# Homeowners in Henley-on-Thames face gagging clause over new Crest Nicholson development



Homeowners in Henley-on-Thames, Oxfordshire, who purchased properties from Crest Nicholson's Highlands Park development in 2020, have raised concerns over a contractual clause they claim prevents them from objecting to plans for a new housing estate nearby. Crest Nicholson originally built 191 homes in the development and has now submitted a planning application to South Oxfordshire District Council for permission to construct an additional 131 homes on adjoining land.

According to residents, a clause in their buyer contracts restricts them from lodging objections or participating in public enquiries related to any neighbouring or adjoining development proposed by Crest Nicholson. The clause states that "the buyer agrees not to object or cause any objection to be made to any planning application made by the seller in respect of any neighbouring or adjoining land which relates to the development or other residential development, and in particular not to lodge an objection or objections with the local planning authority or relevant government department or object or be represented at any public enquiry called in connection with such planning application."

This development, proposed on a "northern field" adjacent to the original site, includes a mix of one- and two-bedroom apartments, one-bedroom maisonettes, and houses ranging from two to five bedrooms. Additionally, the plans outline provision for up to 20 homes to be owned by the Henley Community Land Trust. The current guide prices for homes in Highlands Park range from approximately £495,000 for a two-bedroom property to £850,000 for a four-bedroom house, according to Zoopla listings.

Residents have voiced their dismay at discovering the clause, several citing fear of repercussions if they object to the new development. One resident, speaking to the Daily Mail, described the clause as a "gagging order," adding, "They can do what they want. You're entitled to object. You can put anything into a contract. It doesn't make it legal or defendable." He highlighted that while he personally did not object to the new homes, he had raised concerns regarding changes to the football pitches originally promised as community facilities within the development.

Other residents expressed frustration over the relocation plans of the community centre and the sports pitches, which would now be moved to different parts of the site with added facilities such as toilets and parking. Objections to the planning application have been numerous, addressing issues like the environmental impact of building on green space, loss of biodiversity, and the effect on local wildlife habitats.

One objector wrote about the site's significance for wildlife, noting it supports pollinators, native plants, and numerous animal species including badgers, ground-nesting birds, dormice, and bats. They warned that developing the land would have irreversible environmental consequences such as increased flooding, pollution, soil degradation, and greenhouse gas emissions.

The planning decision, initially due by April 25, is still pending. Crest Nicholson acknowledged the inclusion of the clause in their contracts, stating in a spokeswoman's comment: "This clause has been included in our contracts previously. As a member of the New Homes Quality Code, we regularly review the provisions in our agreements and are currently reviewing our documentation in line with upcoming changes to the Code issued by the New Homes Quality Board."

South Oxfordshire District Council declined to comment on the matter, advising residents to seek their own legal advice regarding the contractual clause.

The developments and related disputes reflect ongoing tensions between housing growth pressures and community concerns, including residents' desire to protect local green spaces and maintain a voice in planning decisions affecting their living environment.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

1. <https://www.henleystandard.co.uk/news/council/181752/developer-plans-131-more-homes-and-new-charity-hq.html> - This article reports on Crest Nicholson's proposal to add 131 homes to the Highlands Park development in Henley-on-Thames, including plans for a new community centre and employment space.
2. <https://www.henleytowncouncil.gov.uk/town-news/highlands-farm-plans-progress-and-public-consultation> - This source outlines the planning applications for Highlands Park, detailing provisions such as a community hall, sports pitches, and maintenance contributions, which are part of the development's planning conditions.
3. <https://www.henleytowncouncil.gov.uk/town-news/highlands-farm-plans-progress-and-public-consultation> - This source outlines the planning applications for Highlands Park, detailing provisions such as a community hall, sports pitches, and maintenance contributions, which are part of the development's planning conditions.
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7. <https://www.dailymail.co.uk/news/article-14660081/Weve-banned-objecting-100-homes-new-build-estate-gagging-clause-contracts-wont-silenced.html?ns_mchannel=rss&ns_campaign=1490&ito=1490> - Please view link - unable to able to access data