



PLANNING STATEMENT
(Incorporating Statement of Community Involvement)

On Behalf of:

Manor Oak Homes

In Respect of:

Outline application for up to 176 dwellings

At:

Land at Hanwell Fields, Banbury

Date:

September 2022

Reference:

03222/S0001

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1.0 INTRODUCTION

Introduction

- 1.1 This Planning Statement has been prepared on behalf of Manor Oak Homes ("the applicant") in support of an outline planning application in respect of land north of Dukes Meadow Drive, Hanwell Fields, Banbury ("the application site"). The application seeks outline planning permission for up to 176 dwellings, with all matters apart from access reserved for future consideration ("the proposed development"). The proposal essentially represents the second phase of our client's proposed development at the site following Cherwell District Council's endorsement of the 78-dwelling first phase immediately to the south at Planning Committee on 7th April 2022 (application reference 21/03426/OUT).
- 1.2 The applicant is an active promoter with a wide number of land interests across the East Midlands and the Southeast. The Company has a strong reputation for securing sustainable sites that are attractive to the development market. The first phase land to the south of the application site is one such example. This ensures that both the sale and development of the applicant's sites happens shortly after consent is secured, providing strong assurances that sites under their control are deliverable.
- 1.3 Specifically, the application proposal comprises the construction of a mixture of new homes at the site including a range of smaller dwellings, bungalows and family properties intended to help meet the needs of all sectors of the community. Of the maximum 176 dwellings proposed 53 of them (just over 30%) will be affordable in tenure.
- 1.4 The proposal will facilitate the delivery of a vital supply of new homes that will contribute towards Cherwell's deficient housing land supply, one which has deteriorated drastically since the submission of the application of the first phase, from 4.7 years in October 2021 to only 3.5 years now. This is some way short of the Government's requirement of a minimum 5-year supply, and on the edge of the district's largest and most sustainable settlement. It is this significant worsening of this supply position, allied with clear recognition by the Council in approving the first phase of development that our client's land represents an appropriate location to help meet these needs, that justifies the swift delivery of the second phase of the scheme.
- 1.5 Accordingly, in considering this submission and bearing in mind the continued deficit of new homes allied with the almost identical physical characteristics of the site to the first phase land the Council's conclusions in respect of our client's previous application are relevant. Summarising the merits of the first phase proposal it was confirmed at paragraph 10.2 of the committee report that:

"The proposed application site is located close to local amenities including shops, school and community facilities and is easily accessible for pedestrians and cyclists. The proposal would have some limited impact on wider landscape views, but this harm would not

outweigh the benefits of the proposal, especially when considered within the context of the Council being unable to demonstrate a 5-year housing land supply.”

The Application

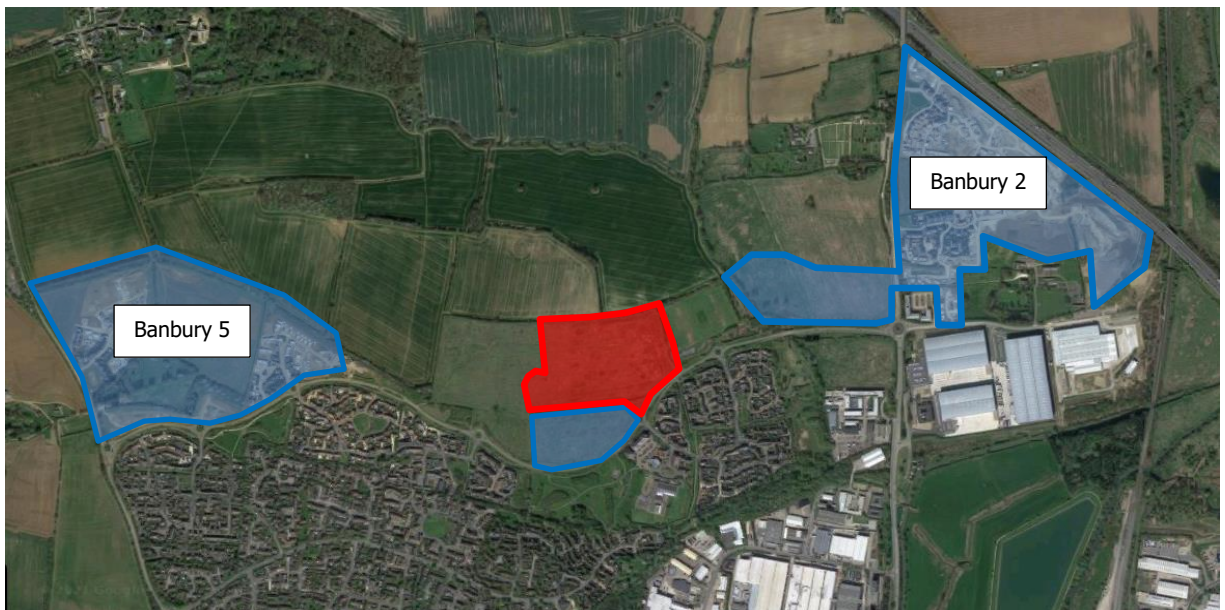
- 1.6 To demonstrate that the application site represents an entirely sustainable and unconstrained location for a new residential development of up to 176 dwellings this application is supported by a range of technical studies, as follows:
- Design and Access Statement, prepared by Thrive Architects;
 - Landscape and Visual Impact Assessment, prepared by Aspect Landscape Planning;
 - Ecological Appraisal, prepared by Aspect Ecology;
 - Arboricultural Impact Assessment, prepared by Aspect Arboriculture;
 - Transport Statement, prepared by MAC Consulting;
 - Framework Travel Plan, prepared by MAC Consulting;
 - Flood Risk Assessment and Drainage Strategy, prepared by MAC Consulting;
 - Geo-Physical Survey, prepared by Geo-Environmental;
 - Archaeology Desk Based Assessment, prepared by TVAS; and
 - Sustainability Statement, prepared by Turley.
- 1.5 The Statement proceeds on the following basis: **Section 2** describes the application site and its context; **Section 3** summarises the development proposals; **Section 4** provides a summary of the pre-application engagement that was undertaken; **Section 5** reviews relevant planning policies at local and national level, **Section 6** provides a planning assessment of the proposals with a summary and conclusions provided at **Section 7**.

2.0 SITE DESCRIPTION

- 2.1 The site, extending to approximately 8.6ha including the land required for access and drainage, comprises the eastern extent of a larger field lying to the immediate north of Dukes Meadow Drive and the 3.4ha of land subject of the first phase of our client's proposed development, which will ultimately accommodate up to 78 new dwellings. It represents an approximate 55% portion of the larger field which comprises set aside agricultural land.
- 2.2 The field is bound by a prominent established hedgerow and treeline along its northern and eastern edges and then by the Dukes Meadow Drive corridor to the south, a route which represents Banbury's northern distributor road and one of the town's principal locations for residential growth. The western boundary of the application site is currently undefined on the ground due to the site comprising the eastern portion of a larger field (it will essentially split the field in half). The site is then separated from the main carriageway of Dukes Meadow Drive by a combination of the first phase land and a grassy embankment which comprises highways land.
- 2.3 The site lies immediately to the north of the built-up area of Banbury and opposite a substantial area of modern housing, community facilities and open space comprising the recent Hanwell Fields development at the town. The existing development is characterised by a range of contemporary housing styles featuring a mixture of terraces, townhouses and predominantly apartments, many of which comprise 'landmark' building fronting onto Dukes Meadow Drive including those opposite the site, themes which have been incorporated into the first phase proposal. To this end it sits in the context of existing recent residential development.
- 2.4 Furthermore, it is then well related to two current and significant Local Plan allocations at the town – Banbury 2 to the east and Banbury 5 to the west – which clearly establish the northern approaches to the town as an established direction of both current and future growth. The approximate extent of the application site and its relationship with the first phase land (demarcated in blue) is shown on **Plan 1**. The relationship of both phases with the allocations referred to above is then shown on **Plan 2**:



Plan 1: Site Location Plan



Plan 2: Site Context Plan (residential commitments shown in blue)

- 2.5 The site almost entirely comprises rough grazing land which, as is explained by the suite of technical reports supporting this application, is unburdened by any environmental designations. In addition, other than the site lying outside of but on the edge of the built-up area of Banbury, it is not burdened by any known policy constraints.

- 2.6 There are no adjacent heritage assets. The site is located within Flood Zone 1 and thus at the lowest risk of flooding. There are no known surface water flooding issues either on the site or in the general locality.

It is well related to an existing three-spur roundabout affording access from Dukes Meadow Drive to the existing Hanwell Fields development to the south. A fourth spur of the roundabout will then be implemented pursuant to the approval of the first phase proposal which will also deliver a new bus stop and public footpath improvements. Whilst the site rises from east to west it also slopes gently from north to south lending it a close visual relationship with the existing development at Hanwell Fields. In this respect it also shares almost identical characteristics with the first phase land.

2.7 The site is in a highly accessible location in all respects offering walking and cycling links to a wide range of shops, amenities, and facilities as well as onward public transport services. Along with the site lying within an 800m walking distance of the nearest bus stop at Ferriston (which is adjacent to the nearest doctor's surgery) to the south it also lies immediately adjacent to a range of services at Hanwell Fields local centre.

2.8 In considering the location of the first phase land and its relationship with these local services and facilities the committee report concluded:

"The proposed location of the site is immediately opposite an existing local centre containing a convenience store, food outlets, other retail premises, dentist, public house, community centre and primary school. These are ideally located and provide safe/convenient pedestrian access to these facilities from the site."

3.0 THE PROPOSAL

- 3.1 As with the first phase of development it is the intention of the applicant to deliver a sensitively designed residential development that would respect the landscape setting of the site whilst forming a natural extension to the built-up area of Banbury. The proposal will serve as a natural extension to the 78-dwelling first phase and will present a similar form of development consisting of a variety of development parcels all accessible from a main spine road which would gently curve and climb with the contours.
- 3.2 In taking a similar and complementary approach to design as the first phase the application scheme will draw on the principles established by both the Hanwell Fields development to the south and the emerging allocations to the east and west. Specifically, and as reference in the accompanying Design and Access Statement prepared by Thrive Architects, the application proposal draws cues from the approach taken on the southernmost parcel of allocation Banbury 5, currently being progressed by Davidson Developments.
- 3.3 The development subject of this application will be led by the following key principles:
- The delivery of up to 176 dwellings in total of a range of sizes, types and tenures;
 - Development at an approximate density of 20dph (gross) which is lower than that of nearby proposals at Sites Banbury 2 and Banbury 5 as well as the first phase of development immediately to the south;
 - Consequently, a development that incorporates approximately 40% of the site as open space and public amenity land;
 - The provision of just over 30% affordable housing on site (53 dwellings) with an overall mix in line with the general requirements of the Oxfordshire Strategic Housing Market Assessment 2014 (SHMA) and the more specific comments provided by the Council's Housing Strategy team towards the first phase application;
 - A layout characterised by a combination of formal and informal planting representative of the settlement edge character of the site and reflective of the first phase of development to the immediate south;
 - Vehicular access drawn from the adjacent Dukes Meadow Drive / Lapsley Drive roundabout via the first phase (as already approved);
 - A cycle, pedestrian and emergency access link from the first phase of development along the southern boundary;
 - A proposed perimeter block style layout in keeping with the existing development on the southern side of Dukes Meadow Drive and taking cues from the emerging developments at Sites Banbury 2, Banbury 5 and of course the first phase; and
 - An integrated SUDS drainage system using a series of surface attenuation ponds to ensure discharge can be maintained at greenfield rates. This is designed to link in with the first phase of development.

- 3.4 A detailed analysis of the relationship of the proposal with the 78-dwelling first phase along with site constraints, opportunities and an explanation of the overall design rationale can be found throughout the supporting suite of technical reports with a summary of the way in which these have influenced the final parameter plan included in the Design and Access Statement. This document also provides a description of the parking, refuse, and drainage strategies whilst similarly providing an overview of the way in which sustainable design and build techniques have and will be incorporated into the scheme.
- 3.5 A parameter plan showing both the proposed development parcels along with the maximum upper storey heights across the site is included as part of this submission. This plan is offered for approval to ensure that the key principles of the proposal will be adhered to at detailed reserved matters stage.
- 3.6 The application proposal seeks to deliver up to 176 new dwellings in a district where it is acknowledged there is a continuing shortfall in housing supply. The proposed development can be delivered swiftly and in parallel with the first phase of development if a second developer acquires the site. This swift delivery could be assured through the application of bespoke conditions requiring submission of reserved matters within 18 months and a shortened implementation period thereafter.

4.0 STATEMENT OF COMMUNITY INVOLVEMENT

Pre-Application Enquiry

- 4.1 Whilst this application was not preceded by any formal pre-application engagement with Cherwell District Council it has been influenced by the continuous engagement with officers in respect of the delivery of residential development to the north of Dukes Meadow Drive since July 2021. This began with an initial pre-application enquiry in respect of the applicant's first phase of development where officers made it clear that development on the land could be supported due to its unconstrained nature and high levels of accessibility. In turn it would be considered as a crucial source of new homes which would contribute towards the current shortfall of housing locally.
- 4.2 This was then corroborated through the grant of permission of the first phase of development which was accompanied by a positive officer report to members outlining the merits of housing delivery to the north of Dukes Meadow Drive and the urgency to delivery new homes at sustainable locations across the district due to a deficit in housing land. On this basis the current proposals adopt all of the same cues offered by officers in respect of the first phase of development in respect of urban design, housing mix, access, landscaping, ecological mitigation, and drainage in particular.

Public Consultation

- 4.2 Prior to this submission the applicant once again issued a consultation leaflet to the 267 addresses within the vicinity of the site that were contacted prior to the first phase application. Notification was also sent to the Hanwell Fields Residents Group, Hanwell Parish Council, Banbury Town Council and the three Ward Councillors. This leaflet sought to raise local awareness of the proposals prior to the Council's own public consultation and invited residents to contact the applicant directly if they have any comments on the proposals or wish to seek any further information first hand. A copy of the leaflet and a plan showing its distribution amongst neighbouring properties is included at **Appendix 1** of this statement. As the application is in outline only at this stage any input gained from residents may be used to inform suggested conditions or shape the detailed design of the scheme at reserved matters stage.
- 4.3 Following this consultation a response was received from the Hanwell Fields Residents Group and Hanwell Parish Council. There were no public responses from individual recipients. The main points raised related to the pressure of additional homes on local shops, services and facilities at Hanwell Fields and impact on the intervening countryside between Hanwell and Banbury.
- 4.4 In respect of the impact on services this will be dealt with through a scheme of contributions to be agreed with the various stakeholders in respect of schools and healthcare facilities. Landscape matters were then considered in detail in respect of the first phase application. As is concluded later in this statement there will remain some significant distance between the development and the village of Hanwell and indeed

the separation will be more than twice that between the village and development at the western end of Dukes Meadow Drive.

5.0 PLANNING POLICY REVIEW

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of Section 38(6) of the Act the development plan relevant to this application comprises the saved policies of the Cherwell Local Plan 1996, the Cherwell Local Plan 2011-2031 and, whilst only relevant at a strategic level in so far as it guides housing growth around the peripheries of Oxford, the Cherwell Local Plan 2011-2031 Partial Review.
- 5.2 Regulation 10A of the Town and Country Planning Act requires a review of Local Plan policies to be undertaken five years from the Plan's adoption date to ensure consistency with national policy. This does not result in plans becoming automatically out of date, but a review enables Local Planning Authorities to decide whether policies (whether one or more policies or the entire plan) require updating, and if so to update them as necessary. The Council undertook a review of the current Local Plan 2011-2031 in December 2020, a little over five years after its adoption in July 2015. The results of this review, which concluded that the plan remains consistent with the objectives of national policy, were agreed by the Council's Executive on 4th January 2021. To this end it was confirmed that the plan remains the starting point for decision making and, importantly in the context of this application, continues to present an up-to-date housing requirement against which the district's supply must be assessed.
- 5.3 In addition the Council is currently undertaking a full review of the Local Plan. This will in time seek to roll forward housing and employment requirements for the period until 2040. An initial Call for Sites and issues consultation took place in Summer 2020. An updated Local Development Scheme charting the next steps of the plan and associated timescales was published in September 2021. It identified that the Council was proposing the publication of the first draft (Regulation 18) of the Local Plan Review in June 2022, a document which has not yet been made publicly available. This would suggest that factoring in what is now a two-month delay, adoption can be expected early 2024 at the earliest. We also now anticipate additional delays following the Joint Oxfordshire Authorities' recent decision to cease production of the Oxfordshire Plan 2050 upon which all plans across the county were partially reliant, discussions and an outcome that will no doubt have distracted officers from the production of the district's own plan. It is also noted that fresh discussions are now anticipated with Oxford City Council in respect of how Cherwell may help contribute towards its inevitable unmet needs over the forthcoming plan period. In total, the emerging Local Plan Review is at a very early stage and carries very limited weight.

National Planning Policy

- 5.4 National planning policy is provided for by the National Planning Policy Framework (NPPF), published in July 2021, as well as the Planning Practice Guidance (PPG) which was launched in March 2014 and has

been continually updated since. The NPPF exemplifies the Government's push towards efficiency in the planning system and embodies a pro-development stance in order to achieve the overall aim of boosting significantly the supply of housing to meet local needs and achieve sustainable development.

- 5.5 One of the key priorities of the NPPF is to ensure that local planning authorities (LPAs) maintain a strong and consistent supply of housing with paragraph 60 of the Framework confirming the Government's objective of *"significantly boosting the supply of homes"*. Specifically, paragraph 74 requires LPAs to *"identify and update annually a supply of specific deliverable housing sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies"*. It then directs that the Government's own local housing need figure may be used in instances where a plan is over five years old unless, such as in the instance of Cherwell, it has been reviewed and found not to require updating.
- 5.6 In the event that a Council cannot demonstrate a minimum of five years' worth of housing against the relevant housing figure, such as in Cherwell (the current supply position is only 3.5 years), paragraph 11(d) of the NPPF directs that this would render the most important policies for determining the application as out-of-date. In this instance planning permission should be granted unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies (of the Framework) as a whole"*.
- 5.7 Also of relevance to this application are the following sections of the NPPF:
- Section 2. Achieving sustainable development
 - Section 4. Decision-taking
 - Section 5. Delivering a sufficient supply of homes
 - Section 9. Promoting sustainable transport
 - Section 11 Making effective use of land
 - Section 12. Achieving well-designed places
 - Section 14. Meeting the challenge of climate change, flooding and coastal change; and
 - Section 15. Conserving and enhancing the natural environment.

Development Plan Policy

- 5.8 The following saved policies are of relevance to the consideration of this application:

Cherwell Local Plan 1995 (Saved Policies)

- Policy H18: New dwellings in the countryside
- Policy C28: Layout, design and external appearance of new development

- Policy C30: Design control

Cherwell Local Plan 2011-2031

- Policy SLE4: Improved transport connections
- Policy BSC1: District wide housing distribution
- Policy BSC2: The effective and efficient use of land, brownfield land and housing density
- Policy BSC3: Affordable housing
- Policy BSC4: Housing mix
- Policy BSC10: Open space, outdoor sport and recreation provision
- Policy BSC11: Local standards of provision – outdoor recreation
- Policy BSC12: Indoor sport, recreation and community facilities
- Policy ESD1: Mitigating and adapting to climate change
- Policy ESD2: Energy hierarchy and allowable solutions
- Policy ESD3: Sustainable construction
- Policy ESD4: Decentralised energy systems
- Policy ESD6: Sustainable flood risk management
- Policy ESD7: Sustainable Drainage Systems (SuDS)
- Policy ESD10: Protection and enhancement of biodiversity and the natural environment
- Policy ESD13: Local landscape protection and enhancement
- Policy ESD15: The character of the built and historic environment

Supplementary Planning Guidance

5.9 The following adopted supplementary guidance is also of relevance to this application:

- Residential Design Guides (July 2018)
- Developer Contributions (February 2018)

6.0 PLANNING ASSESSMENT

6.1 The following section provides an assessment of the application proposal against the following headings:

- **Principle of Development**
- **Housing Need and Mix**
- **Design, Layout and Amenity**
- **Landscape and Character**
- **Ecology**
- **Highways and Access**
- **Flooding and Drainage**
- **Trees**
- **Archaeology**
- **Sustainability**
- **Planning Balance**

Principle of Development

6.2 The principle of the application proposal is largely established through a combination of its adherence with the broader development strategy of the district, which seeks to direct new homes to the most sustainable locations such as the application site, allied with the pressing need for new housing to meet a clear shortfall in supply. The council's current housing land supply position, as confirmed by its Annual Monitoring Report 2021 (published in December 2021) is 3.8 years for the 2021-2026 period, anticipated to worsen to 3.5 years for the 2022-2027 period. It is the latter figure that the council is currently considering when determining residential planning applications. To place this in context, a 3.5-year supply represents a shortfall across the district of some 2,255 homes. This is a significant deficit.

6.3 This submission then follows the council's endorsement for the first phase of our client's development at Hanwell Fields, for up to 78 dwellings on the parcel immediately to the south which secured a resolution to grant permission at Planning Committee on 10th April 2022 subject to the completion of a Section 106 agreement. With the head of terms agreed it is anticipated that the completion of this agreement is imminent. On this basis it shares the location and indeed most of the environmental attributes of the approved first phase land. In considering the sustainable location of the site, its lack of overriding environmental constraints and the current critical deficit in housing land supply, paragraphs 9.7 and 9.8 of the previous committee report prepared in support of the first phase neatly concluded as follows:

"The Council's 2021 Annual Monitoring Report (AMR) confirms that the district cannot demonstrate a 5-year housing land supply. In the circumstances that an LPA cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer), there is a presumption in favour of sustainable development and the circumstances at

paragraph 11d of the NPPF are engaged. In short, development should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of delivering housing when assessed against the policies in the Framework as a whole.

In terms of the three legs of sustainability as defined in the NPPF, the economic impact of the proposed development would create jobs both directly and indirectly. Socially, the development would provide needed market and affordable housing on the edge of a sustainable main settlement and immediately alongside a wide range of local community facilities that are served by regular public transport services. Environmentally, it would provide new planting and some enhancements for a range of habitats available for wildlife and the setting of the site. The site is well contained by natural topography and established hedgerows and relates reasonably well to the existing built form. It is considered that the proposed development fulfils the requirements of paragraph 8 of the Framework and can be considered to be sustainable."

- 6.4 We suggest that any conclusion reached in respect of the current application site must be near-on identical and certainly positive in respect of the eventual outcome of the application. As will be demonstrated by the remainder of this section there would in fact be no adverse impacts caused by the development that would outweigh its significant benefits, similar to those described above – indeed, it should be concluded that when considered against the NPPF as a whole the application proposal is in fact sustainable in every respect.
- 6.5 In any event, and on review of the development plan strategy as a whole, it is then noted that the framework of policies does not seek to present any outright presumption against unallocated land in sustainable locations in the district from coming forward for development (i.e. edge of settlement as opposed to within the built-up area). It is in fact telling that the previous committee report does not identify the 78-dwelling first phase proposal as having any policy conflict whatsoever in respect of the site as a location for residential development.
- 6.6 Paragraph A11 of the Plan, in describing the construction of its spatial strategy states that "*most of the growth in the District will be directed to locations within or immediately adjoining the main towns of Banbury and Bicester*" confirming that the application site is adjacent to one of the principle growth points. The Plan then goes on to describe Banbury and its role as a focus for growth in the district thus:

"Paragraph C.4: We are taking a conscious decision to concentrate growth at Bicester and to a lesser degree at Banbury, to secure economic benefits, especially in their retail, commercial and manufacturing roles. The two towns (Banbury and Bicester) are the most sustainable locations for growth in the District and are the right places to meet the economic and social needs of the District whilst minimising environmental impacts.

Paragraph C.108 Banbury is the District's largest town with its own sub-region. It is a focus for major retail developments, employment, housing and cultural and community uses that attract large numbers of people."

- 6.7 Importantly, when seeking to guide development at the town, it is then noted that Banbury does not have a defined settlement limit. Instead, the plan seeks to take a more holistic approach with a focus on matters such as accessibility and protection of the natural environment to ensure that proposals do not contravene the overall sustainability objectives of the district. Whilst delivery of new development at Banbury is further guided by the town's Masterplan SPD (adopted in 2016) this document does not introduce any additional spatial requirements or restrictions and instead principally sets a framework within which the strategic allocations at the town should be delivered.
- 6.8 **Policy BSC1** firstly sets out the proposed distribution of housing across the district. In total, it is anticipated that 22,840 new dwellings will be delivered in Cherwell between 2011 and 2035. Tellingly, almost exactly a third of these are to be delivered at Banbury – 7,319 dwellings. This policy clearly presents the central role the town has in meeting the housing needs of the district.
- 6.9 In respect of the location of housing development specifically **Policy BSC2** 'The Effective and Efficient Use of Land – Brownfield Land and Housing Density' states that housing development in Cherwell will be expected to make efficient and effective use of land with an aspirational target of at least 30dph across all sites unless a lower density is justified by character constraints. Whilst it states that the Council will "*encourage the re-use of previously developed land in sustainable locations*" it does not preclude potential greenfield opportunities from coming forward which are sustainable in all other respects. In which case the application site is presented to the Council as a compelling opportunity to secure a self-contained and swiftly deliverable housing development in a highly sustainable location. Importantly this is done at a time when there is an accepted shortage of housing land across the district. In which case, as will be demonstrated in the remainder of this statement the reuse of the site for a sensitively designed new residential development at a density of approximately 30dph adjacent to the district's largest town would represent the effective and efficient use of the site.
- 6.10 Whilst saved **Policy H18** of the Cherwell Local Plan 1995 does describe only a narrow range of instances where housing would be allowed on land classed as countryside (that is falling outside defined settlement limits) we would contend that the force of this policy must be reduced due to the flexibilities introduced by the Local Plan 2011-2031 which include the removal of settlement boundaries and the clear promotion of land in sustainable locations adjacent to the district's larger settlements. In any event, if it is concluded that there is conflict with the significantly dated Policy H18 this should be assessed in the context of the further reduction in the weight to be attributed to it due to the Council's deficient housing land supply.
- 6.11 Accordingly, and taking all of the above into account a number of matters are clear:
- The Council cannot demonstrate a sufficient supply of housing land and the presumption in favour of sustainable development described by paragraph 11(d) of the NPPF must apply;

- As with the successful first phase application the site is located next to one of the district's principal growth points presenting it as a preferred location for new growth;
- Similar to the council's consideration of the first phase application it is clear that where any potential conflict with the development plan can be identified (anticipated to once again be in respect of landscape impact only) it is minor and narrow in nature;
- In any event, and as directed by the NPPF, this conflict must then be weighed against the benefits of the proposal including its contribution to the district's housing land supply. As correctly concluded by the council in respect of the first phase application, planning permission should then be granted unless any adverse impacts of doing so would significant and demonstrably outweigh the benefits when assessed against the policies of the Framework as a whole.

6.12 The remainder of this section now assesses both the benefits of the proposal and the way in which it seeks to address the limited number of site constraints, drawing on the suite of technical information provided in support of the application where necessary. It then concludes with the overall planning balance, factoring in all of the economic, social and environmental benefits and weighing them against the limited harm resultant of conflict with the out-of-date policies of the development plan. This exercise concludes with a strong presumption in favour of the development.

Housing Need and Mix

- 6.13 Fundamentally this application is designed to contribute towards meeting both the quantitative and qualitative housing needs of both Banbury and Cherwell as a whole. Whilst its principal aim is to help overcome the shortfall in housing supply across the district, which by our estimates likely amounts to more than 2,200 dwellings, it similarly seeks to deliver a housing mix that is entirely in line with local needs through reference to both the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014 in respect of both the market housing and affordable housing mix specified by the Council's Housing Strategy and Development Team (HSDT) in its response to the first phase application, dated 17th December 2021.
- 6.14 In line with the HSDT's requirements the proposal will provide just over 30% of all dwellings as affordable housing featuring a tenure split in favour of affordable rented properties. The breakdown in respect of the intermediate tenure types is then guided by the requirements of national policy to secure a specific level of product relating to affordable home ownership (described below). Whilst the application proposal is for an 'up to' figure we can confirm that whatever quantum of development is delivered will represent a *pro rata* of the mix overleaf (**Figure 2**):

PRIVATE		70%			
House Type	No of Bedrooms	Sq m	SqFt	No	Total SqFt
1B Flat	1	55	592	3	1,776
1B Fog	1	56	600	2	1,200
1B Maisonette	1	58	625	2	1,250
2B Flat	2	71	769	2	1,538
2B Maisonette	2	79	850	6	5,100
2B House	2	79	850	18	15,300
2B Bungalow	2	70	755	6	4,530
3B Bungalow	3	95	1025	5	5,125
3B	3	111	1200	49	58,800
4B	4	145	1560	30	46,800
TOTALS				123	141,419

Coverage sqft/acre	36982
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AFFORDABLE		30%			
AFFORDABLE RENTED		66%*			
House Type	No of Bedrooms	Sq m	SqFt	No	Total SqFt
1B Flat	1	55	592	3	1776
1B Fog	1	56	600	1	600
1B Maisonette	1	58	625	6	3750
2B Flat	2	70	755	3	2265
2B Maisonette	2	79	850	6	5100
2B	2	79	850	3	2550
3B	3	93	1001	10	10010
4B	4	106	1140	3	3420
TOTALS				35	27,095

Intermediate		34%*			
House Type	No of Bedrooms	Sq m	SqFt	No	Total SqFt
1B Flat	1	54.99814195	592	2	1184
2B Flat	2	79	850	3	2550
2B	2	79	850	6	5100
3B	3	93	1001	7	7007
TOTALS				18	12,107

* % of total affordable provision

SITE TOTALS	176	180621
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Figure 2: Illustrative mix (all tenures)

6.15 As requested by the HSDT, both at pre-application and application stages of the first phase development, the mix set out above provides for the following unit types where demand is greatest locally:

- Market sale bungalows with parking that are directly accessible for people with limited mobility;
- Market sale 2-bed (4-person) houses with good ground floor living space and good external storage facilities;
- Affordable 2-bed 4-person houses with private outdoor space rather than 2-bed flats;

- A supply of 4-bed properties for social rent to help meet an acute local need;

6.16 It is noted that paragraph 65 of the NPPF requires 10% of the total number of homes on the site to be made available for affordable home ownership as part of the overall affordable contribution on the site. This would require 18 properties to be delivered as affordable ownership products, to be counted towards the overall affordable housing element of 53 units. As per the council's own 'First Homes Interim Policy Note' there is also a requirement for 25% of all affordable housing to be provided as 'First Homes'. In which case 14 of the 18 affordable ownership properties would fall within the 'First Homes' typology.

6.17 We are, however, also aware that the split of 70:30 in favour of social rent would itself then require 38 properties (rounded up) to be delivered as social housing. The 18 affordable ownership and 38 affordable rental properties combined ($18 + 38 = 56$) would exceed the 53 affordable units in total required by **Policy BSC3**. Paragraph 65 of the NPPF states that the 10% element of affordable ownership should be provided unless it would "*significantly prejudice the ability to meet the identified affordable housing needs of specific groups*". It is contended that a shortfall of only two social rented units would not result in significant prejudice in respect of meeting need – therefore a 10% element of affordable home ownership properties is proposed which would result in a ratio of 66:34 in favour of social rented properties. This would result in an overall affordable housing mix (by typology) of:

- 66% affordable rent;
- 25% First Homes; and
- 9% other affordable home ownership products

6.18 In respect of affordable housing need across the district it is noted that Cherwell has performed well in delivering against its annual requirement of 190 dwellings over the plan period of the current Local Plan, that is 2011-2031. This figure has been exceeded in each of the last 7 completed monitoring years up to 2020/21. That said, affordability is still problematic in the district with the most recent Office for National Statistic update showing that the affordability ratio (median house price to median gross annual workplace-based earnings) is 9.48. This exceeds the average for England of 9.1 which itself has risen from 7.84 over the course of the 12 months prior to April 2022. Set in the context of a deficient housing supply for the following five-year period the ability to secure an additional development site at Banbury which yields a policy and SHMA compliant mix of new affordable properties will help ensure that the strong supply of such properties in Cherwell does not falter.

6.19 Based on the proposed proportion of affordable dwellings at the site (just over 30%) and the proposed mix which would be broadly in line with the SHMA the application proposal would accord fully with **Policies BSC3** and **BSC4** of the Local Plan 2011-2031.

Design, Layout and Open Space

- 6.20 This application is supported by a Design and Access Statement, prepared by Thrive Architects, which explains the rationale behind the parameter plan which is offered as a drawing for approval as part of the application submission. Fundamentally the design approach to the site mirrors that of the first phase of development and once again seeks to respond positively to its principal constraints, these being the urban fringe character of the parcel and its sloping relief. Together, these characteristics will require the delivery of a development that is carefully zoned in respect of building heights and orientation as well as incorporating a palette of design and materials which responds positively to the transition on the site from the modern urban development to its south (including the first phase of up to 78 dwellings) through to the expanse of open countryside to its north and west.
- 6.21 The layout and form of the proposed development is then further influenced by the necessity to draw the main vehicular access from the adjacent roundabout at Lapsley Drive via the first phase of development along with the need to provide functional links between the two phases. Allied with the gradient restrictions presented by the sloping nature of the site this has resulted in the proposed dwellings all being sited around a single 'village drive' style access from the southeastern corner of the site through to its furthestmost point to the northwest as opposed to an internal loop. This allows an emergency access to be drawn from the first phase approximately halfway along the southern boundary which in turn will provide a pedestrian linkage between each parcel which in turn will allow residents of the 78 dwellings to the south to access the increased amount of open space to be provided as part of the second phase.
- 6.22 The proposed design, massing and scale of the properties on site will work positively with the contours, which rise by approximately 26m from the position of the lowest property at the eastern end of the site to the most elevated property to the west (an identical gradation of built form to that secured as part of the first phase). It is proposed that the storey heights of the buildings naturally decrease from the 3-storey apartment buildings at the south-eastern corner of the site closest to Dukes Meadow Drive through to single storey bungalows on the upper reaches of the site. The proposed residential parcels will incorporate a range of densities from approximately 64dph at its eastern end on the lower lying land due to the prevalence of apartments, through approximately 35dph at its core to a far lower 21dph along its western fringe due to the provision of bungalows at this location.
- 6.23 This design approach, which seeks to use the levels of the site to guide both the height, massing, and density of development was adopted by the first phase proposals which also included a 4-storey 'landmark' block closest to the roundabout. As illustrated by the Design and Access Statement the design of the properties will then utilise a range of materials which will provide a more modern aesthetic at the gateway of the site, in keeping with the properties at Hanwell Fields to the south, transitioning into more traditional design at the edges of the site closest to the open countryside.

- 6.24 Based upon the illustrative design approach for the site described above and to be guided by the parameter plan included as part of this submission the application scheme would accord fully with saved **Policies C28** and **C30** of the Cherwell Local Plan 1995 and **Policies BSC10** and **BCS11** of the Cherwell Local Plan 2011-2031.
- 6.25 The landscaping strategy for the site seeks to retain all the existing hedgerows and trees around its perimeter whilst introducing additional verges along the northern and western boundaries which will accommodate a new circular footpath link around the perimeter of the site along with complementary areas of both formal (a NEAP will be included at the western end of the site closest to the first phase) and informal public open space. The delivery of this green fringe to the site will then be further complemented by the provision of an extensive landscaped corridor running east to west through the heart of the development. Once again this will include public open space (including a LAP) with a public footpath dissecting the corridor and providing an additional walking link to the entrance of the site.
- 6.26 In total approximately 35% of the site will be provided as open space across a range of typologies. This comprises the provision of 2.36ha of natural and semi-natural open space including the landscaped corridors containing the footpath network, a Neighbourhood Equipped Area of Play (NEAP) of 0.11ha and a Local Area of Play (LAP) of 260m². These facilities will complement the Local Area of Play (LEAP) to be provided as part of the first phase. In total, this level of provision significantly exceeds the requirements of **Policy BCS11** of approximately 1.4ha¹ (rounded) across the general open space and play space typologies, the amount expected based on the amount required per 1,000 people.

Landscape and Character

- 6.27 One of the key constraints at the site is its relief and the way in which any development can work with its sloping nature to deliver an attractive scheme in keeping with the adjacent residential and commercial uses on the southern side of Dukes Meadow Drive as well as the additional strategic development on sites Banbury 2 and 5 to the east and west. This submission is therefore supported by a Landscape Visual Impact Assessment (LVIA), prepared by Aspect Landscape Planning, which has guided the approach taken in the development of the parameter plan.
- 6.28 By way of background paragraph C.110 of the Local Plan places the setting of the site and Banbury more widely in the following context:

"Banbury faces topographic and historic landscape constraints important to the setting of the town including the River Cherwell valley to the east, a steep sided valley and villages to the west, rising landform and village conservation areas to the north and an open aspect and village to the south beyond the Salt Way. These are all barriers to growth that have shaped how the town has grown and which will affect its growth in the future."

¹ Based on an average household size of 2.4 people so a maximum of 423 new residents in total set against the 'up to' figure of 176 units

- 6.29 More specifically the land, albeit as part of a far larger parcel comprising the higher and more prominent land to its immediate west which lies above the 127m contour, was previously assessed by the Council's 2014 SHLAA and 2018 HELAA which each concluded the following:

"Development would be prominent on the landscape, particularly when viewed from the east, on one of the highest points in the vicinity..."

- 6.30 In response to this conclusion the application site, like the first phase land, represents the lower slopes of the larger extent of land considered by the two studies referenced above. In addition, it visually lies in the context of the urbanised corridor of Dukes Meadow Drive, the significant built-up area of Banbury and importantly the 78 dwellings that will be delivered as part of the first phase. Whilst it will be subject of views from the east, most frequently received by drivers and pedestrians approaching the site along Dukes Meadow Drive, any new development will inevitably be read in the context of the existing residential and commercial buildings on the southern side of the road and the first phase which extends along the northern edge of Dukes Meadow Drive and when complete will represent a more urbanising feature on the northern edge of the road corridor.
- 6.31 Due to the siting of the proposed development – to be contained principally on the lower contours of the site and sandwiched between a combination of the first phase of development, the highway verge, and the existing field boundary to the north – it will be both visually but also physically well-related to the existing Banbury urban area. A combination of undulations in the landscape and the visually contained nature of the site will also ensure that it does not result in any harmful encroachment into the open countryside and, through the careful siting of the taller buildings on the lowest land adjacent to the Dukes Meadow Drive corridor, will remove the possibility of any intervisibility with Hanwell Conservation Area to the north.
- 6.32 In any event the LVIA notes that there are already several available views of the northern urban edge of Banbury from the Conservation Area including the large commercial sheds at Noral Way. As is demonstrated by Viewpoint 6 of the LVIA there is then no possibility of any of the new dwellings being perceptible from even short-range views from the public footpath due to the contours of the land and the established landscaping fringing the site.
- 6.33 Whilst it is accepted that longer range views of the site will be available the LVIA considers that it resides within a changing environment, illustrated through the establishment of Hanwell Fields, the more recent Banbury 5 development parcel to the west and of course the first phase of development to its immediate south. It is also notable that further development has been approved within the Banbury 2 development parcel to the east which will further establish the presence of built form beyond the northern edge of Dukes Meadow Drive and indeed the northern edge of Banbury as a key direction of growth.

- 6.34 Based on this limited visibility allied with the urban context of the site the note concludes that the site's immediate and localised visual environment has capacity in visual terms to integrate a sensitive, high quality, residential development. Accordingly, it is concluded that any significant landscape harm would be avoided and any perception of the change of the site character from an existing field to a new residential development would be received in close context with the urban area of Banbury and the first phase of development.
- 6.35 Concerns in respect of the coalescence of Banbury with Hanwell village were raised by the Parish Council in respect of the first phase application. However, the closest dwelling on the site (at the northwest corner) would lie some 1.3km from the southernmost property at Hanwell – only 100m closer than the closest property on the first phase. In any event the properties at Bismore Road, to the west of the application site, already lie far closer to Hanwell at around 400m from the southern edge of the village. The significant distance between the application site and the village allied with the absence of any intervisibility between Hanwell and the proposed dwellings means that there should be no concern whatsoever around and increased level of either physical or perceived coalescence.
- 6.36 On the basis of the above it is considered that the development of the enquiry site would accord directly with the criteria and purpose of **Policy ESD13** 'Local Landscape Protection and Enhancement' in that it would:
- Avoid any undue visual intrusion into the open countryside;
 - Avoid undue harm to important natural landscape features and topography;
 - Be consistent with local character, the form and scale of both the Hanwell Fields development to the south of the site and the emerging development at Sites Banbury 2 and Banbury 5 in particular;
 - Avoid impact on areas judged to have a high level of tranquillity due to its close relationship with the highway network and adjacent built form;
 - Avoid any harm to the setting of settlements, buildings, structures or other landmark features; and
 - Avoid harm to the historic value of the landscape.

Ecology

- 6.37 An Ecological Appraisal of the site, prepared by Aspect Ecology, is included in support of this submission. The appraisal confirms that no statutory or non-statutory nature conservation designations are present within or adjacent to the site, and none of the designations within the surrounding area are likely to be adversely affected by the proposals.
- 6.38 The extended Phase 1 habitat survey has established that the site is dominated by habitats not considered to be of ecological importance, whilst the proposals have sought to retain those features identified to be of value. Where it has not been practicable to avoid loss of habitats, mitigation and compensation

measures have been proposed to offset losses, in conjunction with the landscape proposals. A number of specific measures and recommendations are set out within the appraisal in order to ensure the suitable protection of the retained habitats and associated fauna, whilst where possible it is recommended that any new planting at the site incorporate native species for the benefit of local wildlife, in combination with the enhancement and management of the retained features of value.

- 6.39 The habitats within the site support several protected species, including species protected under both national and European legislation. Accordingly, a number of mitigation measures have been proposed to minimise the risk of harm to protected species (including Badger, bats and breeding birds), with compensatory measures and enhancements proposed, where appropriate, in order to maintain the conservation status of local populations.
- 6.40 The supporting information provided by Aspect Ecology confirms that a suitable level of biodiversity net gain can be secured by the proposals through the provision of on-site enhancements and then either by the purchase of net gain credits or off-site habitat provision on either land under the control of the applicant or further land under the control of a third party to be negotiated. An illustrative scheme of net gain provision is included at this stage showing improvements on land to the west of the application site.
- 6.41 Generally the proposals have sought to minimise impacts and subject to the implementation of appropriate avoidance, mitigation and compensation measures, it is considered unlikely that the proposals will result in significant harm to biodiversity. On this basis the application is in direct accordance with the relevant parts of **Policy ESD10** 'Protection and Enhancement of Biodiversity and the Natural Environment'.

Highways and Access

- 6.42 Reflecting the scheme of access approved as part of the first phase of development the application proposal will be accessed via an upgrading of the existing agricultural access to form a fourth arm off the Dukes Meadow Drive / Lapsley Drive roundabout. The design of the access at it joins the roundabout will remain unchanged in that it will comprise a segregated entrance / exit either side of a central refuge bound by a 3m wide shared footway / cycleway to link into the existing footway / cycleway provision on the southern / eastern side of Dukes Meadow Drive.
- 6.43 Within the site the 5.5m wide development road will be bound by two 2m wide footways. The only change to the access approved as part of the first phase of development is that the priority will alter within the site as the retained field access is upgraded to form the principal vehicular access to the second (current) phase of development. This will result in the access to the first phase comprising a left turn junction as motorists enter the site. It is worth reiterating that the proposed site access arrangements and footpath

connections to the site were reviewed and agreed in-principle with the Local Highway Authority as part of pre-application discussions preceding the first phase application.

- 6.44 The proposed development (based on the upper figure of 176 dwellings) is predicted to generate 129 vehicle trips in the morning peak and 116 trips in the evening peak. It is considered that this number of vehicles even in combination with the trip rates generated by the first phase of development will not result in a significant adverse impact which will result in detrimental harm to the highway network. The number of vehicle trips generated by more sustainable forms of transport is acceptable considering the existing sustainable transport infrastructure.
- 6.45 Parking within the development will be provided in line with current Oxfordshire County Council's Residential Road Design Guide for new development for urban areas in Cherwell as referenced in the Supplementary Planning Document, Cherwell Residential Design Guide, adopted in July 2018. Cycle parking will be provided at a level of at least one space per one bed dwellings and at least two spaces per dwelling of two or more bedrooms. The final level of provision in respect of car and cycle parking will be confirmed at reserved matters stage upon the finalisation of both the number of new homes to be provided and the eventual mix.
- 6.46 Lastly, this application is accompanied by a draft Residential Travel Plan which provides for several measures to secure the greatest level of uptake of sustainable forms of transport. As part of this plan it is proposed that each household will be provided with a Travel Welcome Pack. The pack will contain a high-quality map of the area, showing cycle, walking and public transport routes, and up-to-date timetables for local bus and connecting train services. The key role of the Travel Welcome Pack will be to raise awareness of these sustainable initiatives.
- 6.47 On the basis of all of the above it is considered that the application proposal complies with **Policies SLE4, ESD1 and ESD15** of the Cherwell Local Plan 2011-2031.

Flooding and Drainage

- 6.48 This application is accompanied by a Flood Risk Assessment (FRA) including a drainage strategy for the site, prepared by MAC Consulting. It firstly demonstrates that the site lies in the Environment Agency's Flood Zone 1, that is in a location at the lowest risk of tidal or river flooding. In response to the requirements of paragraph 161 of the recently updated NPPF the FRA also assesses the potential impact of all other sources of flooding on the site, concluding that it is not at risk from surface water, canal and reservoir, ground water or sewer flooding.
- 6.49 In respect of drainage surface water discharge from the proposed development will outfall into a watercourse via a scheme of above ground attenuation. The drainage scheme will be combined with the

proposed attenuation measures approved in principle as part of the first phase of development and will include the enlargement of the basin at the eastern end of the site. The surface water discharge rate from the site will then once again be restricted to greenfield equivalent run-off rates to ensure that the rate of surface water run-off from the site does not increase as a result of the proposed development. The proposed drainage strategy will comprise the following components:

- A piped network;
- Hydrobrake flow control;
- A Detention Basin; and
- Tanked permeable paving to private drives

6.50 The drainage will be designed in line with Building Regulations, Design and Construction Guidance for foul and surface water sewers offered for adoption under the Code for adoption agreements for water and sewerage companies operating wholly or mainly in England as well as local SUDS guidance to ensure compliance with best practice guidance, thus minimising the maintenance requirements. A full maintenance plan for the site will be developed at the detailed design stage.

6.51 Otherwise, foul water drainage will utilise the existing Severn Trent system present at Hanwell Fields to the south.

6.52 The lack of any flood risk at the site allied with the potential to deliver a sustainable drainage system in line with the drainage hierarchy ensures that the proposal would comply with **Policies ESD6** and **ESD7** of the Local Plan 2011-2031.

Trees

6.53 This application is supported by a full Arboricultural Impact Assessment conducted by Aspect Arboriculture. The survey identifies that there are no trees within the proposed developable area of the site with the only vegetation comprising the hedgerows around its perimeter, all of which will be retained other than a short section which will have to be removed to accommodate the vehicular and pedestrian access point. Otherwise, there will be no impact on any established trees and planting ensuring that the proposed development accords with **Policy ESD10** of the Local Plan 2011-2031.

Archaeology

6.54 A geophysical survey of the site was undertaken by TVAS in August 2022 which demonstrated that the site shows few signs of archaeological importance. Whilst the survey showed several anomalies across the site the majority of these appear to be a continuation of the medieval and post-Medieval ridge and furrow found to the south of the site. Otherwise, there is a large curving positive linear anomaly may indicate the presence of some form of land division. No other anomalies of archaeological interest were

recorded. On the request of the council's archaeologist a Desk Based Assessment can be prepared prior to determination. In any event it appears clear that the proposed development will have no implications for below ground heritage and would accord with **Policy ESD15** of the Local Plan 2011-2031.

Sustainability

6.55 This application is supported by a Sustainability Statement prepared by Manor Oak Homes. This document is provided specifically with a view to demonstrating how the proposals seek to address **Policies ESD1, ESD2, ESD3, ESD4 and ESD5** of the Local Plan 2011-2031 whilst further illustrating the way in which they would accord with **Policies ESD6, ESD7 and ESD8**, all of which combined relate to energy and water efficiency measures.

6.56 Whilst the application proposal is in outline only at this stage, with any precise measures proposed to tackle climate change and ensure the energy efficiency of the eventual development to be specified at reserved matters stage, the Sustainability Statement demonstrates that it would be capable of accommodating the following:

- The development will incorporate a range of measures to reduce carbon emissions, mitigating the effects of climate change, and adaptation measures to ensure the long-term resilience of the development to the effects of climate change. These would include passive solar gain, natural ventilation, good access to services via sustainable modes of transport, water efficiency measures and effective insulation;
- Through a range of design measures the development will ensure the homes will minimise carbon emissions and achieve a high standard of energy efficiency. These would include the adoption of a fabric first approach and opportunities to either built in or retrofit renewable sources of energy;
- The development will support resource efficiency and use low embodied carbon materials where possible. Measures may include use of sustainable and locally sourced building materials along with a strategy to ensure that site waste is minimised; and
- Through a range of design measures the development would aim to protect and enhance the local environment, including incorporation of biodiversity enhancements and measures to reduce pollution both during build phase and once the development is fully occupied.

Planning Balance

6.57 Following a review of the way in which the proposed development responds to the various policy requirements and constraints relevant to the site it would firstly not result in any residual economic, social or environmental harm and in fact it would present a wide range of benefits that would significantly and demonstrably outweigh the limited harm afforded to the narrow conflict with the spatial policies of the development plan and the localised level of landscape impact. A summary of the merits of the scheme,

which must be weighed using the 'tilted balance' applicable due to the out-of-date nature of the policies most relevant for the determination of the application, is set out below.

Economic Sustainability

6.58 The proposed development would help support the local economy. The provision of new houses would provide construction jobs for local people. Along with this, there will be a longer-term economic benefit from the future occupants of the proposed dwellings through a combination of spend in the local economy and support for the ongoing viability of local businesses and employers more generally. It is therefore considered that the application furthers the NPPF's objective of economic sustainability.

Social Sustainability

6.59 The proposed development would further the social objectives of the NPPF. Specifically:

- The site lies adjacent to the built up area of Banbury and is within walking distance of the full range of services and facilities at the town;
- The site is approximately a 750m walk from the nearest bus stop which offers regular services to the town centre;
- The proposal will provide up to 123 market dwellings and up to 53 affordable dwellings of a mix which responds directly to the Oxfordshire SHMA 2014. This provision of these dwellings is particularly important considering the deficient housing land supply position across the district; and
- Specifically the affordable housing provision on the site, to be split 66:44 in favour of affordable rented accommodation, is of notable importance in a district where the affordability ratio is above the national average at 9.48.

Environmental Sustainability

6.60 Lastly, in terms of environmental sustainability a significant level of technical work has been undertaken to ensure the development respects and wherever possible enhances the local environment. The approach taken by the applicant can be summarised as follows:

- This application is supported by a Landscape Visual Impact Assessment prepared by Aspect Landscape Planning which demonstrates that the proposed development is capable of being delivered within the contours of the site of a form and layout which would minimise any impact on the landscape through the reduction of distant views from the north. On this basis the proposal would almost entirely be viewed in the context of the extensive urban area of Banbury to the south, which will now include the first phase of the development;
- The illustrative design of the proposal allied with the parameter plan offered for approval is the result of an opportunities and constraints led approach to development and demonstrates a form and layout of development which responds positively to both the relief of the site and its urban edge character.

- A comprehensive ecological survey of the site has been undertaken by Aspect Ecology. It demonstrates that the grassland comprising the main body of the site and its previous use for grazing results in having limited ecological value. The richest habitats on the site comprise the hedgerows around its fringe, all of which will be either retained, replaced, or enhanced. The applicant then commits to providing a net gain in biodiversity through a combination of on-site and off-site improvements to be secured as part of the Section 106 if required;
- The highways impact of the proposed development will be minimal with additional peak traffic flows adequately accommodated by the existing road network. Otherwise, the sustainable location of the site will ensure that the use of sustainable forms of transport is maximised; and
- The information provided in support of this application demonstrates that the site is both in an area at the lowest risk of flooding and in turn is capable of accommodating a sustainable drainage system which will ensure that run-off is maintained at green field rates.

6.61 Balancing all of the above it is clear that the significant benefits presented by the delivery of both market and affordable homes comprising a SHMA and policy compliant mix of unit sizes and types on its own represents an overriding benefit in favour of the proposal in a district which is currently subject of a deficient sub-5-year housing land supply. Once the additional benefits of the sustainable location of the site, the positive impact on the local economy and a net increase in on-site biodiversity are considered these would outweigh the limited harm caused as a result of the limited breach of the spatial policies of the development plan and the minor level of localised landscape impact identified within Aspect Landscape's assessment.

7.0 SUMMARY AND CONCLUSIONS

- 7.1 This statement, along with the substantial suite of supporting information provided as part of this application, demonstrates that the proposed development for up to 176 dwellings on a site well related to the urban area of the district's largest town, Banbury, would be sustainable in every respect. In addition, it would represent a natural second phase of the applicant's previous application for 78 dwellings to the south which has a resolution to grant permission subject to the imminent completion of the Section 106 agreement.
- 7.2 Critically the application proposal represents a fresh opportunity for Cherwell District Council to secure much needed new homes at a time where it is unable to demonstrate a sufficient 5-year supply of housing land in a way that accords with the broad distribution of growth set out in the adopted Local Plan 2011-2031. The current housing land supply position demonstrates a 3.5-year supply which represents a shortfall of over 2,000 homes prior to 2027.
- 7.3 The application proposal would deliver a varied supply of much needed new homes, including a policy compliant requirement of 30% affordable housing whilst delivering these homes at a location served by an excellent level of nearby shops, facilities, amenities and public transport links. In addition, it would do so in a way that is physically and visually well related to the existing Hanwell Fields neighbourhood allowing future residents of the site to fit seamlessly into an already established community.
- 7.4 Whilst it is recognised that the site lies on the urban edge of Banbury and does not comprise an allocation or previously developed land it is similarly identified within this statement that the policies of the adopted development plan do not necessarily present an outright presumption against development of this nature coming forward where the land would be used efficiently and effectively. In any event, and in appreciating the deficient housing land supply position, the council has already resolved that land to the north of Dukes Meadow Drive represents an entirely suitable location for new growth at an entirely sustainable location.
- 7.5 These points, allied with a lack of significant harm to any aspect of the local environment due to the proposed delivery of new homes on a largely unconstrained site, must result in the Council concluding that the benefits of the proposal are not significantly and demonstrably outweighed by any harm, thus affording this application the presumption in favour of sustainable development described by paragraph 11(d) of the NPPF.
- 7.6 On the basis of the above it is our clear view that the application scheme represents development that is sustainable in every respect and should therefore be approved without delay.

APPENDIX 1

manor oak HOMES **arp armstrong rigg planning**

Next Steps

This leaflet precedes the submission of an outline planning application which will seek permission for the principle of up to 175 dwellings along with access. All other details will be subject to reserved matters applications in future.

If the application is approved, it is envisaged that the development would follow these indicative timescales:

- Outline planning permission issued: Winter 2022/23;
- Detailed 'Reserved Matters' application: Spring 2023;
- Reserved Matters planning permission: Autumn 2023;
- Start on site: Winter 2023;
- Site completion: Summer 2026

You should shortly receive a formal invitation to respond to the application from Cherwell District Council upon the submission of the application. Any response you make will be made available to Manor Oak Homes accompanied by Officer advice explaining how we should address any issues raised.

Greater detail of the proposals will shortly be available on Manor Oak Homes' website at <https://www.manorokahomes.co.uk/project/ban-065-2/>. If you then wish to contact us directly prior to the submission of the application, we would be pleased to hear your views via the following means by the **19 August 2022**:

info@arplanning.co.uk; or
Armstrong Rigg Planning, The Exchange, Colworth Science Park,
Sharnbrook, Bedford, MK44 1LZ


manor oak HOMES **arp armstrong rigg planning**

A PROPOSED NEW PHASE OF HANWELL FIELDS

Manor Oak Homes will shortly submit a planning application for up to 175 dwellings as Phase 2 of its successful development proposal at:

Land at Dukes Meadow Drive, Banbury

This leaflet summarises the background of the proposals, what is planned, what happens next and how you can comment.



About Manor Oak Homes

Manor Oak Homes is a promoter of strategic development land across the East Midlands and Southeast. The company's approach to the planning of its sites is one that seeks to leave no stone unturned.

The company already has committed significant resources into the creation of the first phase of a new landscape-led community at Hanwell Fields resulting in the recent permission for up to 78 dwellings on land adjacent to Dukes Meadow Drive. In planning Phase 2, a significant level of work has been undertaken by Manor Oak Homes' specialist team of technical and environmental consultants in the preparation of the proposals with particular attention paid to highways, ecology, landscape and drainage.

The layout of the proposal will directly complement the Phase 1 scheme to the south and will comprise a natural extension to Banbury as a result. Connectivity and the relief of the site have been principal factors leading its design ensuring that it helps build a community which is both visually and functionally well-related to Hanwell Fields to the south.

Background

The application responds to the continuing and urgent need for new homes across Cherwell due to the district's deficient housing land supply. Local Planning Authorities are expected to demonstrate a 5 year housing land supply to meet the needs of a growing population. Currently as per the Council's own figures from December 2021 there is only a 3.5-year supply across the district, a reduction from the 4.7-years previously.

As established by the recent permission for Phase 1 to the south this is a perfect place at which to deliver the new homes that Cherwell needs. The site has no environmental constraints and is located immediately next to the district's largest town. It is therefore capable of providing up to 175 new homes in a location well served by shops, services, and sustainable modes of transport.

The Proposed Development

- The delivery of up to **175 new homes** as a second phase to the recently approved 78 dwellings on Phase 1 to the south;
- A mixed community including a range of smaller properties and family dwellings;
- Development at an approximate **density of 25-30dph** similar to Phase 1 and similar development to the east and west on Dukes Meadow Drive;
- The provision of up to **53 affordable homes (30% of the total)** including both social rented and shared ownership dwellings;
- A layout which includes **new trees and open space** both around and throughout the development and a multi-use games area and new children's play facilities;
- **A vehicular access** from the adjacent Dukes Meadow Drive / Lapsley Drive roundabout via the approved Phase 1;
- The **retention of all hedgerows and trees** around the fringes of the site; and
- An **integrated drainage system** designed to function in a similar fashion to the Phase 1 scheme using a series of surface water attenuation ponds to ensure run off is managed at existing rates.

