan. A very high level of growth is already committed in current local plans – far in excess of need – with no certainty whatsoever that developments will be completed within the plan timescales. It seems foolish and

unnecessary to us to commit to even more development at levels in excess of need for the period beyond.

**Cherwell should therefore plan on the basis of the Standard Method (716dpa) which is already well in excess of demographic need, but is the minimum set by current Government policy. Cherwell Council – as one of the joint authorities - should also insist that the Oxfordshire Plan requirement should also be based on no more than the Standard Method.**

If, in future, a greater number appeared to be justified, this could be addressed in a review of both plans. It would be very unwise to plan for more now when it is not clear that such a high number would be built. It is more likely that planning for an excessive number of houses would result in a choice of sites from which developers could ‘cherry pick’, a free-for-all situation that good land-use planning is intended to avoid.

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### **KDW Representation 3: The Green Belt (p44-45, para 5.6)**

Green Belt (in addition to housing need) is the second fundamental issue for which the consultation document passes on responsibility to the Oxfordshire Plan.

Having already removed large amounts of Green Belt in the LPPR by allocating so much of it for development around Kidlington, other villages and areas north of Oxford, we – naturally – support your proposal not to cause more damage by removing further land from the Green Belt. Adopted local authority plans would already increase housing stock to meet Oxford’s claimed need by around one third and there is absolutely no justification for further building in the ‘urban fringe’ or Green Belt. However, we are very concerned at the indications that this is exactly what the Oxfordshire Plan will propose.

**It is not acceptable for Cherwell to say that further Green Belt release around Kidlington is a matter for the Oxfordshire Plan. Cherwell should insist, as one of the joint planning authorities for the Oxfordshire Plan, that there should be no further release of Green Belt land in Cherwell, or – for that matter - in Oxfordshire as a whole.**

This is also consistent with government policy which states that Green Belt is a permanent designation and that, once established, Green Belt boundaries should be capable of enduring beyond the plan period. As Green Belt boundaries have only recently been established through the LPPR, they should not now be changed. To do otherwise would also be to make a mockery of Government policy and oft-repeated statements of support for the Green Belt by the Prime Minister and other ministers.

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**KDW Representation 4: Kidlington infill housing – policy to control redevelopment to apartments. (p89)**

We agree that a policy to control redevelopment for apartments is needed. It is for CDC to identify criteria for such a policy and no doubt you will be able to find examples of policies in other authorities and/or in guidance. However, we consider that issues to be addressed would include:

- capacity of the local road network
- safety of access to the local road network
- adequate parking provision so as not to require further on-street parking
- new hard surfaces (for example for parking) to be limited so as (a) to prevent excess water run-off and (b) to be in keeping with the landscaping of surrounding properties
- development not to be out of scale or overbearing compared with surrounding buildings
- development not to overlook neighbouring properties or to result in additional noise in comparison with the pre-existing situation
- conversions should provide a decent standard of living accommodation with adequate space and daylight standards
- the number of apartments to be limited in the light of what can be accommodated within the existing building envelope and typical buildings on surrounding plots.

**We suggest that the Council prepares a design guide, addressing these issues, particularly with regards to development along the main Banbury/Oxford Road in Kidlington.**

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**KDW Representation 5: Small Scale Green Belt Review for employment purposes (p89, Option 26)**

**We consider that no further small scale Green Belt Review for employment purposes is needed or justified.**

The 'Technology Park' at Langford Lane is only in the early stages of development (possibly 1000-1500 jobs) and the LPPR has provided for expansion of the Science Park at Begbroke. Both of these have the potential to accommodate a very significant number of jobs.

There are also other very substantial proposals for employment generating uses nearby in the adjacent Districts such as at Oxford North (4-8,000 jobs) and at Eynsham. Oxford City itself continues to protect large areas of land for employment uses, even though there is little sign that this will be developed. Indeed large sites to the south of the City – the Business Park and Science Park are still not fully built or occupied despite having been under development for very many years.

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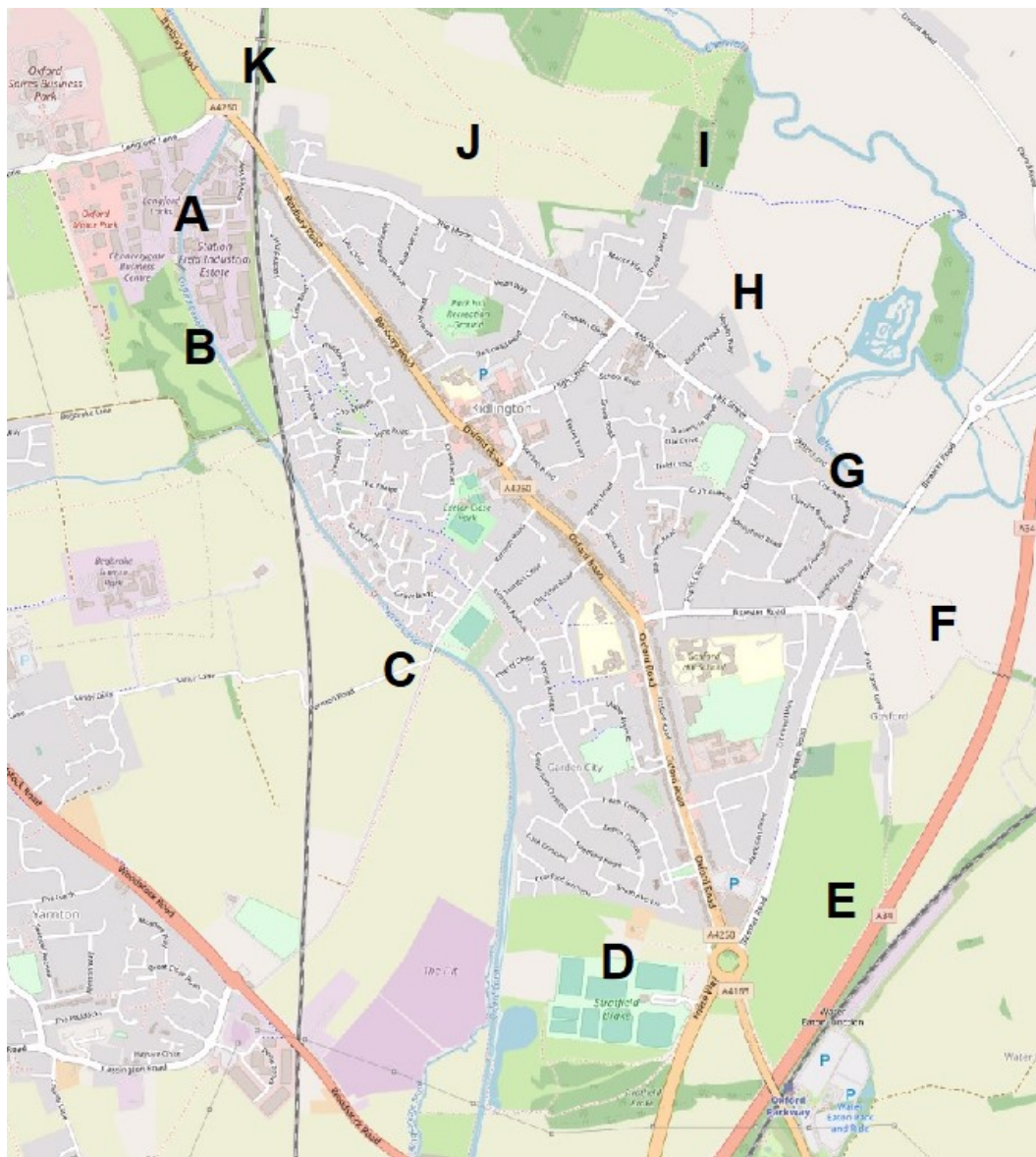
KDW Representation 6 follows on a new page.

## KDW Representation 6: Local Green Spaces (Option 28, p91)

KDW supports Kidlington Parish Council's aim (para 6.4.14) to secure a connected ring of green space around the whole edge of Kidlington through the Local Plan Review and to strengthen Kidlington's distinctive character of a 'village set in the landscape'.

We also agree with CDC's proposal – as far as it goes - to explore the potential to create a network of accessible, and wherever possible, linked green spaces around Kidlington. However, it should be possible to do much more than simply 'explore the potential'. There should be a commitment to actually create the network of what green spaces now remain and to retain the distinctive character of a 'village set in the landscape' as far as possible.

This aim will be to an extent constrained by pre-existing development and even more so by the proposals in the LPPR Plan, now that these have been adopted. Taking this into account, we have studied the entire boundary of the village in order to analyse the potential for a green network surrounding the village and we make the following observations and conclusions. Our description follows the edge of the village anti-clockwise from the Banbury Road and the areas discussed are indicated by the letters on the map below.



(A) Pre-existing industrial estate development is a constraint at the northern end, although the canal towpath does provide a connecting route.

(B) Slightly further south is the 9ha Rushy Meadows SSSI which is privately owned, and bounded by vegetation, but nevertheless protected and the towpath runs alongside it. The opposite bank of the canal is lined with trees and scrub, so, on this stretch of towpath, there is an impression of walking along a green corridor.

(C) A little further south and to the west of the village it is hard to see how an authentic 'village in a landscape' feel will be achieved given that most of the land between Kidlington, Begbroke and Yarnton will be covered by development. Nevertheless, the LPPR does include a requirement to provide for nature conservation and parkland areas in the remaining gap between the new development and Kidlington. These could partially achieve the desired aim and the individual elements can be connected by the existing canal towpath. Enhancement of this would be welcomed.

(D) At the southern end of the village the aim can be achieved through the Stratfield Brake Recreation Area and Nature Reserve with its existing footbridge connection to the canal path. To an extent it will be enhanced by the LPPR proposal to reserve half of site PR7b for nature conservation. Unfortunately, the development of the rest of this site will also remove an attractive former farm which also contributed to the 'village in the landscape' concept.

(E) Moving to South East Kidlington, the potential here has been severely curtailed by the decision to allocate (and subsequently expand) site PR7a for housing. We consider that this was an egregious decision by the Council which has effectively closed the 'Kidlington Gap'. The existing right of way runs along the busy, noisy and polluting A34. We would hope that some means of at least retaining a green corridor through the development could be negotiated with the developers of this site.

(F) Beyond Water Eaton Lane the right of way links with the Oxford Green Belt Way and crosses fields until reaching the Bicester Road. This remains in the Green Belt, is not being put forward for development, and is mainly in Flood Zone 3.

(G) North of Bicester Road the village is bounded by the River Cherwell. There is farmland to the north of this but no river crossing for a considerable distance. Slightly further north at Mill End there is what is effectively a substantial private family estate which is both inaccessible and not visible, being screened by vegetation, though part of this is a proposed Local Wildlife Site. It would seem very unlikely that this could form part of a peripheral network of green spaces. The Green Belt Way itself is forced to run through residential development until Mill End. A circular route outside the village boundary would be possible by connecting to the National Cycle Route which runs across the Cherwell Meadows, also family owned but accessible with their permission. However this would be a very long detour and does not really meet the aim of surrounding the urban edge with green space.

(H) At Mill End, the Green Belt Way runs along one side of the 'family estate' and then emerges into open fields with fine views of the Grade 1 listed St Mary's church and the backs of old houses and other buildings (many of them listed Grade 2 or 2\*) on Mill Street and Church Street. To the east there are open views across the meadows towards the Cherwell, which flood in winter. This area is included in the Church Street Conservation Area. The area provides an excellent example of the 'village in a landscape' concept. We therefore propose this area should be designated as Local Green Space (See Representation 7).

(I) North of St Mary's church is St Mary's Fields, a local nature reserve owned and maintained by Kidlington Parish Council which logically forms part of the proposed network.

(J) West of the church, a historic footpath runs through fields bounded by hedgerows across the northern edge of the village. Here there is a clear and distinct boundary separating the village from the fields immediately to the north (which then lead on to the Lower Cherwell Valley Conservation Target Area and the River Cherwell). This provides another prime opportunity to achieve the 'village in a landscape' aim. The land is in the Green Belt and is completely open (one of the two key characteristics of Green Belt). However, Green Belt protection is no longer sufficient and we therefore propose that the fields immediately to the north of the village should be designated as Local Green Space (see Representation 8).

(K) Beyond area (J) the right of way crosses the railway and rejoins the canal at the Banbury Road completing a circuit. East of the railway there is an unobtrusive caravan club site, and to the west are Parish Council allotments with an open field behind crossed by the right of way. Approaching Kidlington on the Banbury Road from the north, the junction with Langford Lane and the canal and railway bridges beyond form a natural entrance to the village. North of the junction there are fields on either side of the road and we consider that no further development is appropriate here. Indeed the fields to the west of the Banbury Road (also proposed for development by LPR-A-230) are part of the Lower Cherwell Valley Conservation Target Area and should therefore be protected.

### **Conclusion.**

We consider that, as described above, there is potential to create a peripheral network of open green space around the village and connected by Rights of Way which could help to achieve the 'village in the landscape' aim. Much of this potential is constrained by existing development and decisions which have already been taken. In summary:

Areas (A) & (G) are constrained by existing development restricting access;  
Areas (B), (D,part) (F) and (I) are already protected as Green Areas by nature conservation; designations, recreation use or flood risk (in some cases more than one constraint applies);  
Areas (C), and (D,part) are areas of LPPR sites which are reserved as Green Spaces;  
Area (E) is also a site in the LPPR where it is now difficult to provide a link in a network of Green Spaces – we strongly suggest that CDC negotiates with the developer on this matter;  
Areas (H) and (J) provide the best opportunities for realising the aim of 'a village in the landscape'.

Most of these areas are therefore either protected as Green Areas by more than Green Belt designation, or cannot be Green as they are already developed. It is not essential for areas in these two categories to be formally protected by Local Green Space designation, although this might nevertheless be considered worthwhile.

### **Proposal for areas to be designated as Local Green Space**

However, to the north and north east of the village are two areas (H&J) providing the best remaining examples of Green Space fulfilling the 'village in the landscape' concept. They are only currently protected by Green Belt designation (a matter which CDC says is for the Oxfordshire Plan).

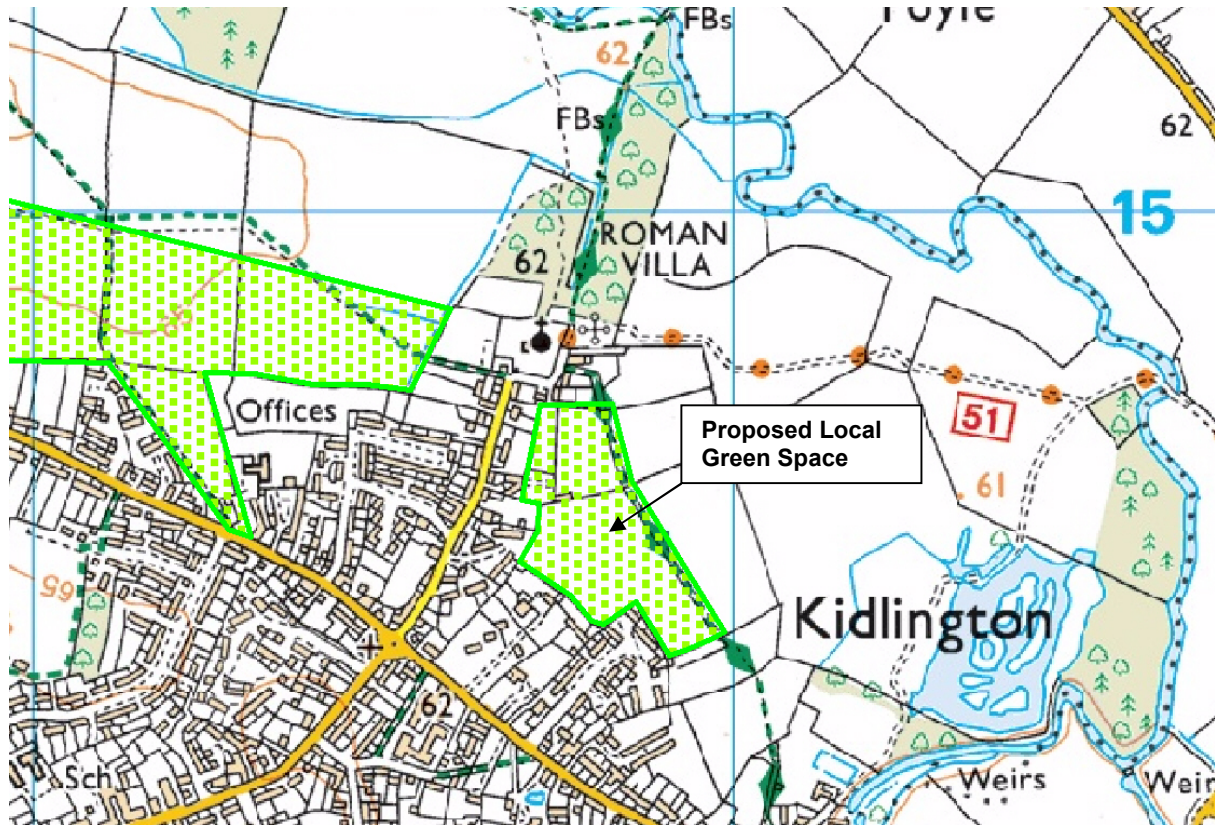
Given this and the recent removal of substantial areas of land from the Green Belt elsewhere around the village, we consider that CDC should provide additional protection in its Local Plan Review by designating these two areas as Local Green Space (LGS). Further details and justification are provided below in our Representations 7 & 8.

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**KDW Representation 7: Proposed Local Green Space to protect the Church Street Conservation Area and setting of St Mary's. (p53, para 5.9 and question 2)**

This is one of the two specific local green spaces proposed by KDW north and north-east of the village. The site is shown on the map below. Note that it lies wholly within the Church Street Conservation Area forming part of the Church Fields Character Area.



**NPPF Criteria.** The area meets the NPPF criteria for designation as LGS, as follows:

Proximity to the local community

The area consists largely of paddocks for horses immediately adjacent to the built up area of Kidlington. A well used public footpath runs along its eastern boundary which can be accessed both from the historic almshouses next to St Mary's Church and at Mill End, and from the publicly accessible fields in the ownership of the Branson family. Although most of the proposed LGS is in private use and not accessible, guidance makes clear that green areas which are valued because of their wildlife, historic significance and/or beauty may nevertheless be designated as LGS (see PPG Reference ID: 37-017-20140306). In this case, the whole area is visible from the footpath, is within the conservation area and must remain undeveloped in order to provide the fine setting for St Mary's Church and other historic buildings which the conservation area seeks to protect.

Historic significance

The proposed LGS lies wholly within the designated Church Street Conservation Area and within that is part of the Church Fields Character Area. Discussing this character area, CDC's own Conservation Area Appraisal states that:

*"The public right of way is an ideal place to see the rear of the properties on Church Street and Mill Street. The paddocks stretch right up to the high walls of the properties, and shows how easily inappropriate development to the rear can be detrimental to the conservation area. At present, the high walls and vegetation blends the line between fields and houses, and this symbiotic relationship should be protected."*



The proposed LGS is also part of the setting for St. Mary's Church. Kidlington is unusual in that its parish church is situated on the extremity of the village, on a slightly elevated site at the end of an area of terraced river gravels which runs along Church Street. St Mary's Church is a large, Grade I listed building, dating back 800 years and has an exceptionally tall and slender steeple (known as 'Our Lady's Needle'). It is the final building on the northern edge of the village and is almost surrounded by fields, with the exception of houses at the northern end of Church Street. As the surrounding land is low-lying, the church is visible from considerable distances. When seen from many directions it appears to be set amongst fields.

It is essential to retain the fields in the proposed LGS to maintain both the beautiful setting of the magnificent church and the conservation area as a whole. The conservation area includes not only Church Street but extends along Mill Street and includes Mill End. It contains many old houses and Grade II and II\* listed buildings including the beautiful and possibly medieval Grade II\* Dovecote, Grade II\* Vicarage and Grade II Church Street Farmhouse and other Grade II houses and almshouses near the church. As mentioned in the quote from the Conservation Area Appraisal, these buildings and their high walls can be appreciated from the well used and historic footpath which runs along the eastern edge of the proposed LGS. (see photo below)



The footpath itself is historic. It was the subject of an enclosure award of 1818 and should be ten feet wide throughout its length. However, it almost certainly existed in the middle ages. An eminent historian, living locally and specialising in medieval history, comments that :

*"the footpath must have been medieval and its purpose was to link the area around the church, where there was much housing, with the two mills, one on each side of the river, at Mill End, now houses (but with the mill machinery still in place, I'm told). It's highly likely that the path provided a route for manorial tenants to take their corn for milling. The ridge-and-furrow to the right of the footpath, and also running across it, proves that at one stage this was good arable land, under the plough."*

The historic ridge and furrow lies on fields to the north-east of the footpath and is a reminder of pre-enclosure Kidlington. These lead without interruption to further fields (and further ridge and furrow) and the River Cherwell itself. The openness and low-lying nature (liable to flooding) of the whole area is a key element of the landscape here.

CDC's own 2014 SHLAA rejected this site as suitable for development stating that: *"development would result in the loss of an important gap within the Church Fields Character Area and would adversely affect the setting of the Conservation Area. There would also be some detrimental impact on the character of the Mill Street area to the south."*

#### Recreational value

The footpath along the edge of the proposed LGS is now part of the Oxford Green Belt Way, a 80 km route encircling Oxford. It is extremely well used both by local people and visitors undertaking longer distance walks. Its recreational value is, of course, closely tied to the historical importance of the site, the Conservation Area Appraisal making clear how the footpath allows an appreciation of the character of the village here. The openness of the land either side of the path is essential to its enjoyment. The views from it, both north and south, of the church and other historic buildings really do take the walker back in time. The idea of a 'village in the landscape' is demonstrated here better here than anywhere else on the edge of Kidlington.



View towards St. Mary's Church and other village houses (listed) from the Public Footpath..

#### Beauty and Tranquility

The views here of the church and the village are indeed beautiful (see photo above) and with no roads in the vicinity, the area is also tranquil. It is on the edge of the open, undeveloped countryside of the Cherwell Valley.

#### Richness of Wildlife

The whole area abounds with wildlife. Badgers, foxes, roe deer, squirrels, weasels and grass snakes are to be found in the proposed LGS itself. A survey of the site undertaken in 2013 by an RSPB officer identified 27 species of breeding birds including several on the current RSPB red list (cuckoo, mistle thrush, song thrush, starling and house sparrow) and the amber list (swift and dunnock). Other

species observed by local residents include grey wagtail, heron, buzzard and sparrow hawk, great spotted woodpecker, green woodpecker, house martin, swallow, linnet and whitethroat as well as bats. The RSPB officer also commented that an ungrazed field within the site was rich in wild flowers and contained a wide range of plant species. Invertebrate species recorded included Brown hawker dragonfly, Gatekeeper, Large skipper and Meadow brown butterflies.

The proposed LGS also adjoins a proposed Local Wildlife Site (Kidlington Meadows, BBOWT ref 41X02) and is part of open land leading to the Cherwell Valley Conservation Target Area.

#### Local in Character

This proposed site is local in character and not extensive. The proposed LGS consists of a relatively small area of paddocks which is of historic significance to the community. It is essential to maintain it as Green Space in order to protect the character of the Conservation Area as is acknowledged in the Conservation Area Document and 2014 HEELA. and also for the enjoyment of users of the Public Right of Way.

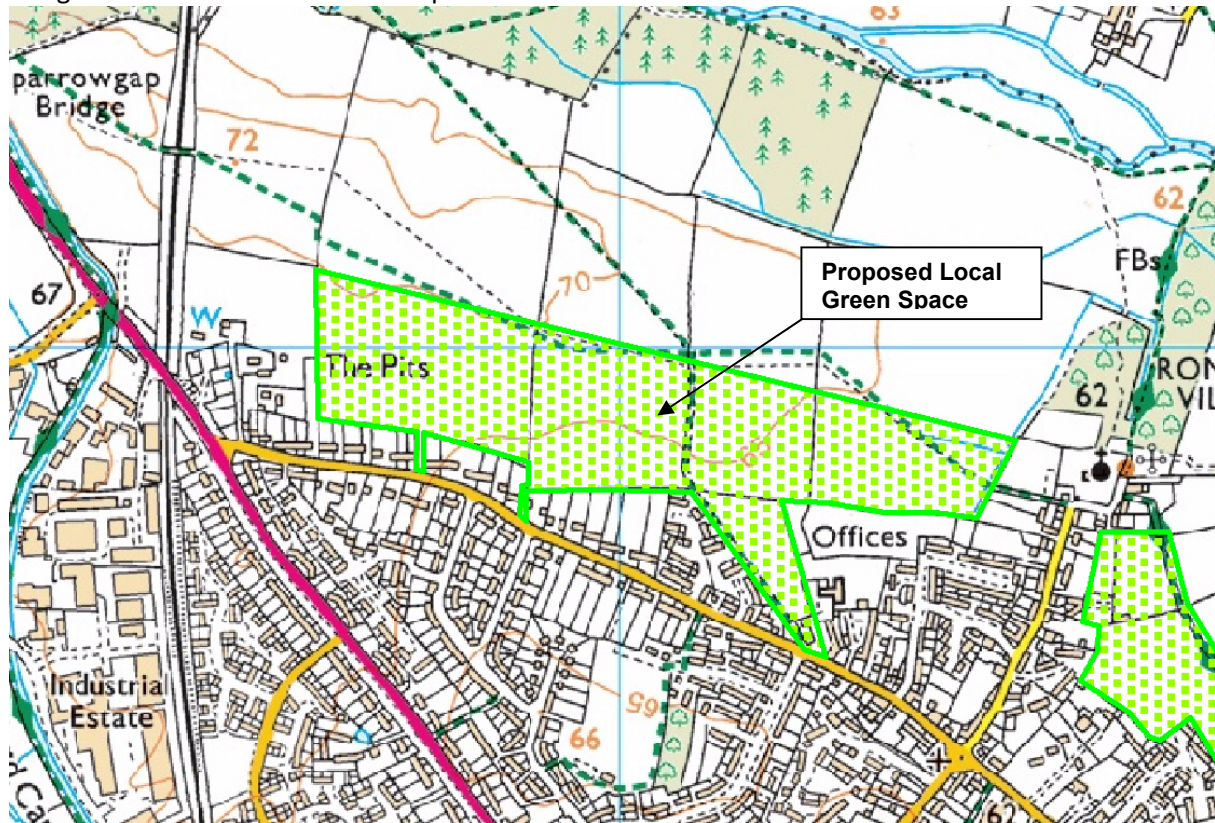
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KDW Representation 8 follows on new page.



### KDW Representation 8: Proposed Local Green Space at Bury Moor Fields (p53, para 5.9 and question 2)

This is one of the two specific local green spaces proposed by KDW north and north-east of the village. The site is shown on the map below.



(Note that after crossing the easternmost field as shown, the E-W footpath, in practice, follows the boundary of the proposed LGS rather than the green dashed lines indicated on the map)

**NPPF Criteria.** The proposed LGS meets the NPPF criteria for designation, as follows:

#### Proximity to the local community

The area consists of five fields immediately adjacent to the built up area of Kidlington. There are several well-used access points from the nearby roads and two public rights of way cross and run along the proposed area. In addition, every field boundary has informal paths along it, demonstrating how extensively the area is used by the local community.

#### Historic significance

Kidlington is unusual in that its parish church is situated on the extremity of the village, on a slightly elevated site at the end of an area of terraced river gravels which runs along Church Street. St Mary's Church is Grade 1 listed, dates back 800 years and has an exceptionally tall and slender steeple (known as 'Our Lady's Needle'). It is the final building on the northern edge of the village and is almost surrounded by fields, with the exception of houses at the northern end of Church Street. As the surrounding land is low-lying, the church is visible from considerable distances. When seen from many directions it appears to be set amongst fields.

The west-east centre line of the proposed LGS aligns with the church as can be seen from the photograph below.



The setting of this important historic building would clearly be damaged by development in these fields.

Kidlington Historical Society comments that : *“the landscape is a good example of post-enclosure Kidlington, with most of the field boundaries those set out on the Enclosure Map. The age of the hedges will be an indication of their value for wildlife. There is an ancient (possibly Roman) well just north of the area, in Ashpit. It's an odd place to find a well, right on top of the cornbrash ridge running down to the Church, so there may be archaeology around it, extending into the proposed LGS. This area is part of the setting of St Mary's with delightful views down the ridge towards the church from the footpath to Sparrowgap Bridge. The LGS would preserve these for future generations.”*

#### Recreational value

The site is crossed and bounded by two popular footpaths which are very well used by local people and visiting walkers. These are both enclosure awards from 1818 and should be maintained to a width of ten feet, though in practice they are not. The east-west path leads from the church towards the canal bridge near the Jolly Boatman public house next to the Banbury Road. The SE-NW path leads from the Moors to the Community Woodland and Canal Basin at Thrupp. A key attraction of these paths is that they cross open countryside and have fine views east to St Mary's Church.

In addition to this, almost every field boundary, including along the rear boundaries of houses on the Moors, is lined by informal paths which are regularly used for recreation by large numbers of local people.

#### Beauty, Tranquility and Richness of Wildlife

The site is in attractive open countryside (see photo above) which leads to the Cherwell Meadows Conservation Target Area and the River Cherwell itself. There are almost no buildings until the nearest villages are reached and no through roads. Consequently the area is tranquil and has the feel of being part of the countryside. This is not the case almost anywhere else on the village boundary.

The fields are relatively small and bounded by hedges and trees which therefore support a variety of wildlife, particularly birds and including rare wildlife species such as Short Eared Owls (on the RSPB amber list), and Skylarks (on the RSPB red list). Other bird species noted by local residents include goldfinch, greenfinch, redstart, jay, spotted woodpecker, green woodpecker, tree creeper, dunnoek, cuckoos and various birds of prey and owls. Foxes and Deer are also frequently seen in the area and smaller animals include weasels, field mice adders and grass snakes. At the point where the SE-NW footpath joins the Moors there is a small pond surrounded by scrub which, although now rather neglected, was maintained for many years for nature conservation and would benefit from restoration. Great Crested Newts have been found here in the past.

The site is close to the Cherwell Valley Conservation Target Area and to the St Mary's Fields Local Nature Reserve. It can therefore also be considered to be a protective buffer and corridor to these important habitats.

#### Local in Character

Guidance says that the site should not be extensive in nature but does not define extensive. In our view the proposed site is not extensive, certainly when compared to the areas of land that have already been removed from the Green Belt or from sites that are being put forward for development at the moment. We are aware of examples elsewhere of larger sites which local authorities have deemed suitable as LGS (see for example Bulmershe and Fox Hill sites in Wokingham's 2020 Local Green Space Topic Paper). While it extends over several fields, the width of the proposed LGS is limited to that of one modest field, and all of it meets the criteria set out above.

**Important.** We consider that this is not an extensive area. However, if the proposed area is deemed to be too extensive, it should not simply be rejected. Instead, consideration should be given to designating individual fields (or combinations of fields) as LGS.

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