



Ms Laura Bailey
Senior Planning Officer
Public Protection and Development Management
Cherwell District Council
Bodicote House
Banbury
Oxfordshire
OX15 4AA

8th August 2013

Ref: JJG043/dak

Dear Laura

WYKHAM PARK FARM - BANBURY: Outline Planning Application (ref: 13/00321/OUT)

Proposal: OUTLINE – 1000 dwellings together with a local centre including retail (A1), financial services (A2), restaurants (A3-A5), up to a combined total floorspace of 1000m², employment space (B1) up to a total floorspace of 5000m² with the B1 (a) office component limited to a maximum of 2,500m², associated car parking, a community primary school (including space for community uses (D1) and assembly and leisure uses (D2)), green infrastructure including formal and informal open space, amenity space, retained hedgerows, structural landscaping, supporting infrastructure (including gas, electricity, sewerage, water, telecommunications), sustainable urban drainage systems, new connection top the A361 Bloxham Road, pedestrian and cycling connections to the surrounding footpath and cycle network and any necessary demolition and ground remodelling.

Requirements under Regulation 22(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 to provide Further Information in respect of the Environmental Statement.

On 4th March 2013, the above Outline Planning Application was submitted to Cherwell District Council. Following a formal consultation period, various responses have been received and reviewed by the consultant team.

Your letter of the 19th April 2013 set out a request for further information under Regulation 22 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (**appendix 1**).

The application determination period has been extended to the 5th September 2013.

David Lock Associates Limited
50 NORTH THIRTEENTH STREET, CENTRAL MILTON KEYNES, MK9 3BP
t: 01908 666 276 f: 01908 605 747 e: mail@davidlock.com
www.davidlock.com



This letter provides an overview of the submission which comprises three elements:

- (i) “further information” that responds directly to the request made under Regulation 22 (1);
- (ii) additional information that responds to requests made by the Council and statutory consultees; and
- (iii) clarification of points of detail raised during consultation.

(i) “Further information” submitted under Regulation 22(1)

An addendum to the Environmental Statement **appendix 2**, updates Chapter B.7 Ecology and Wildlife to provide further information in respect of the potential impacts of the Proposed Development on Great Crested Newts, Butterfly species and the Bretch Local Wildlife Site and proposed Saltway Local Wildlife Site.

(ii) Additional information submitted in response to comments made by the Council and statutory consultees

A Written Scheme of Investigation for an Archaeological Evaluation (WSI), **appendix 3**, comprises a precise scope of works agreed by the County Archaeologist. The timing of these investigations is clearly influenced by the existing cropping regime within the site and therefore the majority of the works cannot be commenced until late summer, with completion expected mid October. Following which, a further submission will be made. It has been agreed that post-determination trenching is acceptable within the easternmost field, to be secured by a suitably worded condition.

Further to comments raised by Highways and Transport Department Oxfordshire County Council, a transport note and *Proposed Site Access Roundabout Preliminary Detailed Design: Plan A053410-1/A/10 rev A* is provided at **appendix 4**. This plan supersedes *Proposed Site Access Roundabout Plan A053410-1/A/1 rev D*, submitted as Appendix L of the Transport Assessment.

The potential impacts of the detailed roundabout design on ecology and arboriculture have been assessed and are considered below:

- The night/feeding roost located in a tree within the hedgerow/tree-line which the roundabout arms cuts across will not be directly affected by the roundabout in its new alignment;
- although no bats were seen emerging or re-entering other mature trees in this hedgerow/tree-line, high bat activity recorded by the mature trees with bat roost potential suggests that further minor tree roosts could potentially



be present in these trees and therefore adverse impacts on bats could potentially arise due to the loss of any trees with bat roost potential. Most of these trees are being retained, but it is noted that some of the trees are still being affected by the new roundabout alignment. There is however adequate mitigation within the ES to address this potential impact, see below;

“Prior to any felling or tree surgery as part of the development, trees will be re-assessed for their current bat roost potential and, if individual trees are assessed as having high bat roost potential, these trees will be subject to either a detailed inspection by a licensed bat-worker or emergence/re-entry surveys to determine whether a roost is present. Should bats or evidence of bat occupation be found within the trees then it will be necessary to apply for a disturbance licence from Natural England to carry out mitigation and compensation measures (e.g. erection of new bat boxes and relocation of any bats found) for these European Protected Species under the Conservation of Habitats and Species Regulations 2010.”

- all category A trees are to be retained. It is likely, subject to setting out, that category B tree T143, which was to be removed, can now be retained although a larger area of category B group G135 will now require removal. The exact impact will not be known until setting out of the highway as the trees within this group are spread out; and
- where visibility splays are shown there may be a requirement to carry out some tree surgery works on the remaining trees in G135 as well as category B tree T147 and category B woodland W192 to the north. The extent of any cutting back will need to be determined once the setting out is complete. It is likely however the intensity of this work will be light.

The potential impacts arising from the proposed detailed roundabout design (A053410-1/A/10 rev A) are similar to the potential impacts arising from the initial roundabout design A053410-1/A/1 rev D, as reported in the ES. The ES therefore remains robust and sets out adequate mitigation to address any issues that may arise from the proposed roundabout.

Further to comments of the Council's Housing and Regeneration Team which refer to provision of an element of extra care/ sheltered housing on site. We are happy to consider this requirement, subject to viability and discussions with Cherwell District Council and Oxfordshire County Council. An indicative Housing Mix is provided at **appendix 5**.

Further to the comments provided by Sport England, an Open Space Schedule is provided at **appendix 6**.



(iii) Clarification of points of detail raised during consultation.

Various comments have been received both prior to and following the Council's formal Regulation 22 (1) request. We have confined our response to those comments raised by statutory consultees in respect of the Master Plan, landscape, heritage assets and policy.

The Master Plan

We note the comments provided by Oxfordshire County Council's Transport Planner and Cherwell District Council's Design and Conservation Officer, relating to the form and layout of the proposed development and the lack of opportunities for integration and connectivity that it presents, and make the following comments.

The Illustrative Development Framework Plan (Figure 9 Design and Access Statement), illustrates how an understanding of the opportunities and constraints presented by the site has shaped the form and layout of the development proposed.

The site creates an opportunity to define a new southerly boundary to Banbury. The retention of the existing landscaped edge along the southern boundary of the site and strengthening of the landscaped edge along Bloxham Road offer an attractive and defensible development edge which is sympathetic to the rural/ settlement edge context.

The proposals adopt a sensitive approach to development adjacent to the Salt Way, preserving and enhancing its character through the creation of a landscape buffer along the full extent of the Salt Way where it abuts the development site. This approach is illustrated by Figure 14, cross section A-A in the Design and Access Statement, which proposes a 10 m landscape offset between the built form and the Salt Way.

Comments received from Adam Kendall Ward at County Highways, regarding opportunities for connectivity within the development state "*we note references to connectivity with Salt Way but I would question how attractive this route would be, given the lack of surveillance, lighting and general condition/surfacing*" (**Appendix 4**, email dated 04.07.13).

Notwithstanding the presumption to preserve and where possible enhance the landscape setting of the Salt Way, the development presents a clear opportunity to sensitively enhance the condition/surfacing of Salt Way to reinforce its use as a green movement corridor, with potential to better facilitate east-west movement, linking the Sor Brook Valley to the surrounding network of footpaths around Wykham Park Farm. Gallagher Estates are happy to explore this opportunity further, through s106 discussions.

The existing crossing points within the Salt Way provide direct north-south footway and cycle links between the development and the existing development to the north,



connecting into Grange Road and adjacent to the play area at the junction of Grange Road and Beaconsfield Road.

The Illustrative Movement Plan (Figure 11 Design and Access Statement), demonstrates how the layout presents opportunities for a network of movement connections to serve a variety of transport modes. The proposed development layout adopts a principle of walkable neighbourhoods, served by a permeable network of safe, surveilled and direct pedestrian routes, which connect into the local centre, employment and community facilities.

The Illustrative Public Transport Plan (Figure 12 Design and Access Statement), demonstrates a public transport loop that is designed for reliability and accessibility, providing a direct transport connection with Banbury. The inner loop is proposed to run from the employment area, providing direct access through the centre, primary school and residential areas. The route has been designed to ensure that all residents are within 400 metres of public transport. The timely delivery and implementation of the new bus service will be secured through a section 106 agreement.

The opportunities and constraints within the site have shaped the disposition of land uses and whilst the place making advantages of co-locating facilities are understood, it is neither reasonable nor practical to co-locate all facilities within the development.

The primary school is located centrally, providing a central community focus within the development that is easily accessible to its pupils.

The local centre is positioned on the road frontage where its commercial prospects can be enhanced. The local centre helps to anchor the employment area which sits adjacent, its road frontage location provides convenient access for both employees and visitors.

The sports and recreation areas are located at the eastern edge of the site. This part of the site is an area of potential archaeological interest and therefore locating public open space in this area will minimise any built development within potentially archaeologically sensitive areas. The open space defines the edge of built development and reinforces the visual separation between the site and the western settlement edge of Bodicote village and protects the amenities of the properties north of the site, retaining the rural setting and open outlook presently enjoyed by its occupants.

The Master Plan is underpinned by sound urban design principles. It demonstrates a credible and robust approach that fully reflects the aspiration to establish an attractive and sustainable urban extension to Banbury.

Landscape

We note the comments of Cherwell District Council's Landscape Officer, who identifies potentially adverse landscape and visual effects resulting from the



proposed development and lack of mitigation of these effects. Chapter B.8 of the Environmental Statement identifies and assesses the significance of the likely landscape and visual effects of the proposed development on both the site and the surrounding area.

The assessment was carried out in accordance with the recommendations and guidance set out in the *Guidelines of Landscape and Visual Impact Assessment (GLVIA) second edition*. The assessment concludes a slight adverse landscape impact, justified by the retention of the site's topography and the majority of its vegetation.

The assessment also reports that the site is not visually prominent within the wider landscape, with significant views of the site restricted to close receptors. The main visual impacts are limited to those from Salt Way, Crouch Hill, site footpaths and Bloxham Road, from these areas impacts range from moderate to severe, due to the degree of change brought about by built development, however the significance of any residual effects will reduce over time as the proposed structural planting reaches maturity and receptors become accustomed to seeing the development within its context.

The ES provides a robust assessment of the potential landscape and visual impacts resulting from the proposed development and its conclusions are valid and justified.

Heritage Assets

We note the comments of Cherwell's District Council's Design and Conservation Officer, who considers the proposed development to detrimentally affect heritage assets close to the site to include a range of listed buildings and the Salt Way. Chapter B.9 of the Environmental Statement identifies and assesses the significance of the likely effects of the proposed development on identified heritage assets.

The assessment concludes that the settings of some Grade II listed buildings may experience impacts ranging from slight to moderate adverse. Intervisibility between Wykham Farmhouse (Grade II) and the proposed development is substantially screened by hedgerows and mature trees. The retention of these landscape features will screen the development from view. The Grade II listed building ranges at Wykham Park School are not intervisible with the land within the site boundary. Views of the site are limited to the main driveway. The parkland approach and its arable setting will remain.

An assessment of the Salt Way confirms its functional purpose as a historic transport corridor, as such views south over the development site were not part of the trackway's intended design and would not contribute to its significance. The presence of mature trees along the entire southern side of the trackway provide enclosure and isolate the feature from the development site.

The ES provides a robust assessment of the heritage impacts resulting from the proposed development and its conclusions are valid and justified.



Policy

We note the policy objection to the proposed development as set out in the response from Head Strategic Planning and Economy for the Council. We would comment that land at Wykham Park Farm was identified in the 'Options for Growth' document (September 2008), (BAN 4) as an option for an area of planned growth of approximately 1600 dwellings. The site was considered in the following terms;

"Relatively close to the town centre, secondary schools, hospital and a superstore. Sufficient land to create a coherent neighbourhood and new local centre without unacceptable harm to landscape further south (Sor Brook Valley). Several access options: Broughton Road, south of Easington, Wykham Lane or Bodicote roundabout. Potential for coalescence (coming together) with Bodicote and for impact on landscape along Wykham Lane. This restricts the potential for southward, eastward and westward expansion".

This clearly demonstrates that the site was considered as a reasonable option for growth.

CDC considers the Salt Way to represent the southern limit to the built area of Banbury, and whilst the Salt Way is a locally valuable footpath and cycle route of historical interest, it does not have any robust characteristics that support any implied function as a settlement boundary. To elevate the Salt Way to the status of a defined settlement boundary is not justified given its historical function as a trade route and places a clearly artificial constraint on the natural expansion of the town given the potential future expansion of Banbury. The plateau landform is considered to provide a far more appropriate and natural feature to accommodate the southwards growth of Banbury.

Moreover, the Salt Way, is not considered to be of exceptional landscape character, its physical characteristics being typical of many greenways in the vicinity. With reference to the wider landscape, the development of the site would not harm to the rural qualities of the landscape as the site is visually enclosed through strong hedgerow features and contained within the Banbury plateau.

It remains our view that the proposal represents a fully sustainable and logical urban extension to Banbury integrated into the fabric of the town whilst being of sufficient scale to meet its own distinct community, education and leisure needs. The site is capable of contributing to the planned growth of Banbury and could deliver up to 1000 dwellings, commencing delivery from 14/15.

This submission comprises both "further information" pursuant to your formal Regulation 22(1) request and other additional information. I trust you will, for completeness, advertise the full package of information submitted, in accordance your requirement under Regulation 22(3) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.



I enclose 1 complete printed copy and 3 CD copies of the submission.

If you have any queries about the attached, please do not hesitate to contact me.

Yours sincerely

D.A. Keene

DAVID KEENE
Partner

email: dkeene@davidlock.com

Glen Langham

Gallagher Estates

Peter Chambers DLA
Francesca Robinson DLA