

**Gladman Developments Limited**

**Land West of White Post Road,  
Banbury**

**Cherwell District Council**

**Planning Statement**



**July 2015**

This page has been  
left intentionally  
blank

# CONTENTS

<b>Executive Summary .....</b>	<b>4</b>
<b>1 INTRODUCTION .....</b>	<b>6</b>
1.1 Context .....	6
1.2 The Site and Surroundings.....	6
1.3 Planning History .....	6
1.4 EIA Screening.....	7
1.5 The Application Proposals.....	7
Introduction.....	7
Public Consultation .....	8
Planning Obligations and Conditions .....	8
1.6 Delivery .....	8
<b>2 Pre-Application Advice.....</b>	<b>9</b>
<b>3 HOUSING NEED .....</b>	<b>12</b>
3.1 Introduction.....	12
3.2 National Context .....	12
3.3 National Planning Policy Framework Summary .....	12
3.4 Housing Requirement and Five Year Supply.....	13
Strategic Housing Market Assessment.....	13
Housing Land Supply.....	13
3.5 Interim Conclusion.....	13
<b>4 THE DEVELOPMENT PLAN .....</b>	<b>15</b>
4.1 Introduction.....	15
Weight Attributed to Development Plan and its Policies.....	15
<b>5 Cherwell LOCAL PLAN (2011-2031) .....</b>	<b>16</b>
5.1 Context .....	16
5.2 Weight Attributed to Emerging Local Plan and its Policies.....	17
5.3 Accordance with the Cherwell Local Plan 2011-2031 .....	17
5.4 Interim Conclusion.....	20
<b>6 Banbury AND THE APPLICATION SITE .....</b>	<b>21</b>
6.1 Introduction.....	21
6.2 A Sustainable Settlement .....	21
6.3 A Sustainable Site .....	22
6.4 Interim Conclusion.....	23
<b>7 PLANNING BENEFITS.....</b>	<b>24</b>
7.1 Introduction.....	24
7.2 Social Benefits.....	24
Provision of Market Housing.....	24
Provision of Affordable Housing .....	24
Public Open Space Provision .....	24

7.3	Economic Benefits .....	25
7.4	Environmental Benefits .....	26
	Ecological Biodiversity .....	26
7.5	Interim Conclusion .....	26
<b>8</b>	<b>POTENTIAL IMPACTS .....</b>	<b>27</b>
8.1	Overview .....	27
	Landscape .....	27
	Highways 27 .....	
	Historic Environment .....	28
	Ecology and Arboriculture .....	28
	Flood Risk Surface Water Drainage .....	29
	Construction Period .....	29
8.2	Interim Conclusion .....	29
<b>9</b>	<b>CONCLUSIONS AND OVERALL PLANNING BALANCE .....</b>	<b>30</b>
9.1	Housing Need .....	30
9.2	NPPF .....	30
9.3	Adopted Development Plan .....	30
9.4	Emerging Local Plan .....	30
9.5	Sustainable Development and Key Benefits .....	30
9.6	Impacts .....	31
9.7	Overall Conclusion .....	31

## Appendices

Appendix 1	Submitted Document List
Appendix 2	Draft Heads of Terms
Appendix 3	Draft Planning Conditions
Appendix 4	Gladman Site Delivery
Appendix 5	Pre-Application Advice
Appendix 6	Policy Compliance Table
Appendix 7	Planning Balance Exercise
Appendix 8	Sustainability Matrix



## EXECUTIVE SUMMARY

### Description of Development and Overview

- I. The application relates to land west of White Post Road, Banbury. It seeks Outline Planning Permission for up to 280 dwellings with associated public open space and landscape with all matters reserved, except for access.
- II. There is a wealth of evidence from figures at the highest levels of the Government and the Bank of England which demonstrate that there is a clear and pressing requirement to build more homes to meet the significant level of unmet need, particularly for homes that are affordable. The development proposal responds directly to those concerns.

### Cherwell Local Plan 2011-2031

- III. The Cherwell Local Plan was submitted to the Secretary of State for formal examination on the 31<sup>st</sup> January 2014. Hearing sessions were suspended in June 2014, after the Inspector expressed concerns regarding the Plan's ability to deliver Cherwell's full objectively assessed market and affordable housing needs.
- IV. The Hearing Sessions resumed and were held between the 9<sup>th</sup> December and the 23<sup>rd</sup> December 2014. The Inspector's report into the soundness of the plan was published on the 12<sup>th</sup> June 2015, concluding that the Cherwell Local Plan provides an appropriate basis for the planning of the district to 2031, and provided a number of modifications necessary to enable the plan to be adopted. The Report is intended to be presented to Council members on the 20<sup>th</sup> July 2015 with one of the options for members to adopt the plan.
- V. Gladman submit that the Cherwell Local Plan (2011-2031) should be afforded significant weight in the determination of this planning application, after being found sound by the Inspector and the application will be determined after the plan has been adopted by the Council. The Adopted Cherwell Local Plan (1996) should be afforded no weight in the determination of this application.
- VI. The application site forms part of the Banbury 17 allocation to the west of White Post Road, Banbury. The allocation is intended to deliver 1,345 dwellings. The Applicant has demonstrated in this planning statement that the application has complied with the provisions of Policy Banbury 17.

### Housing Land Supply

- VII. Cherwell District Council currently claim a five year housing land supply at 5.1 years. Whilst the five year supply does not include the allocated site within the calculation, the site will contribute to the Council's housing requirement and has been identified by the Council as a sustainable location for growth in order to meet its housing requirement 2011-2031.

---

### **Sustainable Development and Key Benefits**

VIII. The accompanying reports show there are no unacceptable adverse impacts associated with the proposal. Conversely, the proposal provides significant material planning benefits, which weigh heavily in favour of the application proposal. These include;

- Delivering market housing to meet an identified need, in an area where there has been historical substantial under-delivery;
- The application proposals would deliver 30% affordable homes and provide the full range of affordable housing at a time when other schemes might have been unable to deliver policy compliant level of affordable housing.
- The site will provide 45.5% open space provision, for the benefit of new residents and the existing wider community;
- Accessibility - the proposal site is in both walking and cycling distance to the main facilities and services within the settlement;
- New Homes Bonus of £2.1 million and the wider economic benefits associated with construction and job creation;
- Ecological benefits through the protection and enhancement of existing wildlife corridors and provision of new green infrastructure within the development; and

IX. There are no significant and demonstrable adverse impacts that would outweigh the benefits of granting permission when assessed against the Framework as a whole. The proposals constitute sustainable development in the context of the three dimensions of sustainable development; environmental, social and economic.

### **Decision Taking**

X. The presumption in favour of sustainable development set out in national planning guidance confirms that in circumstances where the development proposals accord with the development plan, the decision-taking test in §14 of the Framework applies, and the proposals should be approved without delay. In the absence of any significant and demonstrable harm capable of outweighing the benefits, the presumption in favour of sustainable development is engaged which confirms that development should be approved 'without delay'.

# 1 INTRODUCTION

## 1.1 Context

- 1.1.1 This planning statement forms part of the suite of documents submitted to Cherwell District Council by Gladman Developments Ltd (referred to herein after as Gladman) in support of a planning application for:

***“Outline planning permission for up to 280 residential dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children’s play area, surface water flood mitigation and attenuation, vehicular access point from White Post Road and associated ancillary works. All matters to be reserved with the exception of the main site access.”***

- 1.1.2 The statement sets out the context for the development by providing the background to the proposals including a description of the site and its surroundings and the relevant up-to-date policy framework. It then assesses the proposals against the identified policy framework and the key material considerations and sets out the case in support of development. A full list of documents which accompany this Planning Application can be found at Appendix 1.

## 1.2 The Site and Surroundings

- 1.2.1 The proposed application site is located to the west of White Post Road, Banbury and comprises three agricultural fields with a number of mature trees and hedgerows which denote the boundaries of each of the fields. The site is presently in use predominantly as agricultural land and has an area of approximately 17.53 hectares (43 acres).
- 1.2.2 The eastern edge of the site is bound by White Post Road, with the south-eastern boundaries being formed around Banbury Cricket Club. The southern boundary is defined by Wykham Lane, with existing allotments falling outside the site boundary to the south-west of the site. The northern boundary abuts existing residential development on Sycamore Drive. The western boundary is defined by a hedgerow interspersed with a number of mature trees, beyond which are agricultural fields. The Access into the site is proposed via White Post Road.

## 1.3 Planning History

- 1.3.1 There is no relevant planning history for the submitted site. However, the site forms part of the Banbury 17 allocation within the Cherwell Local Plan (2011-2031), for the delivery of 1,345 dwellings. An application for 145 dwellings was granted outline approval at appeal in June 2012. A subsequent reserved matters approval was granted in November 2014.
- 1.3.2 The site to the west of Banbury 17, Banbury 16, was allocated for 150 dwellings in the submission Cherwell Local Plan (2011-2031). An outline application (14/01188/OUT) has subsequently been approved for up to 350 dwellings, associated open space and associated infrastructure.



- 1.3.3 An application for 1,000 units (14/01932/OUT), directly adjacent to this scheme, is currently pending a decision from the planning authority. An illustrative masterplan is being prepared, in line with Policy Banbury 17, to ensure the proposed access and general layout arrangements have taken the opportunities available to deliver sustainable, high quality urban design.

## **1.4 EIA Screening**

- 1.4.1 An EIA Screening Request to determine whether the planning application required an Environmental Impact Assessment (EIA) was submitted to the Council on 13th May 2015. Cherwell District Council issued a screening opinion on the 3<sup>rd</sup> June 2015 outlining the Council's belief that an Environmental Impact Assessment would be required. As such, the applicant has submitted an Environmental Statement with this planning application that includes the matters identified by the Council.

## **1.5 The Application Proposals**

### **Introduction**

- 1.5.1 This application seeks outline planning permission with all matters, except for site access, reserved for a residential development comprising;
- Up to 280 market dwellings, of which 30% will be affordable homes;
  - Spine road between sites in separate ownership connecting adjacent scheme, Wykham Park Farm to White Post Road;
  - Highway and associated infrastructure work, including pedestrians links;
  - Significant formal and informal public open space, including two local equipped areas of play (LEAP);
  - Land for the provision of an additional cricket pitch at Banbury Cricket Club;
  - Overflow car park for Bishop Loveday Primary School;
  - Youth games court adjacent existing recreation ground;
  - Landscaping;
  - Commuted sums for necessary community infrastructure.
- 1.5.2 Details of the parameters of the development for which outline permission is sought are included within the Design and Access Statement. Further detail (including detailed housing mix, precise location of buildings and appearance) will be brought forward at the reserved matters stage.
- 1.5.3 The proposals aim to establish part of a mixed use allocation and sustainable urban extension that will form part of a south eastern extension to Banbury that supports the overall growth objectives for Banbury and the wider Cherwell District, in general compliance with Policy Banbury 17 within emerging Cherwell Local Plan.
- 1.5.4 In addition, an illustrative Development Framework has been prepared, giving an indication of how the site could be developed, helping to demonstrate the acceptability of the development and

having proper regard to the constraints manifest on site. This illustrative Development Framework presents one iteration of how the site could be developed. It is not for determination at this stage.

### **Public Consultation**

- 1.5.5 Gladman has undertaken a public consultation exercise during the preparation of this planning application. Details of this and the way in which the submitted proposal responds to the comments received are set out in the Statement of Community Involvement.

### **Planning Obligations and Conditions**

- 1.5.6 Gladman will seek to enter into constructive dialogue with Cherwell District Council to agree obligations for any necessary and reasonable on and off site provisions which are related in scale and kind to the proposed development and which meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010. Regulation 123 confirms that there should be no duplication between CIL and other infrastructure payments. A draft Heads of Terms can be found at Appendix 2.
- 1.5.7 A list of proposed draft planning conditions for discussion is included at Appendix 3.

## **1.6 Delivery**

- 1.6.1 It is likely that, subject to market conditions, on average around 25 to 30 market dwellings would be completed per annum. The affordable housing would be delivered simultaneously alongside the market dwelling completions. Taking into account infrastructure delivery, it is anticipated that the development of the site would take in the order of four to five years to complete.
- 1.6.2 Attached at Appendix 4 is table of sites for which Gladman has secured planning permission. It outlines the timescales from initial permission to start on site. This demonstrates that where planning permission has been granted these are sold on to developers as expeditiously as possible and delivered quickly which, in turn, will make a valid contribution to the District wide local housing land supply.

## 2 PRE-APPLICATION ADVICE

- 2.1.1 The Applicant and the Council held a pre-application meeting on the 26<sup>th</sup> March 2015 for the residential development of up to 250 dwellings, access, landscaping and associated infrastructure. The PPG (Para 11 Reference ID: 20-011-20140306) makes clear that pre-application advice received by applicants is not binding and cannot pre-empt the democratic decision making process; *'the advice could, however, be a material consideration to be taken into account and given weight in the planning application process'*. A full copy of the pre application advice prepared by the Council is available at Appendix 5, and a summary of the main points is provided below:

### **Principle**

- 2.1.2 The Planning Officer confirmed that emerging Policy Banbury 17 is at *"an advanced stage"* and that Officers intend to afford it significant weight at this stage. The Officer confirmed:

*"Consequently when considering the principle of development on this site as well as some of the details of the proposals, officers would pay particular regard to the requirements of emerging Policy Banbury 17."*

### **Site Access and Connectivity**

- 2.1.3 The Planning Officer stressed the *"importance of a coherent development across the whole of the allocated site to ensure a successful integration of the urban extension into the surrounding area in the interests of high quality urban design, highway safety as well as prioritisation of sustainable transport modes such as walking and cycling."* A wider masterplan, encompassing the pending site to directly adjacent to this application and this site is required to ensure that it is delivered.
- 2.1.4 Gladman can confirm that work has been undertaken with Gallagher to develop an illustrative Framework for the entirety of Banbury 17. A Spine Road has also been included within the Illustrative Framework, which shows the route from White Post Road in the east, to the connecting point with the adjacent site.
- 2.1.5 Policy Banbury 17 requires a footpath that provides a link around the site. At the time of the Pre-Application advice, the proposed footpath on the proposed site did not link with the route proposed in the submitted application adjacent to this scheme. This has now been resolved as demonstrated by the Draft Illustrative Masterplan.

### **Impact on Wider Public Infrastructure**

- 2.1.6 The proposed scheme will, where necessary and in compliance with CIL regulations, provide on and off site contributions for identified infrastructure deficiencies. The mitigation measures should be necessary to make the development acceptable, proportionate and reasonable in scale and kind to the development proposed.



**Site Facilities**

- 2.1.7 The site should include community facilities and play space, allotments and sports provision. The site proposes two LEAPS and a new cricket pitch for Banbury Cricket Club. The adjacent site is providing a local centre, NEAP, and primary school.
- 2.1.8 Land within the site for both informal and formal play spaces will be maintained by a bespoke management company if the Council do not intend to adopt the spaces.

**Urban Design/Layout**

- 2.1.9 The Officer's response states a preference for the majority of formal play areas to be located in the gap retained to the south and east of the site to prevent the urban sprawl of Banbury from coalescing with Bodicote. The additional cricket pitch has been located where shown on the Illustrative Framework because of topographical constraints. The SUDS pond has been located in this portion of the site, rather than integrated into the development as it is the lowest point of the development site, which the water naturally soaks to.

**Mix of Housing/Affordable Housing**

- 2.1.10 Gladman can confirm that the site will deliver 30% affordable housing. The affordable housing will be "pepper potted" throughout the development site, rather than clustering in specific areas. A mix of affordable housing sites will be provided, from starter homes, to 3 and 4 bedroom family homes.

**Landscape Impact**

- 2.1.11 As stated by the Officer in his advice, *"it is inevitable that the proposals will result in harm to the countryside simply as a result of the physical loss of it."* In response to the Planning Officer's advice, the applicants have instructed a Landscape and Visual Impact Assessment which has been submitted alongside this planning statement.
- 2.1.12 The LVIA concludes that it is considered the application site and receiving environment have the capacity to accommodate the proposals. The proposals will not result in significant harm to the landscape character and visual environment and, as such, it is considered that the proposed development can be successfully integrated in this location, is supportable from a landscape and visual perspective, and therefore meets the landscape requirement of both national and local planning policy. This mirrors the Council's Banbury Landscape and Capacity Assessment Addendum (October 2014), which formed part of the examination material put forward to justify the residential allocation.

**Implications for Heritage Assets**

- 2.1.13 The Planning Officer acknowledged within his response:

*"Given the generous distance between the site and the boundaries of the Bodicote Conservation Area as well as listed buildings, it is unlikely that the development would have a substantial impact on their setting. A case could therefore be made that any harm caused would be*

*outweighed by the significant benefits to the local community as a result of the proposed new development."*

- 2.1.14 The Applicant has undertaken archaeological field evaluations which have informed the development of the illustrative framework and the locations of the developable area.

#### **Sustainable Energy Generation**

- 2.1.15 A Sustainable Energy Generation statement has been submitted alongside this planning statement.

#### **Ecology**

- 2.1.16 The Officer recommends:

*"Net loss of biodiversity is likely to be resisted in accordance with national policy in the NPPF. A full phase 1 habitat survey would be required to be undertaken as well as associated species and habitat surveys so that the impact of the development of the development can be understood. Harm to biodiversity should first be avoided before mitigation is considered.*

- 2.1.17 The application has been submitted with a full ecological report, which sets out the mitigation measures and survey results to deliver a net gain in biodiversity.

#### **Flood Risk**

- 2.1.18 The application has been submitted with a site-specific flood risk assessment which demonstrates that the proposals will not increase flood risk locally or elsewhere, in line with the requirements of national policy as well as emerging policy ESD 7 of the Cherwell Local Plan. SuDS have been included within the scheme, including a large balancing pond at the natural low point of the site, and a swale has been sited along the contours, where possible, between the proposed cricket ground and the development area.

#### **Summary**

- 2.1.19 Gladman have taken the time to consider the Officer's advice contained within the Pre-Application response and have set out above how the concerns have been addressed. Further discussions in respect to remaining concerns (if there are any) can continue during the application process.



### 3 HOUSING NEED

#### 3.1 Introduction

- 3.1.1 This section provides a summary of the National Planning Policy Framework and considers the housing need and supply in Cherwell District Council.

#### 3.2 National Context

- 3.2.1 There is a wealth of evidence from figures at the highest levels of the Government, the Bank of England and internationally with the European Commission and International Monetary Fund which demonstrate that there is a clear and pressing requirement to build more homes to meet the significant level of unmet need, particularly for homes that are affordable.

- 3.2.2 On the 12<sup>th</sup> June 2014 the Chancellor of the Exchequer George Osborne delivered his annual Mansion House speech, where he provided:

***“We need to see a lot more homes being built in Britain. The growing demand for housing has to be met by growing supply....I will not stand by and allow this generation, many of whom have been fortunate enough to own their own home, to say to the next generation; we’re pulling up the property ladder behind us. So we will build the houses Britain needs so that more families can have the economic security that comes with home ownership.”***

- 3.2.3 The Governor of the Bank of England, Mark Carney, also made further reference to this matter in his speech at the same event on 12<sup>th</sup> June 2014 stating that:

***“The underlying dynamic of the housing market reflects a chronic shortage of housing supply, which the Bank of England can’t tackle directly. Since we are not able to build a single house, I welcome the Chancellor’s announcement tonight of measures to increase housing supply”***

#### 3.3 National Planning Policy Framework Summary

- 3.3.1 At the heart of the Framework is the ‘presumption in favour of sustainable development’, seen as the ‘golden thread’ running through plan-making and decision-taking (§14). For plan-making this means meeting objectively assessed needs; for decision-taking this means approving development where it accords with the development plan, or where the Plan is absent, silent or out-of-date, granting permission unless adverse impacts would significantly and demonstrably outweigh the benefits, or policies in the Framework indicate development should be restricted.

- 3.3.2 Paragraph 17 sets out a series of underpinning Core Principles which, inter alia, seek to proactively drive and support sustainable economic development to deliver the homes, business, infrastructure and thriving local places that the country needs; secure high quality design; take account of the different roles and character of different areas; recognise the intrinsic character and beauty of the countryside; contribute to the conservation and enhancement of the natural environment; promote mixed use development and sustainable, accessible development.

- 3.3.3 Paragraphs 18 and 19 of the Framework give significant weight to the need to support economic growth. The Framework calls for a positive approach to new development and amongst other things seeks to boost significantly the supply of housing. LPAs are required to identify a 5 year land supply of deliverable sites for housing development; where the authority has a persistent record of under-delivery against the delivery of housing they should provide an additional 20% flexibility allowance (§ 47). Policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a deliverable five-year supply of sites (§ 49).
- 3.3.4 Developments should be located where the need to travel will be minimised and the use of sustainable modes of transport can be maximised. This should take into account the development needs and opportunities available in rural areas, which differ from those in urban areas (§ 29 and §34). Sustainable development in rural areas should be promoted, with housing located where it will enhance or maintain the vitality of rural communities (§ 55).
- 3.3.5 Paragraph 215 sets out that due weight should be given to development policies in existing plans according to their degree of consistency with the Framework. Paragraph 216 also states that due weight should be given to relevant policies in the emerging plan according to: its stage of preparation, the extent of unresolved objections and their degree of consistency with the Framework.

### **3.4 Housing Requirement and Five Year Supply**

#### **Strategic Housing Market Assessment**

- 3.4.1 The Oxfordshire Strategic Housing Market Assessment (SHMA) published in April 2014, calculated that Cherwell's Objectively Assessed Need (OAN) is 1090-1190 dwellings per annum; a midpoint figure of 1,140dpa. This updates the Housing Land Supply published in December 2013 Annual Monitoring Report and outlines the Council's required delivery for the period 2015-2020.
- 3.4.2 Based on supporting Committee Economic Growth, the evidence indicates a need for 1,142 dpa (2011-2031) for Cherwell District. The figure of 1,142 dpa now forms the requirement in the soon to be adopted Local Plan requirement.

#### **Housing Land Supply**

- 3.4.3 Cherwell District Council currently claim a housing land supply of 5.1 years against the emerging Local Plan requirement of 1,142dpa, as provided within the latest Annual Monitoring Report March 2015.

### **3.5 Interim Conclusion**

- 3.5.1 The UK has a secular problem with inadequate housing supply, which has led to low income and middle income families being priced out of the housing market. National Government recognise that house price inflation is getting to dangerous levels and that building new homes is necessary in order to address this issue.

- 
- 3.5.2 The NPPF is a material consideration to be taken into account in the determination of the application. It is framed as a positive and enabling document, seeking to facilitate sustainable development and growth. Its core principles and policies seek to identify and meet the need for new housing in full, and boost significantly the supply of housing.
- 3.5.3 The development proposal responds directly to meeting the housing requirement in Cherwell.

## **4 THE DEVELOPMENT PLAN**

### **4.1 Introduction**

- 4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that the determination of a planning applications must be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.1.2 The adopted development plan for CDC is the saved policies of the Local Plan adopted in 1996. A number of Local Plan policies were saved by the Secretary of State's Direction in 2007. The Local Plan period ran until 2001. However, having been found sound following examination, the Cherwell Local Plan (2011-2031) is about to be adopted.

#### **Weight Attributed to Development Plan and its Policies**

- 4.1.3 The Framework makes clear at paragraph 215 that now 12 months have passed since its publication, due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). Whilst at the time of writing we acknowledge that the saved policies of the Cherwell Local Plan 1996 form the Development Plan, however the emerging Local Plan is about to be adopted and holds more weight than the out of date and inconsistent saved policies of the saved Cherwell Local Plan.



## 5 CHERWELL LOCAL PLAN (2011-2031)

### 5.1 Context

- 5.1.1 Cherwell District Council (2006-2031) submitted their emerging Local Plan to the Secretary of State for Communities and Local Government on 31<sup>st</sup> January 2014 for formal Examination. Examination Hearings were suspended by the Inspector on 9<sup>th</sup> June 2014 for six months to:

***‘... enable the Council to put forward proposed modification to the plan involving increased new housing delivery over the plan period to meet the full, objectively assessed needs of the district, as required by the NPPF and based on the Oxfordshire Strategic Housing Market Assessment (undertaken by GL Hearn March 2014).’*** (CDC website)

- 5.1.2 The Council consulted on modifications to the Submission Cherwell Local Plan including a revised housing requirement, modified Policies Maps, an update to the Sustainability Appraisal and a range of other supporting documentation between August and October 2014. The modifications included a new plan period (2011-2031) to reflect the 2014 Oxfordshire SHMA, with an increased housing requirement from 16,750 dwellings in the submission version of the Cherwell Local Plan between 2006 and 2031 (ie. 670 dpa) to 22,840 dwellings between 2011 and 2031 (ie. 1,142 dpa).
- 5.1.3 CDC submitted its proposed modifications to the Submission Local Plan (Part 1) on 21<sup>st</sup> October 2014, and examination hearings resumed between the 9<sup>th</sup> and 23<sup>rd</sup> December 2014 with the Local Authority taking forward their full objectively assessed needs figure of 22,800 dwellings; there midpoint figure as shown in the Oxfordshire SHMA 2014.
- 5.1.4 In a report from the Inspector dated 9<sup>th</sup> June 2015 it was acknowledged that subject to the recommended main modifications set out in the Appendix the Cherwell Local Plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the NPPF. The intention of the Council is to present the Plan to Members at a meeting on 20<sup>th</sup> July 2015 with a recommendation for adoption. It is also relevant that at §1.23a of the Illustrative Cherwell Submission Local Plan it is recognised that there may be the need for a review to consider the unmet needs of Oxford City and therefore there is a likelihood of this figure needing to increase further:

*“There is no immediate necessity for a strategic review of the Green Belt, which currently plays an important role in checking the urban sprawl of Oxford. Any future review of the Plan will require the cooperation of all authorities in Oxfordshire to meet the County’s total housing need arising from the need assessed in the 2014 SHMA. This will include catering for the housing needs of Oxford City. A strategic Green Belt review is one of a number of options to consider in meeting the County’s overall housing needs. All local authorities in Oxfordshire are working jointly to take forward the conclusions of the new Oxfordshire SHMA and the outcome of this joint work may lead to a strategic Green Belt review.”*

- 5.1.5 The principle housing policies are dealt with below, however, for completeness the environmental, design and technical development-management policies of the emerging Local Plan have been considered within a Policy Compliance table, which can be found at Appendix 6.

## **5.2 Weight Attributed to Emerging Local Plan and its Policies**

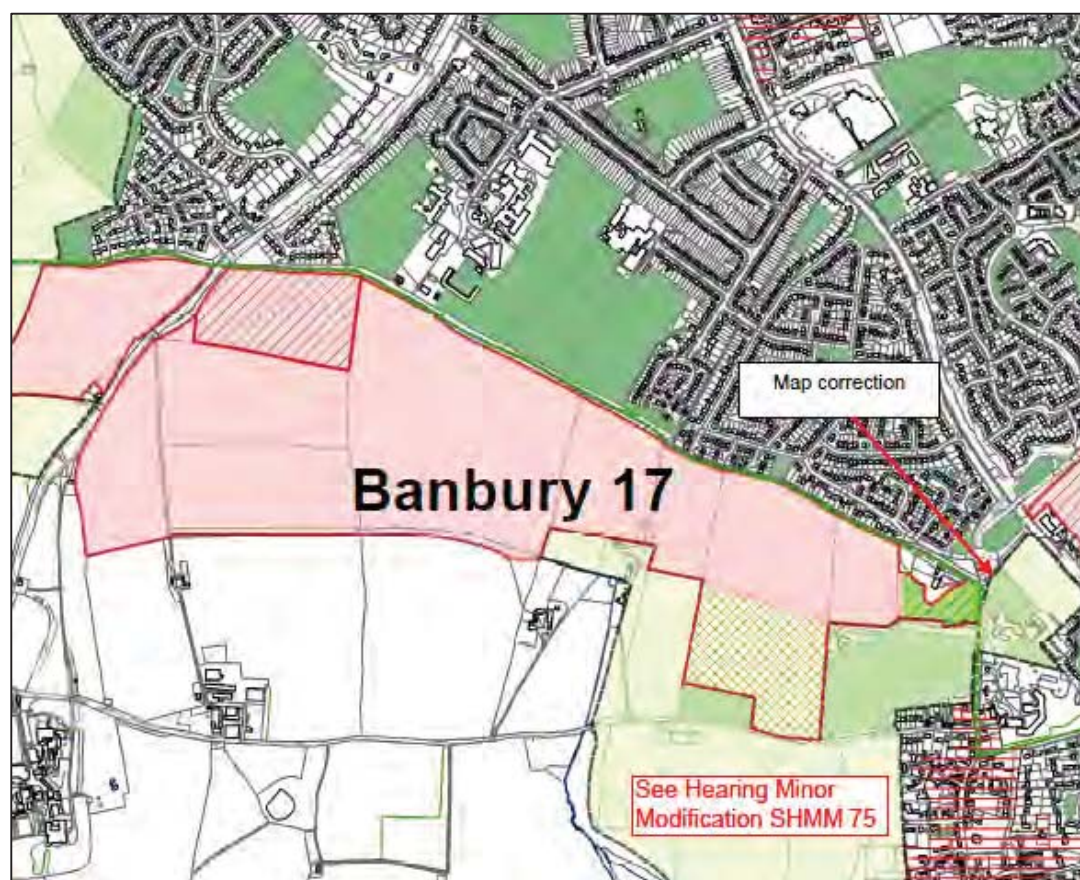
- 5.2.1 Paragraph 216 of the Framework confirms that weight may also be given to relevant policies in emerging plans according to the stage of the plan's preparation (the more advanced, the greater the weight that may be given), the extent to which there are unresolved objections and the degree of consistency with policies in the Framework.
- 5.2.2 The plan is subject to no further objections and advanced to a point that the Inspector proposed it sound following the main modifications and the examination process. Accordingly, the emerging Local Plan can be attributed significant weight at this stage in terms of decision-making.

## **5.3 Accordance with the Cherwell Local Plan 2011-2031**

- 5.3.1 The development proposal accords with the objectives of the Local Plan which seeks to provide a continuous supply of housing land to meet strategic requirements in sustainable locations. The site is considered to be situated in a sustainable location and will contribute towards the housing needs of Banbury and Cherwell as a whole, and in particular meeting objectives set out in Policy BSC1: District Wide Housing Distribution.
- 5.3.2 Following the suspension of the examination hearing sessions in June 2014, further strategic allocations were required for Cherwell District to meet its full objectively assessed needs. The identification of further sites around the periphery of the principal settlements of Banbury and Bicester (including Banbury 17), have been the Council's preferred options for accommodating the additional growth. The principle of development on this site has been accepted by the Council by its inclusion as a housing allocation within the Cherwell Local Plan as Banbury 17.



- 5.3.3 The site is part of the housing allocation, **Banbury 17**, which forms a wider extension to Banbury, south of Salt Way. A map of the allocation from the Submission Local Plan is shown below;



**Figure 1: Banbury 17 Allocation**

- 5.3.4 The proposals form a key part of policy 'Banbury 17' which states;  
*"Development of land south of Salt Way- East will deliver a new neighbourhood of up to 1,345 dwellings with associated facilities and infrastructure as part of SW Banbury."*
- 5.3.5 The parcel of land to the north west of the allocation has been granted outline and reserved matters approval for the development of up to 145 dwellings.
- 5.3.6 Directly adjacent to this proposed site, an outline application for up to 1,000 dwellings is currently awaiting determination by the Council. The adjacent site is providing a local centre, primary school and associated community facilities, as well as the route for the spine road which is an integral requirement of Policy Banbury 17.
- 5.3.7 A comprehensive planning approach as demonstrated on the Development Framework (5713/ASP03 Rev E) has been adopted. A spine road between the sites in separate ownerships connects the principal access off Bloxham Road with White Post Road for local traffic and will provide a sustainable route for buses
- 5.3.8 The proposals include the provision of two combined local equipped areas of play (LEAP), youth games court, overflow car park for the use of Bishop Loveday Primary School and an additional cricket pitch to support Banbury Cricket Club. The provision of primary school, neighbourhood

- equipped area of play (NEAP), and additional outdoor sports provision is proposed as part of the adjacent scheme, Wykham Park Farm.
- 5.3.9 The proposal has been carefully designed to ensure the development can start to deliver homes as soon as possible alongside the wider allocation.
- 5.3.10 **Policy Banbury 17** is the overarching policy for the allocation. The Policy seeks to deliver a new neighbourhood of up to 1,345 dwellings with associated facilities and infrastructure as part of SW Banbury. The policy seeks an integrated, coordinated and comprehensive planning approach with a spine road between the sites in separate ownership.
- 5.3.11 The allocation expects land for a primary school (provided on site adjacent), land safeguarded for secondary school education needs, open space, community provision (in the form of the Local Centre provided on Gallagher's site), the spine road, and a comprehensive masterplan.
- 5.3.12 Gladman have worked with the adjacent site's agents to produce a draft comprehensive masterplan, which outlines the entire site. The proposed site respects the landscape setting and provides a buffer between the site and the Salt Way, mitigating the impact on the non-designated heritage asset.
- 5.3.13 A suite of technical reports have been prepared, including an Environmental Statement, to meet the requirements of the allocation. The illustrative Framework demonstrates how the site has retained green infrastructure and open space to the south, to prevent coalescence with Bodicote.
- 5.3.14 The spine road's proposed route has also been included to demonstrate where local traffic and public transport will be directed through the proposed site. The provision of the spine road is essential for the Council's allocation.
- 5.3.15 The proposed development is in compliance with Banbury 17, and the Illustrative Framework has responded to the requirements of the allocation. The application's supporting technical reports outline how the development can be achieved.
- 5.3.16 **Policy PSD1: Presumption in Favour of Sustainable Development** outlines the aims of the Framework at paragraph 14. The policy identifies that where planning applications accord with the policies of the Local Plan (or any other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise. The proposals are in accordance with the development plan (when read as a whole).
- 5.3.17 The material benefits of this scheme are outlined in a Planning Benefits table at Appendix 7. There are no unacceptable adverse impacts that outweigh these benefits and planning permission should be granted without delay, as required by paragraph 14 of the Framework.
- 5.3.18 **Policy BSC1: District Wide Housing Distribution** set outs a need for Cherwell District to provide 22,840 additional dwellings between 1 April 2011 and 31 March 2031. Cherwell's housing needs are identified in the Oxfordshire SHMA 2014.



- 5.3.19 **Policy BSC3: Affordable Housing** identifies that in Banbury and Bicester, all developments that include 10 or more dwellings will be expected to provide at least 30% affordable housing. This application provides a policy compliant level of affordable units.
- 5.3.20 The technical and development management policies of the emerging Local Plan are discussed in the Policy Compliance Table which can be found at Appendix 6.

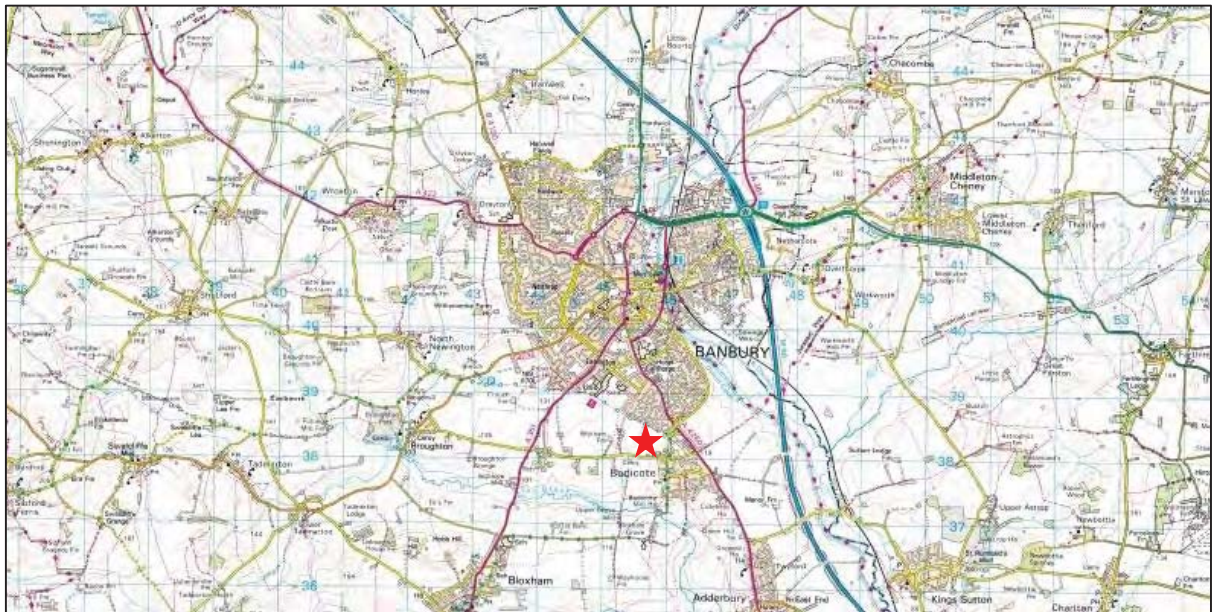
## 5.4 Interim Conclusion

- 5.4.1 At the time of submission of this application the Cherwell Local Plan should be afforded significant weight. The plan has been found sound by the Inspector (subject to his main modifications being addressed) and is expected to be adopted by Full Council prior to the determination of this application. Indeed, Gladman are aware that the report is to be presented to Council on the 20<sup>th</sup> July 2015. Accordingly, the emerging Local Plan can be attributed significant weight at this stage in terms of decision-making. It has been demonstrated that the application proposals accord with the emerging Local Plan, particularly in regards to Banbury 17 which allocates this site for residential development.
- 5.4.2 It is notable that the application proposal complies with the (soon to be adopted) emerging Plan and will contribute towards meeting both market and affordable needs and accord with the spatial growth aspirations.

## 6 BANBURY AND THE APPLICATION SITE

### 6.1 Introduction

- 6.1.1 This section demonstrates that the development proposals provide for a high quality development in a sustainable location close to the services and facilities in the village and will provide significant economic support for the vitality and viability of Banbury and Bodicote.
- 6.1.2 The figure below demonstrates the situation of the development site in relation to the wider Oxfordshire area.



**Figure 2: Development Location**

### 6.2 A Sustainable Settlement

- 6.2.1 The Spatial Strategy for Cherwell District, as outlined within the Illustrative Submission Local Plan, 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... Banbury will continue to grow, albeit to a lesser extent than Bicester, in accordance with its status as a market town with a rural hinterland.”*
- 6.2.2 The application is supported by its inclusion as part of the residential allocation for 1,345 dwellings in Banbury 17. This demonstrates the Council’s acceptance for development on the site.
- 6.2.3 The site is in close proximity to a wide range of facilities located in both Banbury and Bodicote. Banbury has been identified in the Sustainability Appraisal October 2014 as the administrative centre for Cherwell and fulfils the role as a regional centre. Banbury is expected to be the focus for the major retail developments, employment, housing and other community uses. The development site is located opposite Bishop Loveday Church of England Academy and all other facilities and services are available within the settlement of Banbury; 1.7km to the centre.



- 6.2.4 Banbury provides good public transport links connecting surrounding areas with Banbury town centre. The nearest bus stop lies approximately 637m from the centre of the site, on Sycamore Drive, which provides a half hourly service to Banbury town centre. No bus shelter is provided at this location. The number B2 services travels along White Post Road on its route from Bodicote to Banbury. The first bus service arrives at 0634 in the morning. Whilst the final bus arrives at 1850 in the evening. It is anticipated that additional bus services will be routed through the site and across the spine road.
- 6.2.5 The nearest railway station is north of the site in the centre of Banbury, which is approximately 2km from the site. Trains from here operate directly to London Marylebone around twice an hour. The journey takes approximately 1 hour. There are also services to Oxford, Birmingham, Manchester, Stratford-upon-Avon, and Bournemouth.
- 6.2.6 The site is accessible by public transport. For more detailed information relating to public transport, please see the Transport Assessment and the sustainability matrix which accompanies this Planning Statement, enclosed at Appendix 8.

### **6.3 A Sustainable Site**

- 6.3.1 The following is relevant in terms of the site's suitability and locational sustainability for development:
- 6.3.2 The site is well related to the existing built form, in a sustainable location with good access to local services and facilities (see Transport Assessment and Sustainability Matrix for further detail). The site is well contained within the landscape and important trees and other landscape features are retained where possible. The local highway network has capacity to accommodate the additional traffic associated with the development without adverse impact
- 6.3.3 None of the trees on site are the subject of Tree Preservation Orders and the site is located within Flood Zone 1. Therefore the probability of flooding is less than 1 in 1000 (<0.1%).
- 6.3.4 The site itself is not the subject of any formal historic or environmental designations and it is not situated within a conservation area. The Planning Officer in his pre-application advice (attached at Appendix 5) stated:

*"Given the generous distance between the site and the boundaries of the Bodicote Conservation Area as well as listed buildings, it is unlikely that the development would have a substantial impact on their setting. A case could therefore be made that any harm caused would be outweighed by the significant benefits to the local community as a result of the proposed new development."*

- 6.3.5 The Landscape and Visual Impact Appraisal (LVIA) submitted with this application demonstrates that the overall landscape and visual effects are considered to be predominantly localised. The most notable landscape effects arise from changes to the landscape character of the Site. In visual terms, there would be some notable yet short term adverse effects upon the adjacent residential area, roads and footpaths. However, in conclusion, it is assessed that the Site has the ability to absorb

development of the scale and type proposed without causing any unacceptable landscape and visual harm. It is considered that a high quality urban design solution can be delivered on the Site which is in keeping with best practice and current Government Guidance and which can make a positive contribution to the local landscape and townscape.

- 6.3.6 The technical information submitted in support of the application confirms that there are no technical constraints to the development of the site. The site is not in an area where specific policies in the Framework indicate that development should be restricted.

## **6.4 Interim Conclusion**

- 6.4.1 Banbury is socially and economically sustainable when judged against the Framework within its spatial context. Further, the application site is situated within a demonstrably suitable and appropriate location to host new housing development.
- 6.4.2 The following section examines all three dimensions of sustainable development in greater detail.

## **7 PLANNING BENEFITS**

### **7.1 Introduction**

- 7.1.1 The purpose of this section is to set out the benefits of the development proposals in relation to the three dimensions of sustainability: social, economic and environmental.

### **7.2 Social Benefits**

#### **Provision of Market Housing**

- Boosting the supply of land for housing, providing for high quality market family housing within a sustainable location. The development proposals will make a valuable contribution to the 5 year supply of Cherwell and the housing needs 2011-2031.
- The proposed development of up to 280 dwellings will provide a balanced mix of dwellings providing a choice of type and size in response to the identified housing demand and market assessment for Cherwell. New homes in Banbury will enable people to access the housing market locally rather than being forced to move away due to lack of available housing.
- The proposals will assist in helping to maintain and enhance the vitality of the community.

#### **Provision of Affordable Housing**

- There is a substantial need for affordable homes across Oxfordshire, this has been confirmed by the SHMA (2014) which concludes that to meet the affordable housing need in full, Cherwell District Council will need to deliver 1,233 dwellings per annum. The application proposals would deliver 30% affordable homes and provide the full range of affordable housing at a time when other schemes might have been unable to deliver policy compliant level of affordable housing. This should be regarded as a significant material benefit of the application proposals.

#### **Public Open Space Provision**

- The development proposals provide 45.7% new public open space and a high quality landscape setting, along with an equipped children's play area. This will be provided in close proximity to the proposed housing, along with more informal recreation space and landscaping to meet the needs of the new residents.
- Create a housing site with pedestrian links, retaining public footpaths and creating new pedestrian links through the site, linking it to Banbury and the surrounding area.
- The proposal includes enhanced connectivity with the wider footpath network, including with the Salt Way, providing pedestrian and cycle access from the proposed site. The number of access points to the Salt Way have been limited to three locations where existing informal openings currently exist, so as not to unduly affect the informal character of the Salt Way.



## 7.3 Economic Benefits

- 7.3.1 The application is accompanied by a Socio-Economic Statement which sets out the economic context and the economic benefits, including construction and operational impacts of the proposed development. This is summarised in Figure 3 below.



Figure 3: Economic Infographic

## **7.4 Environmental Benefits**

### **Ecological Biodiversity**

- 7.4.1 The NPPF states that development should seek to ensure biodiversity on site is maintained and enhanced where possible. The development offers the opportunity to enhance the biodiversity through:
- Significant areas of planting to provide green infrastructure, ecology and wildlife benefits. Habitat creation measures to ensure biodiversity is retained with enhanced hedgerows and green corridors. These measures will ensure a net biodiversity gain in accordance with requirements of Paragraphs 9 and 118 of the Framework.
  - Provision of domestic gardens which provide an opportunity to improve biodiversity over and above agricultural use.
  - A green corridor and enhancement along the southern edge of Salt Way.
  - Significant provision of Green Infrastructure

## **7.5 Interim Conclusion**

- 7.5.1 The benefits of the development proposals are considerable. The proposals will make a significant contribution towards meeting the social elements of sustainability through: providing homes to meet the objectively assessed housing needs of Oxfordshire and making a valuable contribution towards five year housing land supply. Further the application proposals will provide 30% affordable housing in circumstances where there is a shortage throughout the district, this should be regarded as a significant material benefit.
- 7.5.2 In addition to the delivery of housing the proposals will also deliver an number of economic benefits which include New Homes Bonus totalling £2.1m, 130 FTE jobs in construction, up to 40 jobs supported by demand for public services across Cherwell and total gross expenditure of £2.59m annually in the Cherwell District.
- 7.5.3 There are also a number of environmental benefits associated with the development proposals which include the provision of green infrastructure, the protection and enhancement of existing wildlife corridors and connectivity to The Saltway with an additional buffer adding to the width of this non-designated heritage asset.
- 7.5.4 These benefits are considered to weigh heavily in favour of the development proposals and in meeting the three dimensions of sustainability and compliance with Banbury 17 the benefits significantly outweigh the impacts and the proposals constitute sustainable development.

## 8 POTENTIAL IMPACTS

### 8.1 Overview

- 8.1.1 The potential impacts of the development proposals have been considered in the Environmental Statement and the technical reports submitted in support of the application; these are considered below.

#### Landscape

- 8.1.2 The application site, although currently arable land, is already influenced by the urban edge of Banbury to the north of the site. Development will result in an obvious and permanent change to the character of the application site however the proposals will aim to retain notable existing landscape features where evident such as boundary hedgerows, mature hedgerow trees, and drainage ditches. The applicant would also highlight that the principle of development on the site has been accepted by the Council by its allocation as part of **Banbury 17**.
- 8.1.3 The application site is visually contained due to prevailing topography, intervening built form and established vegetative structures around its site boundaries and within its immediate setting. The views of the new development will only be seen within the overall context of the existing residential settlement of Banbury and as such the new built form will not be perceived as being out of place.
- 8.1.4 Significant green infrastructure is proposed along the southern and western perimeters to provide a robust development edge with the rural interface as well as providing visual amelioration from surrounding public rights of way and views from the south. Therefore it is considered that the proposed development within the application site will result in an overall medium-low effect in terms of landscape sensitivity.
- 8.1.5 Consequently the proposals will not result in significant harm to the landscape character or visual environment and, as such, it is considered that the proposed development can be successfully integrated in this location.

#### Highways

- 8.1.6 Access is proposed into the site from White Post Road in the form of a priority junction.
- 8.1.7 The submitted Transport Assessment, completed by Ashley Helme Associates states:
- “Comprehensive testing of the TA study network of junctions has been undertaken. It is demonstrated that the proposed development will have no severe impact on the performance of the TA study junctions.”*
- 8.1.8 Oxfordshire County Council’s Senior Transport Planner confirmed by email on the 28<sup>th</sup> April that:
- “The scale of Local Plan development south of Saltway is approaching 1700 dwellings (Banbury 17 is 1345 dwellings and Banbury 16 is 350 dwellings), the spine road through Banbury 17 is primarily to serve the development itself, including the high quality bus service. The design*



*standard of the spine road is not confirmed in the Policy. In my view the spine road needs to be designed to OCC's 'Local Distributor Road' criteria including design speed of 30 mph, carriageway width of 7.3m to serve buses, provision of footways and cycleway, in order to provide a clear and attractive west-east route for traffic arising from the development. The scale of development means a distributor road is required to mitigate the impact of traffic arising from the development on existing unsuitable routes such as Wykham Land and Spring Road and to provide a direct through route for the bus service, which needs to run on an efficient and direct route to be attractive to passengers. A network of roads with no clear through route would not achieve this."*

8.1.9 Gladman have shown a route for the spine road on the illustrative development framework, and the route corresponds with the Illustrative Comprehensive Masterplan which has been prepared for the entirety of the site.

8.1.10 With regards to the combined impacts of the Banbury 17 sites, the TA concludes:

*"The application site forms part of a wider allocation for residential development in the Council's submission Local Plan, which is currently awaiting the outcome of its examination. The application site and other residential schemes along Bloxham Road are known collectively as the Banbury 17 sites... It is demonstrated that the existing/proposed geometry of junctions near to the application site can accommodate the predicted traffic flows of the Western Banbury 17 sites."*

## **Historic Environment**

8.1.11 Within the submitted Heritage Assessment it has been established that there are 39 listed buildings within 1km of the study area, with many of these lying within the Bodicote Conservation Area to the south-east of the proposed development area. The study concluded that the majority of these assets will be unaffected by the proposed development due to their location within the compact village of Bodicote. Drawing upon results from the previous desk based assessment and the current investigation, this study considers the impact of the proposed development on the setting of heritage assets, as required in the NPPF and the Planning Policy Guidance, to be a neutral to slight adverse effect. Therefore, the effect constitutes "less than substantial harm".

## **Ecology and Arboriculture**

8.1.12 The Ecological interest of the site will be secured through the protection and enhancement of existing wildlife corridors and the provision of new green infrastructure within the development. Further this approach would provide for the active long-term ecological management across the site where presently there is no such regime in place and, with the implementation of the type of management plan proposed, the potential for biodiversity enhancements would also exist.

8.1.13 The badger survey report identifies that badgers have been recorded on site at four locations. There remains a requirement for a license to be obtained from Natural England allowing for closure of a number of the four setts. Further mitigation has been incorporated into the illustrative

development framework including a wide green corridor to be retained along the northern site boundary creating a through link with the site and managed open space to the south and proposed signage and street lighting.

- 8.1.14 The Arboriculture Impact Assessment confirms the small amount of individual and groups of trees that would require removal in order to facilitate the proposed development in order to accommodate an access point on the eastern boundary and the proposed cycle link/ walkway and to re-establish the Public Right of Way. Overall the proposals will increase the volume of tree stock by high proportions in terms of both numbers and land coverage. The new landscape creation, along with the retention of the highest valued trees and incorporation into the development, would demonstrate that the development proposals will have a positive impact in terms of arboriculture.

### **Flood Risk Surface Water Drainage**

- 8.1.15 The submitted Flood Risk Assessment confirms that the site is classes as Very Low (Old EA Flood Zone 1) according to the Environment Agency's classification; an area of low flood risk. A standard conveyance swale has been sited along the contours, where possible, between the proposed cricket ground and the development area. The system will connect into an attenuation pond located to the south of the development site. There will be no flood risk to the dwellings from the local watercourses, overland flows and local sewers or groundwater.

### **Construction Period**

- 8.1.16 The construction stages of the development may have some effects which are short-term, temporary in nature, and local to the site and immediate area. In any event best practice measures will be put in to mitigate any adverse temporary impacts in terms of noise, the operation of construction traffic, plant and machinery or the management of any other related disturbance or nuisance. This is likely to include controls on working hours and dust suppression measures.

## **8.2 Interim Conclusion**

- 8.2.1 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme. The site is not subject to, nor especially sensitive in terms of, any built or natural protection designations and the proposed housing development will not result in significant harm in terms of acknowledged amenity, community, heritage, landscape, traffic, environmental, technical or other acknowledged public interests.
- 8.2.2 Provided at Appendix 7 is a Planning Balance Table which weighs the benefits of the development proposals against the negative factors.

## **9 CONCLUSIONS AND OVERALL PLANNING BALANCE**

### **9.1 Housing Need**

- 9.1.1 The outline planning application is made in the context of the government's requirement to boost housing land supply and responds specifically to the pressing need identified in Cherwell to deliver additional market and affordable housing.

### **9.2 NPPF**

- 9.2.1 Paragraph 14 of the Framework calls for decision takers to approve development which is consistent with the development plan without delay and to grant planning permission unless the harm of doing so would significantly and demonstrably outweigh the benefits. In this case, the application proposals comprise sustainable development in accordance with the definition set out in the Framework and when tested against all of the relevant sections.

### **9.3 Adopted Development Plan**

- 9.3.1 Whilst at the time of writing we acknowledge that the saved policies of the Cherwell Local Plan 1996 form the Development Plan, however the emerging Local Plan is about to be adopted and holds more weight than then out of date and inconsistent saved policies of Cherwell Local Plan.

### **9.4 Emerging Local Plan**

Given the recent outcome of the Inspectors' Report June 2015 on the emerging Local Plan, the Plan will be presented to Members of the Council on 20<sup>th</sup> July 2015 for adoption. It has been demonstrated that the application proposals accord with the emerging Local Plan, particularly in regards to Banbury 17 in which allocations this site for residential development.

### **9.5 Sustainable Development and Key Benefits**

- 9.5.1 Banbury is the principal town of Cherwell District, fulfilling the role as regional centre that is socially and economically sustainable when judged against the Framework within its spatial context. Further, the application site is situated within a demonstrably suitable and appropriate location to host significant new residential development.
- 9.5.2 The proposals will make a significant contribution towards meeting the social elements of sustainability through; providing homes to meet the objectively assessed housing needs of Cherwell and the provision of 7.97 ha of public open space. The site is located in an accessible and sustainable location close to the key services and facilities in the town that will help support the health, social and cultural wellbeing of Banbury and Cherwell. Further, the application proposals will provide 30% affordable housing in circumstances where there is a chronic shortage in the district, this should be regarded as a significant material benefit.
- 9.5.3 In addition to the delivery of housing the proposals will also deliver a number of economic benefits which include New Homes Bonus totalling £2.1m, 130 FTE jobs in construction, up to 40 jobs



supported by demand for public services across Cherwell and total gross expenditure of £2.59m annually in the Cherwell District.

- 9.5.4 There are also a number of environmental benefits associated with the development proposals which include the provision of green infrastructure, the protection and enhancement of existing wildlife corridors and connectivity to The Saltway with an additional buffer adding to the width of this non-designated heritage asset.

## **9.6 Impacts**

- 9.6.1 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme. As with any greenfield site, the development will introduce changes to the area and some urbanising effects. Care has been taken to ensure that the impact and perceived impact on Banbury is minimal and acceptable. This will be achieved through careful design and siting, and the holistic approach to landscape provision at the site.

## **9.7 Overall Conclusion**

- 9.7.1 s38 (6) of the Planning and Compulsory Purchase Act 2004 provides that determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.7.2 NPPF §13 and §212 are explicit that the policies contained within the NPPF are material considerations. Given the NPPF represents the most up to date national planning policy, it is a material consideration to which significant weight should be given.
- 9.7.3 Gladman submit that the Cherwell Local Plan (2011-2031) should be afforded significant weight in the determination of this planning application, after being found sound by the Inspector. It is anticipated that the application will be determined after the plan has been adopted by the Council. The Adopted Cherwell Local Plan (1996) should be afforded limited weight in the determination of this application.
- 9.7.4 The proposals accord with the Local Plan strategic allocation on the site forming part of the southern extension to the principal town of Banbury (Part of Banbury 17).
- 9.7.5 This development, as proposed, clearly constitutes 'sustainable development', is viable and deliverable. There are significant material considerations that weigh heavily in its favour. In accordance with planning law and policy guidance the application should be approved without delay.

## **APPENDIX 1**

### Submitted Document List

This page has been  
left intentionally  
blank

## Appendix 1 - Submitted Document List

OPAD1	Application Forms and Ownership Certificate	<b>GDL</b>
OPAD2	Site Location (Red Line) (drawing)	<b>Aspect</b>
OPAD3	Framework Plan (drawing)	<b>Aspect</b>
OPAD4	Proposed Access Plan	<b>AHA</b>
OPAD5	Planning Statement (including Draft S106 HoT)	<b>GDL</b>
OPAD6	Design and Access Statement	<b>Aspect</b>
OPAD7	Landscape and Visual Impact Assessment	<b>Aspect</b>
OPAD8	Ecological Appraisal	<b>FPCR</b>
OPAD9	Arboricultural Assessment	<b>FPCR</b>
OPAD10	Transport Assessment	<b>AHA</b>
OPAD11	Travel Plan	<b>AHA</b>
OPAD12	Committed Development Report	<b>AHA</b>
OPAD13	Phase 1 Site Investigation	<b>GRM</b>
OPAD14	Flood Risk Assessment	<b>GRM</b>
OPAD15	Foul Drainage Analysis	<b>ULS</b>
OPAD16	Air Quality Screening Report	<b>Peter Brett</b>
OPAD17	Archaeological DBA	<b>ARS</b>
OPAD18	Geophysical Survey Report	<b>ARS</b>
OPAD19	Archaeological Evaluation Report	<b>ARS</b>
OPAD20	Built Heritage Report	<b>ARS</b>
OPAD21	Socio-Economic Impact Assessment	<b>Regeneris</b>
OPAD22	Energy Statement	<b>GDL</b>
OPAD23	Statement of Community Involvement	<b>GDL</b>
OPAD24	Topographical Survey Drawing	<b>JLP</b>

This page has been  
left intentionally  
blank



## **APPENDIX 2**

Draft Heads of Terms

This page has been  
left intentionally  
blank

**Land west of White Post Road, Banbury  
Draft Heads of Terms for Section 106 Agreement**

**Proposed Development:** Outline application for up to 280 dwellings with associated open space, children's play area and landscaping with all matters reserved, except for access.

**Application Date:** July 2015

**Local Planning Authority:** Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

**Obligations:**

**1. Open Space**

The Agreement will require the Developer to provide onsite informal open space and an equipped children's play area. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long term maintenance and management of these areas including off site commuted sums as applicable.

**2. Affordable Housing**

The Agreement will require the Developer to provide 30% affordable housing onsite. The delivery of this will be phased based on the delivery of the provision of market housing. The affordable element will be positioned in a 'pepper pot' fashion throughout the development with the appearance of these units being indiscernible from the housing, in accordance with Council guidance.

**3. Education**

The Agreement will require the Developer to provide a contribution towards the provision of a new primary school on the adjacent site and the need to expand the nearby secondary school. Negotiations will take place to ensure that the infrastructure required is reasonable in the circumstances.

#### **4. Transport**

The Agreement will require the Developer to provide a contribution towards the delivery of the Spine Road through the land in their control, to meet the Spine Road on the adjacent site.

Financial contribution to off-site highway and transportation improvements to be agreed with the Highway Authority. The agreement will require the developer to commit to the production and implementation of a Travel Plan.

#### **5. Other**

Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.



### **APPENDIX 3**

Draft Conditions

This page has been  
left intentionally  
blank

## Land west off White Post Road, Banbury

1. Details of the layout, scale, appearance and landscaping ('the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development is commenced and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of;
  - (a) three years from the date of this permission, or
  - (b) two years from the date of approval of the last of the reserved matters to be approved.

whichever is the later.

4. The development hereby permitted shall comprise no more than 140 dwellings.
5. Prior to commencement of development a scheme outlining the phasing of development, including a site layout plan identifying land uses such as formal and informal open space and infrastructure, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved phasing scheme.
6. The reserved matters application for landscaping shall be accompanied by a detailed Landscape Masterplan and Strategy to demonstrate that the landscaping proposals have taken account of and been informed by the existing landscape characteristics of the site and by any loss of existing vegetation on the site.
7. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. All construction work shall be undertaken in accordance with the approved Construction Method Statement, which shall include the following details:
  - (a) The method and duration of any pile driving operations (expected starting date and completion date);
  - (c) The hours of work, which shall not exceed the following:

- Construction and associated deliveries to the site shall not take place outside 07:00 to 19:00 hours Mondays to Fridays, and 08:00 to 16:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;

- Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays and 09:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holidays;

- (c) The arrangements for prior notification to the occupiers of potentially affected properties;
- (d) The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- (e) A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
- (f) Details of wheel washing facilities;
- (g) Erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (h) A scheme for recycling/disposal of waste resulting from construction works.

8. a) The development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development to existing Greenfield rates with attenuation up to a 1 in 100 year event, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

b) The development hereby permitted shall not be commenced until such time as a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the



timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

9. No part of the development hereby permitted shall be commenced on site unless and until: a) a site investigation has been designed for the site using the information obtained from the desktop investigation previously submitted in respect of contamination. This shall be submitted to and approved in writing by the Local Planning Authority prior to the investigation being carried out on the site; and b) The site investigation and associated risk assessment have been undertaken in accordance with details submitted to and approved in writing by the Local Planning Authority; and c) A method statement and remediation strategy, based on the information obtained from 'b' above, including a programme of works, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation strategy.
10. No tree/shrub clearance works shall be carried out on the site between 1st March and 31st August inclusive, unless the site is surveyed beforehand for breeding birds and a scheme to protect breeding birds is submitted to and approved in writing by the local planning authority. If such a scheme is submitted and approved the development shall thereafter only be carried out in accordance with the approved scheme.
11. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the vehicular accesses, driveways, parking spaces and turning areas to serve the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to first occupation of each dwelling and thereafter the turning area and car parking spaces shall not be used for any other purpose other than the parking and manoeuvring of vehicles.
12. No dwelling in the development hereby approved shall be occupied until a travel plan based on the Framework Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include the objectives, targets, mechanisms and measures to achieve the targets, implementation timescales, provision for monitoring, and arrangements for a Travel Plan co-ordinator, who shall be in place until 5 years after the completion of the final phase of development. The approved plan shall be audited and updated and submitted for the approval of the local planning

authority at intervals no longer than 18 months. The measures contained within the approved plan and any approved modifications shall be carried out in full.

## **APPENDIX 4**

Gladman Site Delivery

This page has been  
left intentionally  
blank



SITE ADDRESS	NUMBER OF DWELLINGS	% AFFORDABLE	OUTLINE/IN PRINCIPLE PLANNING APPLICATION DETERMINATION DATE	DATE LAND SOLD	PURCHASER	RESERVED MATTERS/MATTERS DETERMINATION DATE	COMMENCEMENT OF DEVELOPMENT	TIMESCALE FROM INITIAL PLANNING PERMISSION TO SITE START	COMMENT
North Dean Avenue, Keighley West Yorkshire	190	15% (28NO)	12 May 2010	May 2011	Barratt Homes	Reserved matters approved May 2011 (it was submitted in December 2010)	June 2011	13 months	
Golden Nook Farm, Cuddington. Cheshire	150	30% (45NO)	20 Feb 2012	July 2012	Bovis Homes	Approved August 2012	September 2012 (road & demolition works)	7 months	
Henthorn Road, Clitheroe. Lancashire	270	30% (81NO)	26 March 2012	December 2012	Barratt Homes & Taylor Wimpey	Approved March 2013	March 2013	12 months	
Wigan Road, Clayton le Woods. Lancashire	300	30% (90NO)	Original outline 21 July 2011. New permission 4 April 2012	December 2012	David Wilson Homes/ Taylor Wimpey	Approved March 2013	May 2013	13 months	A s. 73 Application was submitted due to a challenge to the permission on highway grounds. This new application was fully supported by Chorley Borough Council and the Highways Dept.
Loachbrook Farm, Congleton. Cheshire	200	30% (60NO)	20 March 2013 (date of High Court Challenge).	October 2013	Bovis Homes	14 June 2013	November 2013	8 months	
Byefield Road, Woodford Halse. Daventry	200	30% (60NO)	15 February 2013	Conditional exchange of contracts October 2013	Taylor Wimpey	July 2014	Expected Autumn 2014	21 months	Very complicated land deal due to severe technical constraints relating to drainage. A full hydraulic modelling assessment had to be undertaken with Thames Water which took over 8 months to complete and then a detailed drainage design had to be completed and agreed with Thames Water prior to the land sale completing.
Warringham Lane, Middlewich. Cheshire	194	30% (58NO)	9 January 2013	June 2014	Morris Homes	March 2014	June 2014	17 months	Original land sale to Bellway Homes did not proceed due to their change of mind. Land was re-marketed
Hannay Road, Steventon. Oxfordshire	50	40% (20NO)	23 April 2013	September 2013	David Wilson Homes	May 2014	May 2014	13 months	
Queens Drive, Nantwich. Cheshire	270	30% (81NO)	1 March 2013	September 2014	Barratt Homes & Bovis Homes	July 2014	September 2014	18 months	Land sale took longer than expected as the site was sold to two developers. However, that means the delivery rates will be higher and all 270 dwellings will be built within 5 years of commencement.
Elburn, Livingston. West Lothian	87	15% (13NO)	3 March 2014	Sale agreed when s.75 signed in early 2014	Barratt Homes	Submitted March 2014, approved June 2014.	Sale concluded July 2014; site works underway in August 2014.	5 months	
Barford Road, Bloxham. Oxfordshire	75	35% (26NO)	23 September 2013	January 2014	Bovis Homes	May 2014	July 2014	10 months	
Edgmond Road, Newport. Shropshire	85	35% (30NO)	3 July 2013	July 2013	Bovis Homes	March 2014	July 2014	12 months	

SITE ADDRESS	NUMBER OF DWELLINGS	% AFFORDABLE	OUTLINE/IN PRINCIPLE PLANNING APPLICATION DETERMINATION DATE	DATE LAND SOLD	PURCHASER	RESERVED MATTERS DETERMINATION DATE	COMMENCEMENT OF DEVELOPMENT	TIMESCALE FROM INITIAL PLANNING PERMISSION TO SITE START	COMMENT
Boroughbridge Road, Knaresborough. Harrogate	170	40% (68NO)	9 July 2014	October 2014	David Wilson Homes	(submitted) November 2014	Expected March 2015	5 months	
North Road, Glossop. High Peak	150	30% (45NO)	12 June 2014	December 2014	Taylor Wimpey	(anticipate submission) February 2015	Expected June 2015	12 months	
Sherborne Avenue, Chester	40	30% (12NO)		Conditional exchange December 2014	Stewart Milne Homes	Detailed planning application to be submitted 30 January 2015	Anticipated June 2015	Expected 2 months	Land is an allocation and a detailed planning application is to be submitted.
Hannay Road, Steventon (Phase II), Oxfordshire	65	40% (26NO)			David Wilson Homes	January 2015	Anticipated May 2015	Expected 4 months	Land is a second phase to an already approved scheme which we sold in September 2013. A detailed planning application has been submitted.
Abbeyfields, Sandbach. Cheshire	280 approved (154 being sold initially)	30% (46NO)	Original outline 17 October 2013. New permission 7 October 2014	Conditional exchange of contracts December 2014	Redrow Homes and Anwyll Homes	Reserved matters submission December 2014	Anticipated May 2015	From new planning permission 7 months	New application was resolved to approve in February 2014 but it took CEC 8 months to issue a new decision notice. GDL had to pay £10k for external solicitor's costs for the LPA just to get this resolved.
Nantwich Road, Tarporley. Cheshire	100	30% (30NO)	Original outline 29 August 2013. New permission 27 November 2014	Conditional exchange of contacts December 2014	David Wilson Homes	Reserved matters submission February 2015	Anticipated July 2015	From new planning permission 8 months	New application was resolved to approve in May 2014 but took CWaC 6 months to issue a new decision notice

## **APPENDIX 5**

Pre Application Advice

This page has been  
left intentionally  
blank



# Public Protection & Development Management

Andy Preston – Head of Public Protection & Development Management



DISTRICT COUNCIL  
NORTH OXFORDSHIRE

Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

Gladman Developments Ltd  
Andy Green  
Gladman House  
Alexandria Way  
Congleton Business Park  
Congleton, Cheshire  
CW12 1LB

---

Please ask for **Matthew Parry**  
Direct Dial **01295 221837**

Our ref **15/00061/PREAPP**  
Email **Planning@cherwell-dc.gov.uk**

---

21.04.2015

Dear Sir/Madam

**Application Ref:** 15/00061/PREAPP

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of  
Wykham Lane Bodicote Oxfordshire

**Proposal:** Residential development for up to 250 dwellings including access,  
landscaping and associated infrastructure

Please find enclosed a detailed response relating to the above pre-application enquiry.

Yours faithfully

**Matthew Parry**  
Planning Officer



## CHERWELL DISTRICT COUNCIL

### Pre-Application Report

<b>Pre-application Reference No:</b>	<b>15/00061/PREAPP</b>
<b>Proposal:</b>	<b>Residential development for up to 250 dwellings including access, landscaping and associated infrastructure</b>
<b>Site Address:</b>	<b>Land West Of Cricket Field North Of Wykham Lane, Bodicote</b>

#### TECHNICAL ASSESSMENT

**EIA Screening Opinion Required? Yes as it constitutes Schedule 2 development as defined in EIA Regulations 2011 and is over the relevant size threshold.**

**Any planning application for these proposals would need to be determined at Committee in accordance with the Council's constitution.**

**Relevant Planning History:**

None on this site but planning application (14/01932/OUT) awaiting determination on adjoining land to the west.

#### PROFESSIONAL ASSESSMENT BY CASE OFFICER

Thank you for submitting your pre-application enquiry and for attending a meeting with my colleague Laura Bailey a few weeks' ago. Having discussed matters with her and reviewed the proposals myself, it is my view that the issues set out below would be of greatest relevance to the consideration of your proposals. In the interests of clarity I set out my views accordingly by each main issue.

- Principle of the Development
- Site access and Connectivity
- Impact on Public Infrastructure
- Site Facilities
- Urban Design/Layout
- Mix of Housing and Affordable Housing
- Landscape Impact

- Implications for Heritage Assets
- Sustainable Energy Generation
- Ecology
- Flood Risk

#### Principle

The proposals represent major residential development on a greenfield site outside the built-up area of Banbury that is not allocated for such a purpose in the adopted Local Plan. As a result the proposals are considered contrary to the development plan and would need to be advertised as a departure from the development plan.

However, the majority of the strategic policies in the adopted Cherwell Local Plan 1996 are proposed to be cancelled and superseded by those in the Submission Local Plan (Part 1) which has been prepared to be in accordance with national policy set out in the NPPF. Your site is included as part of a wider strategic allocation within this Submission Local Plan and such a site is considered to be necessary to ensure that the projected housing needs of the district are met over the plan period.

Consequently, in principle, it is likely that residential development would be considered favourably albeit the Council is awaiting the Inspector's report on the examination of the emerging Local Plan which of course includes a review of this emerging site allocation policy.

As emerging Policy Banbury 17 is at an advanced stage, officers intend to afford it significant weight at this stage, a stance which will of course be flexible depending on the results of the examination of the Submission Local Plan (SLP).

Consequently when considering the principle of development on this site as well as some of the details of the proposals, officers would pay particular regard to the requirements of emerging Policy Banbury 17.

#### Site Access and Connectivity

It is presumed at this stage that any forthcoming planning application would be in outline form with details provided only of access. If access is not detailed then it is still necessary to indicate all means of access to the site which includes vehicular, pedestrian and cycleways. Emerging Policy Banbury 17 of the SLP emphasises the importance of a coherent development across the whole of the allocated site to ensure a successful integration of the urban extension into the surrounding area in the interests of high quality urban design, highway safety as well as prioritisation of sustainable transport modes such as walking and cycling. Indeed the emerging policy requires a wider masterplan for the whole allocated site to ensure that this is delivered and I would recommend that you enter into discussions with landowners and agents of the adjoining land to deliver this.

Planning officers (together with officers of the LHA whose response you will have seen) are of the view that any development on this site should have vehicular, pedestrian and cycle connections with the development proposed on the adjoining land if the proposals are to be considered favourably. Not only would this result in a better integration of the proposed developments into the surrounding area but it would also ensure car use is minimised and that it avoids unnecessary additional car movements along Wykham Lane which is awkward to navigate and unsuitable for greater traffic flows. It could also put unnecessary additional pressure on existing junctions within Banbury that already struggle with capacity. A spine road should be capable of accommodating regular buses that can link with Banbury town centre and its alignment will need to be considered at outline application stage assuming access is a detailed matter. In this respect it should accord with guidance in Manual for



Streets and the County Council's Residential Road Design Guide. In order to secure commitment of both developers to delivery of this spine road through the whole site it may be necessary for both parties to be signatories to a legal agreement prior to issuing planning permission on either site.

I note that a new footpath is shown that provides a link around the site as specified in emerging Policy Banbury 17 though again this does not appear to integrate with that proposed at the adjoining site. It is paramount that not only is there a more coordinated approach to vehicular access but also with respect to delivering these necessary pedestrian/cycle routes too both in terms of linking in to proposed new development as well as existing development to the north. Means of pedestrian/cycle access to the Salt Way should therefore be included in an outline application though these should not be of a formal nature or unduly affect the informal rural character of this historically significant public right of way. The number of access points should therefore be kept low and restricted to where there are existing informal openings with reduced vegetation to ensure the rural character of Salt Way and its associated buffer is retained.

An existing public right of way runs north-south through the site and this should be retained and its immediate setting preserved so that it continues to feel like a rural footpath hence it should have a modest but meaningful landscape buffer to either side.

You will have seen from the LHA's consultation response that any planning application needs to be accompanied by a full transport assessment so that the full traffic implications are identified and can, where necessary, attempt to be appropriately mitigated. This could include off-site works to a number of existing junctions which might come under additional pressure as a result of this development. Clearly however such mitigation would need to be relevant and proportionate to the development. The LHA has set out a number of potential off-site transport improvements that might need to be made to mitigate the impact of the development across the site allocation though this has been produced on the basis of the impact of the wider site allocation rather than this particular proposal and would need to be funded proportionately by each developer. An assessment of the suitability of the proposed junction with White Post Road would need to be assessed once more detail is provided of the access arrangements and once further information on traffic movements is available.

#### Impact on Wider Public Infrastructure

Emerging Policy Banbury 17 and emerging Policy INF1 require development proposals on the site to adequately mitigate their impact on transport, education, health, social and community facilities. The Council would need to ensure that any such mitigation is necessary to make the development acceptable, proportionate and reasonable in scale and kind to the development proposed to ensure compliance with CIL Regulations and the NPPF.

The Council can no longer seek general infrastructure contributions as set out in the draft Planning Obligations as most such contributions would no longer be lawful. However, other infrastructure impact is likely to be directly related to the development and would need to be secured by S106 agreement including financial contributions towards necessary off-site highway works, delivery of a new primary school on the adjoining site and the need to expand the nearby secondary school (Blessed George Napier) as it does not have capacity to provide for the homes on this wider allocated site. Such an expansion may be achieved by constructing further teaching accommodation on the existing school playing fields with replacement playing fields



provided as part of the adjoining site. Clearly the developer of the adjoining site cannot be left to face the full costs of mitigating the impact of the entire allocated site and so some negotiations would have to take place to ensure that the infrastructure required is reasonable in the circumstances. Discussions with the County Council are ongoing at present to try to understand their position more clearly in terms of the cost and land implications for the development across the allocated site but I would encourage you to enter into discussions with the proposed developer of the adjoining land to assist in this process. Provision of a financial contribution towards extending the adjacent local cemetery may be required as set out in the emerging site allocation policy as the restriction on pooled contributions by the CIL regulations does not preclude this specific requirement which has not been the beneficiary of developer contributions to date.

#### Site Facilities

In addition to a new primary school and possible expansion of the neighbouring secondary school, other infrastructure would need to be provided on the site too. This would include community facilities and play space, allotments and sports provision. Land for the allotments together with their laying out and initial maintenance is likely to fall within the proposed development on the adjoining site as there is little space available on this smaller parcel of the wider site allocation. A financial contribution would however need to be made towards the provision and maintenance of this facility by S106 as it is an impact of direct consequence of the proposed development.

Land within the site for both informal and formal play spaces would need to be secured by S106 and the associated facilities land out in full as part of the development before the ownership of the land is transferred to either the parish or district council to maintain as a public resource. Developments of larger sites should include provision of at least a community hall though this is shown as part of the proposed masterplan at the adjoining site. Given that this neighbouring development is large enough by itself to justify a community hall I do not have any concerns about equitable provision of this need for on-site infrastructure to ensure a sustainable community. However, a financial contribution may be required towards maintenance and events at this new community hall to mitigate the likely impact of the population in the new housing proposed on your site.

Public artwork would be expected throughout the site in a manner and scale proportionate to the proposed development however details of this could be left to condition. At least some of the public art ought to have a functional purpose rather than contribute solely to visual amenity with much of it perhaps best located within the greenspaces or on prominent corners within the residential areas.

#### Urban Design/Layout

Whilst the submitted masterplan is indicative and only shows broad areas for new housing, play areas, greenspace and sustainable drainage systems, I have a number of general comments on it. In doing so I have had particular reference to emerging policies Banbury 17 and ESD16 of the SLP as well as adopted policies C14, C15, C28, C30 and C31.

First, I note that in accordance with the emerging policy Banbury 17, an undeveloped gap is shown to be retained to the south and east of the site so as to try to prevent urban sprawl of Banbury coalescing with Bodicote which could have a significant effect on its setting and village character. It therefore seems sensible to me that the majority of the more formal play areas be located in this gap including the land for the additional cricket pitch, ownership and maintenance of which would of course need to



be transferred over to the appropriate body by legal agreement.

I have some concerns that the current indicative site layout shows much of the greenspace and local play areas on the fringes of the housing areas rather than being better integrated within it so as to make it more easily accessible and provide relief to future streetscenes. Similarly, and as suggested by the Council's landscape officers, the SuDS attenuation pond should really be better integrated into the built development by incorporating a series of retention ponds and open swales within green areas that are both visually and practically more effective than what essentially amounts to one large lake.

It is also apparent from the indicative masterplan that the proposed built development would project rather too close to Salt Way which is an important local heritage asset which should be safeguarded as an informal rural footpath. Development in such close proximity to it would inevitably urbanise its apparent setting both from the physical impact of the buildings as well as associated light/noise spillage etc particularly when taken together with the proximity of existing housing to the north. A far more generous green buffer should be provided which, as set out in emerging policy Banbury 17, should be approximately 20m wide. Any interventions into this buffer should be informal in nature to respect the setting of the footpath.

I also note that a relatively significant soft landscaped buffer is proposed along the western boundary of the site which might have been appropriate if the site was to be considered in isolation but might in fact deter it from achieving a more cohesive integrated overall urban extension to Banbury. I would advise that this approach be reconsidered slightly by, in part, including greater pedestrian/cycle links through to the larger western parcel of the allocated site. All links (pedestrian/cycle/vehicular) between the two land parcels may need to be secured by a legal agreement to bind both parties to an overall masterplan before a development on either site can be approved with the security that they will be delivered appropriately.

#### Mix of Housing/Affordable Housing

A development of this size would require 30% affordable housing provision on the site to be secured at outline application stage by S106 which should include a tenure split of 30% intermediate housing and 70% affordable or social rented dwellings. Affordable housing should not be clustered within the site and, externally at least, should be indistinguishable from market housing. This should encourage integration of the affordable housing into the open market units. Consideration should be given as to whether self-build housing could be incorporated into the scheme perhaps, in part, in lieu of affordable housing.

There should be a mix of house types provided in order to cater for demand for affordable housing in the District and those needing to access low cost home ownership. A mix akin to the following for the affordable units would seem suitable based on information from the Council's affordable housing register:

- 20% 1b2p Maisonettes
- 50% 2b4p houses
- 20% 3b5p houses
- 5% 4b5p houses
- 2% 1b2p bungalows
- 3% 2b3p bungalows

The RP taking on the affordable housing should be agreed with the Council beforehand and I would encourage the applicant/developer to engage with the



Investment and Growth Team at the earliest opportunity regarding this matter.

It is advisable that there is smaller accommodation in the open market housing to cater for first time buyers and downsizers and in this respect regard should be had to emerging policy BSC4 and the SHMA's conclusions of housing type need.

#### Landscape Impact

Policy C7 of the adopted Local Plan seeks the protection of landscape character which is supported by policy C28 which requires development proposals to respect its landscape context. In order to meet identified housing need projections further releases of greenfield land are required and emerging policies ESD15 and Banbury 17 affirm this. It is inevitable that the proposals will result in harm to the countryside simply as a result of the physical loss of it. Whilst the site is not particularly prominent in long distance views due to its topography, it will nonetheless be visible within the landscape and furthermore result in loss of workable agricultural land. A landscape and visual impact assessment should be carried out to assess the proposals and should accompany a planning application. Whilst environmental harm is likely to occur to some degree as a result of the proposed loss of countryside, this impact could in part be mitigated through the sensitive design, layout and landscaping of the development such that this harm may be outweighed by wider economic and social benefits from the new development.

#### Implications for Heritage Assets

Preserving features of heritage significance is an integral part of sustainable development as they represent irreplaceable resources. Any harm to heritage assets needs to be clearly outweighed by public benefits as set out in the NPPF and there is a statutory duty on the Council to consider the desirability of preserving the special character of conservation areas. Given the generous distance between the site and the boundaries of the Bodicote Conservation Area as well as listed buildings, it is unlikely that the development would have a substantial impact on their setting. A case could therefore be made that any harm caused would be outweighed by the significant benefits to the local community as a result of the proposed new development. Any application should however be accompanied by a heritage assessment to better enable consideration of this by the Council. Prior to determination of any planning application, archaeological field evaluations will be necessary to determine the nature and location of potential deposits of significance and, where necessary, a programme of archaeological mitigation so that they can be preserved in situ. The County Council's archaeologist could provide a brief to work to.

#### Sustainable Energy Generation

Emerging policy ESD5 of the SLP requires all residential developments of 100 dwellings or more to submit a feasibility assessment detailing the potential for significant on site renewable energy generation. Similarly emerging policy ESD4 of the SLP encourages all new residential developments of 100 or more dwellings to be served by decentralised energy systems in the form of District Heating or CHP. A feasibility assessment should be submitted justifying the approach in this respect. Further to this, all residential development should be designed to achieve zero carbon. An Energy Statement should be submitted as part of an outline application detailing in broad terms how the final proposed development would achieve these policy objectives.

#### Ecology

Net loss of biodiversity is likely to be resisted in accordance with national policy in the NPPF. A full phase 1 habitat survey would be required to be undertaken as well as



associated species and habitat surveys so that the impact of the development can be understood. Harm to biodiversity should first be avoided before mitigation is considered. The proposals should retain existing significant landscape features that are of ecological interest as well as reinforcing them through appropriate new features. Such an approach should be set out fully within an ecological report.

#### Flood Risk

The site lies within flood zone 1 as defined by EA flood modelling. There are no known existing critical drainage problems. However, due to the size of the proposed development a site-specific flood risk assessment should be submitted to demonstrate that the proposals would not increase flood risk locally or elsewhere. In line with the requirements of national policy as well as emerging policy ESD 7 of the SLP, sustainable drainage systems should be incorporated into the scheme and the FRA should set out how this would be achieved.

#### **Conclusion:**

I hope my comments are of use to you in deciding how to proceed from hereon. Notwithstanding some of the more detailed comments above, in my view it is essential that you engage in discussions with the proposed developer of the adjoining land to enable a comprehensive and fully integrated development to come forward in the interests of delivering a more successful urban extension to Banbury which should include agreement to provide pedestrian and vehicular access routes linking Bloxham Road with White Post Road. It is officers' intention that an indicative masterplan for the whole site be taken before a design review panel to ensure that the proposed access and general layout arrangements have taken the opportunities available to deliver sustainable high quality urban design.

**Date of Report: 20/4/15**

**Case Officer: Matthew Parry**

#### **DISCLAIMER**

The above advice represents the professional views of Council Officers and although given in good faith, it cannot prejudice any decision with the Council, as Local Planning Authority, may make at either Planning Committee or delegated officer level.





## **APPENDIX 6**

### Policy Compliance Table

This page has been  
left intentionally  
blank

# Policy Conformity Table

## Introduction

The tables within this appendix outline compliance with relevant detailed policy matters contained within the adopted Development Plan and the emerging Local Plan.

## Cherwell Local Plan (2011-2031) Policies

As discussed in Chapter 5 of the planning statement.

Policy	Comment	Compliance?
<b>Policy PSD1: Presumption in Favour of Sustainable Development</b>	Discussed in Chapter 4 of the planning statement	✓
<b>Policy SLE4: Improved Transport and Connections</b>	<p>Policy SLE4 states that new development will be required to provide financial contributions to mitigate the transport impacts of development and where reasonable should facilitate the use of sustainable modes of transport.</p> <p>The site is in a sustainable location with access to various local facilities within walking and cycling distance, including a bus stop which provides frequent access to Banbury town centre. This application is accompanied by a Transport Assessment and a Travel Plan which will promote sustainable patterns of travel and identify routes for walking and cycling to key services and facilities within the area.</p> <p>This application is accompanied by a draft S106 Heads of Terms which can be found at Appendix 4. Negotiations through the determination of this application will continue to ensure that mitigation is in place to make this application acceptable in planning terms.</p> <p>This application is in compliance with Policy SLE4.</p>	✓
<b>Policy BSC1: District Wide Housing Distribution</b>	Discussed in Chapter 4 of the planning statement	✓
<b>Policy BSC2: The effective and efficient use of land- Brownfield land and housing density</b>	<p>Policy BSC2 states that new development in Cherwell is expected to make effective and efficient use of land with new development providing at least 30 dwellings per hectare on net developable areas.</p> <p>This application site proposes a mix of 32.5 dwellings per hectare and accords with this policy.</p>	✓

<b>Policy BSC3: Affordable Housing</b>	Discussed in Chapter 4 of the planning statement	✓
<b>Policy BSC4: Housing Mix</b>	Policy BSC4 states that new residential development is expected to provide a mix of homes to meet current and expected future requirements in the interest of meeting housing need and creating socially mixed and inclusive communities.  The Indicative Development Framework demonstrates that the proposed residential development can accommodate a range of housing types to meet local need. The amount of affordable housing will be delivered in accordance with Policy BSC3, the type and tenure will be agreed with the Local Authority, this is addressed in the draft planning conditions in Appendix 1.	✓
<b>Policy BSC10: Open space, outdoor sport and recreation provision</b>  <b>Policy BSC11: Local standards of provision- Outdoor recreation</b>	The proposal is in accordance with this policy.  Policy BSC10 states the Council's encouragement for partnership working to ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation provision is secured through addressing existing deficiencies in provision and ensuring that proposals for new development contributes to open space, sport and recreation provision commensurate to the need generated by the proposals.  Policy BSC11 states that development proposals will be required to contribute to the provision of open space, sport and recreation, together with secure arrangements for its management and maintenance.  An additional cricket pitch for Banbury Cricket Club, and a youth games court will be provided within 7.97ha (45.5%) of public open space.  This application is accompanied by a draft S106 Heads of Terms which can be found at Appendix 4. Negotiations through the determination of this application will continue to ensure that mitigation is in place to make this application acceptable in planning terms.	✓
<b>Policy BSC12: Indoor sport, recreation and community facilities</b>	The application proposals are in accordance with Policy BSC10 and BSC11.  Policy BSC12 states the Council's encouragement of community facilities to enhance the sustainability of communities and ensuring that development proposals contribute towards the provision of new or improved facilities where the development would generate a need.  Two leisure centres are found within 2.5km of the site in Banbury. This application is accompanied by a draft S106 Heads of Terms which can be found at Appendix 4. Negotiations through the determination of this application will continue to ensure that mitigation is in place to make this application acceptable in planning terms.	✓

	The proposals are in accordance with this Policy.	
<b>Policy ESD1: Mitigating and adapting to climate change</b>	<p>Policy ESD1 states measure will be taken to mitigate the impact of development within the district on climate change. This includes distributing growth to the most sustainable locations, reducing the dependency on the private car.</p> <p>Banbury is identified as the principal town within Cherwell District, and therefore recognised as a sustainable settlement. Banbury 17 allocates the site for residential development, as a result the Council accepts the principle of development on this site. This application is accompanied by a Transport Assessment and a Travel Plan which will promote sustainable patterns of travel and identify routes for walking and cycling to key services and facilities within the area.</p> <p>The proposals accord with Policy ESD1.</p>	✓
<b>Policy ESD3: Sustainable Construction</b>	<p>Policy ESD3 states that new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development.</p> <p>The application advocates the use of sustainable build techniques in line with the most recent building regulations. The proposals therefore accord with Policy ESD3.</p>	✓
<b>Policy ESD5: Renewable Energy</b>	<p>Policy ESD5 supports renewable and low carbon provision wherever any adverse impacts can be addressed satisfactorily. A feasibility assessment of the potential for significant on site renewable energy provision will be required for all residential developments for 100 dwellings or more. A Renewable Energy Statement will be submitted at a later date.</p> <p>The proposals accord with Policy ESD5.</p>	✓
<b>Policy ESD6: Sustainable flood risk management</b>	<p>Policy ESD6 states that the Council will manage and reduce flood risk in the district through using a sequential approach to developing. Site specific flood assessment are required to accompany development proposals in certain situations.</p> <p>A flood risk assessment has been submitted as part of this appeal, which concludes that the development will be low risk in respect of flooding and there should be no impediment to development on flood risk grounds.</p> <p>The application proposals are in compliance with Policy ESD6.</p>	✓
<b>Policy ESD7: Sustainable Drainage Systems (SuDS)</b>	<p>Policy ESD7 states that all new development is to use sustainable drainage systems (SuDS) for the management of surface water run-off.</p> <p>The flood risk assessment submitted as part of this application states that flows will be limited</p>	✓



	using SuDS to the equivalent of greenfield run-off. A large attenuation pond has been located south of the site, as demonstrated by the illustrative development framework.	
<b>Policy ESD10: Protection and Enhancement of Biodiversity and the Natural Environment</b>	<p>The application is in compliance with this Policy ESD7.</p> <p>Policy ESD10 states the need for the protection and enhancement of biodiversity and the natural environment. The application is accompanied by an Ecological Appraisal, Arboricultural Report and Badger Survey Report which outline the existing ecology of the proposed site.</p> <p>The accompanying tree retention plan included within the Arboricultural Report demonstrates that the majority of mature trees and hedgerows on site will be retained. Significant areas of planting will be provided to offer green infrastructure, ecology and wildlife benefits. Habitat creation measures to ensure biodiversity is retained with enhanced hedgerows and green corridors. This will add to the ecological potential of the site, resulting in an overall net biodiversity gain.</p> <p>This application complies with Policy NE/6.</p>	✓
<b>Policy ESD13: Local landscape protection and enhancement</b>	<p>Policy ESD13 aims to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restorations, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.</p> <p>The proposal includes a significant amount of open space to the south the application site, with substantial landscape buffers along the eastern and western boundary. The Salt Way public right of way runs to the north of the site, the proposals incorporate a landscaping buffer adding to the width of this local asset.</p> <p>The proposals accord with Policy ESD13.</p>	✓
<b>Policy ESD15: The urban-rural fringe</b>	<p>Policy ESD15 states that proposals for development on the edge of the built up area must be carefully designed and landscaped to soften the build edge of the development and assimilate it into the landscape by providing green infrastructure that will positively contribute to the rural setting of the towns.</p> <p>The proposals are part of an allocation which forms the south-western extension to Banbury. The open space and additional cricket pitch have been located towards the south east of the site to soften the edge of the settlement and prevent coalescence with Bodicote.</p> <p>The proposals are in accordance with this Policy.</p>	✓
<b>Policy ESD16: The character of the built and historic environment</b>	<p>Policy ESD16 states new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design.</p>	✓

	<p>The site itself is not the subject of any formal historic or environmental designations and it is not situated within a conservation area. As demonstrated in the submitted Heritage Assessment that the majority of the heritage assets within 1km of the site will be unaffected by the proposed development due to their location within the compact village of Bodicote.</p> <p>This application is in compliance with Policy ESD16.</p>	
<p><b>Policy ESD18: The green infrastructure</b></p>	<p>Policy ESD18 states that green infrastructure network considerations are integral to the planning of new development and existing sites and features are protected and enhanced forming part of the green infrastructure network.</p> <p>This application is accompanied by draft S106 Head of Terms which can be found at Appendix 4. Negotiations through the determination of this application will continue to ensure that mitigation is in place to make this application acceptable in planning terms.</p> <p>The proposals are in accordance with Policy ESD18.</p>	✓
<p><b>Policy Banbury 17: South of Salt Way- East</b></p>	<p>Discussed in Chapter 4 of the planning statement</p>	✓

This page has been  
left intentionally  
blank

## **APPENDIX 7**

Planning Balance Table

This page has been  
left intentionally  
blank



## **Banbury – Material Planning Benefits and Negative Factors**

### Purpose

The purpose of this supplementary document is to encapsulate the relevant material considerations, and demonstrate in the planning balance that the benefits demonstrably outweigh the negative factors of the proposal.

Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations. The document will show that the proposal strongly accords with the three dimensions of sustainable development; economic, social and environmental.

<b>Material Consideration</b>	<b>Description</b>	<b>Positive benefit, Neutral or Negative Factor</b>
<b>Compliance with the Development Plan</b>	The development proposal accords with the objectives of the Local Plan which seeks to provide a continuous supply of housing land to meet strategic requirements in sustainable locations. The site is considered to be situated in a sustainable location and will contribute towards the housing needs of Banbury and Cherwell as a whole, and in particular meeting objectives set out in Policy BSC1: District Wide Housing Distribution.	Positive Benefit

### Economic

<b>Material Consideration</b>	<b>Description</b>	<b>Positive benefit, Neutral, or Negative Factor</b>
<b>New Jobs</b>	There will be a £36.1 million investment in construction as a result of the scheme, resulting in 130 full time equivalent construction jobs over the build period.	Positive benefit
<b>Labour Force/Demographic</b>	The development will accommodate up to 480 economically active residents thus boosting the labour supply available to local employers.	Positive benefit
<b>Resident Expenditure</b>	It is anticipated that residents of the development will spend circa £2.59 million per annum, contributing to the local economy	Positive benefit
<b>New Homes Bonus</b>	Cherwell District Council will receive approximately £2.1 million as a result of the development, in order to support local infrastructure and facilities.	Positive benefit
<b>Vitality and Viability</b>	The additional residents of 280 households will increase demand for, and use of local services	Positive benefit

	and businesses within Banbury and Cherwell. This increased demand and spending will help to maintain and enhance the services available and accessible within the area and increase their viability	
<b>Council Tax Revenues</b>	The Council will also receive Council Tax payments from the additional 280 dwellings. This provides an important source of revenue funding for the local authority in delivering services as well as investing in the locality.	Positive benefit
<b>Economic Recovery</b>	Delivery of this site will assist economic recovery more quickly.	Positive benefit
<b>Ageing Population</b>	By providing a range of family housing, the proposed development is expected to attract families. This will help to respond to the challenges of an ageing population such as reduced local spend and increased pressure on local services and the labour market.	Positive benefit

#### Social

<b>Material Consideration</b>	<b>Description</b>	<b>Positive benefit, Neutral, or Negative Factor</b>
<b>Building Sustainable Communities</b>	The proposals will assist in building and maintaining a mixed and balanced community that will help sustain the vitality of community life in Banbury.	Positive benefit

<b>Housing Need (Market &amp; Affordable)</b>	<p>The development of the proposed housing is a very efficient way of meeting existing housing need quickly. The site is easy to develop and has very few constraints, which will ensure that the site will rapidly contribute to increasing the supply of housing within the District.</p> <p>The proposals will make a valuable contribution to the housing supply.</p> <p>The proposals meet an identified Housing Need for people in both the market and affordable housing sectors which will “ensure choice and competition in the market for land” (NPPF Paragraph 47).</p> <p>New homes in Banbury will enable people to access the housing market locally rather than being forced to move away due to a lack of available housing. The proposals will assist in helping to maintain and enhance to vitality of the community (NPPF Paragraph 55).</p> <p>The mix of house types to attract the economically active and improve economic competitiveness, diversify local age structure and contribute to the “objective of creating mixed and balanced communities” (NPPF Paragraph 50).</p>	Positive benefit
<b>Design &amp; Access (Social Dimension)</b>	<p>The planning permission would enable delivery of a mix of housing - up to 280 new dwellings, offering 2-5 bedroom properties, comprising a range of house types from linked townhouses to detached properties. This will add to the choice of high quality homes available in the district.</p> <p>The proposal sets a framework to enable the delivery of a high quality residential development.</p> <p>Existing and new residents of the settlement will benefit from the additional social infrastructure provision on-site.</p> <p>Strategic areas of landscape and open space will include formal recreation, footpaths and children’s play area. The existing vegetation along the</p>	Positive Benefit

	<p>boundaries will be reinforced with new tree and hedgerow planting, which will benefit people and wildlife alike. The amount of Public Open Space exceeds the requisite amount as specified within district guidelines.</p> <p>The scheme will ensure a well-designed pedestrian network that links with the existing settlement. New footpath linkages to existing facilities in Banbury will be established.</p>	
<b>Transport Impact</b>	<p>The location of the site provides the opportunity for residents to undertake journeys on foot and by cycle, for a variety of purposes, including school, recreation, leisure and local amenity shopping.</p> <p>The proposals will support the sustainability of established bus services which serve Banbury.</p>	Positive Benefit
	<p>Comprehensive testing of the TA study network of junctions has been undertaken. It has been demonstrated that the proposed development will have no severe impact on the performance of the TA study junctions. The proposed residential development is in accordance with national and local transport policies, and that there are no transport/highways reasons for refusal of planning permission.</p>	Neutral Factor
<b>Travel Plan</b>	<p>The Travel Plan (TP) promotes sustainable travel awareness and encourages sustainable travel choices other than single occupancy vehicle journeys. This Framework TP is prepared taking account of currently available best practice guidance (DfT 2009) and complementary residential guidance (DfT 2005).</p> <p>The TP will be managed and operated by the Travel Plan Coordinator (TPC) to be appointed by the residential developer(s), and to be in post at least three months prior to first occupation of a house at the site.</p> <p>As this is a new development, sustainable travel habits can be encouraged from the outset of occupation. The early appointment of the TPC will maximise this opportunity to influence travel choices.</p>	
<b>Archaeology and Heritage</b>	<p>During the construction phase of the development there will be moderate adverse effects upon three known archaeological remains of local importance,</p>	Minor Negative

	<p>and a substantial adverse effect upon prehistoric remains of regional importance. In mitigation, the detailed archaeological recording of any assets physically impacted upon by the proposed development and the dissemination of any advances in archaeological understanding has the potential to provide information that could contribute to regional research objectives and public benefit. It is also proposed to secure the preservation of a considerable and, previously unknown, area of Iron Age archaeological remains in situ beneath a cricket pitch. With this mitigation in place, it is considered that the significance of the effects will be reduced to moderate adverse for archaeological remains.</p> <p>There would be limited minor adverse effects to the settings of three Grade II Listed Buildings, one Grade II* Listed Building and the Bodicote Conservation Area. These effects would begin to occur during the construction phase and be at their greatest after completion. Nevertheless, once planting has matured, these impacts would be reduced to minor/neutral adverse.</p> <p>The positive benefits of the provision of information boards to record, explain and increase the level of public awareness of the Salt Way and the landscape buffer will both serve to reduce the residual significance of effect to minor/negligible adverse on this non-designated heritage asset.</p>	
--	---	--

#### Environmental

<b>Material Consideration</b>	<b>Description</b>	<b>Positive benefit, Neutral, or Negative Factor</b>
<b>Landscape &amp; Visual Impact</b>	It is acknowledged that the development of the site by its very nature, will have an impact on visual receptors, especially close to the site. The application site and receiving environment have the capacity to accommodate the proposals. The proposals will not result in significant harm to the landscape character or visual environment and, as such, it is considered that the proposed development can be successfully integrated in this location, is supportable from a landscape and visual perspective, and therefore meets the	Negative Impact



	landscape requirements of both national and local planning policy.	
	The landscape proposals include new recreational linkages and footpath connections. Open spaces and roads will provide a series of attractive vistas and views throughout the development. Development of the site would not notably influence the character of the landscape beyond the immediate surrounds of the site.	Positive Benefit
<b>Flood Risk Assessment (FRA)</b>	The surface water drainage design will attenuate water run-off to less than the existing greenfield run-off rate and take account of future climate change in accordance with National Planning Policy Guidance. This is a material environmental benefit.	Positive Benefit
<b>Health and Well Being</b>	Residents of the new housing will benefit from the new recreational and leisure infrastructure available within the development.	Minor Positive
<b>Ecological Impact</b>	<p>The site does not incorporate any statutory or non-statutory designated sites.</p> <p>Mitigation measures ensure that there is no adverse impact on any protected species observed on the site.</p> <p>The incorporation of bird boxes, bat boxes, open space planted with native species and enhancement of hedgerows will provide new habitats for species on site and must be seen as a significant benefit.</p>	Positive Benefit
<b>Trees and Hedgerows</b>	<p>The site will retain the vast majority of vegetation present on the site. The trees and groups of trees to be felled to enable vehicular and pedestrian access are Category C and therefore of low quality. All losses will be mitigated against through extensive planting and landscaping throughout the development.</p> <p>The planting of a substantial northern boundary incorporating a new hedgerow and hedgerow trees can be seen as an important enhancement in terms of tree cover.</p>	Minor positive

Planning Balance

<b>POSITIVE BENEFITS</b>	<b>NEGATIVE IMPACTS OF THE SCHEME</b>
<b>Compliance with the Development Plan</b>	<b>Construction Noise (Mitigated Against)</b>
<b>Flood Risk Assessment (FRA)</b>	<b>Landscape and Visual Impact</b>
<b>Health and Well Being</b>	<b>Transport Impact</b>
<b>Building Sustainable Communities</b>	<b>Archaeology and Heritage (Minor Negative)</b>
<b>Housing Need (Market &amp; Affordable)</b>	
<b>Design &amp; Access (Social Dimension)</b>	
<b>Travel Plan</b>	
<b>New Jobs</b>	
<b>Labour Force/ demography</b>	
<b>Resident Expenditure</b>	
<b>New Homes Bonus</b>	
<b>Vitality &amp; Viability</b>	
<b>Household Rates</b>	
<b>Ageing Population</b>	
<b>Economic Recovery</b>	
<b>Trees and Hedgerows</b>	

This page has been  
left intentionally  
blank

## **APPENDIX 8**

### Sustainability Matrix

This page has been  
left intentionally  
blank



**Gladman Sustainability Matrix – Land west of White Post Road, Banbury**

Sustainability Criterion	Factor	Sustainability Outcome	Commentary	Document Reference
1  Primary Check List	Is the site outside Green Belt, National Park, AONB and other protected landscapes?		The site is not located outside any national designations and protected landscapes. The landscape impact of the development has been assessed in the accompanying Landscape and Visual Assessment and is considered acceptable.	See Landscape and Visual Assessment and comments of the Council's Landscape Officer
	The scheme does not affect a wildlife sensitive location – SSSI, SNIC, LNR?		The proposed site is not subject to any wildlife designations.	See Ecological Assessment and Badger Survey Report
	Will the site contribute to a shortfall in the 5-year housing land supply?		The site would contribute towards the Council's market and affordable housing shortfall and towards their 5 year housing land supply.	See Committee Report
	the site is: Available		Yes	See Planning Statement
	the site is: Suitable		Yes	See Planning Statement
	the site is: Achievable		Yes	See Planning Statement
	Does the scheme accord with delivery of the Council's Regeneration Strategy?		Development of greenfield land is required in order to deliver housing growth in Cherwell and Banbury, which is identified as an appropriate location in this regard.	See Planning Statement
	Is the site adjoining or within a recognised Sustainable Settlement or Location for Growth in LPA Policy?		The proposal will deliver residential development in a sustainable location directed for growth. The site is situated to the west of the settlement, outside the settlement boundary. Banbury provides an excellent range of facilities and services for the local community.	See Planning Statement
	<i>What makes this location sustainable?</i>  Accessibility to local and neighbourhood facilities within or just beyond the 800m walking distance - maximum acceptable walking distance (IHT) Measurements taken from the centre of the site via actual walk routes		Early Years Care Provision Food shop Primary school Bus Stop Pub Sports Facility Community Centre Small Park Employment Post Office Shopping hub (5+ shops) ATM Pharmacy  440m Saltway Day Nursery 675m to Bodicote Flyover Farm Shop 405m to Bishop Loveday CofE Primary 637m to Sycamore Drive Bus Stop 565m to Horse and Jockey Pub 715m to Cricket Pitches 590m to Bodicote Village Hall 542m White Post Road 605m Cherwell District Council 1,427m to Bodicote Post Office 1,495m Chatsworth Drive 1,428m to Co-Op ATM 1,593 Sainsbury's Pharmacy	See Design and Access Statement and Travel Plan
	<i>What makes this location sustainable?</i>  Accessibility to district services within or just beyond the 2,000m walking distance - maximum distance commutable for walking (IHT) Measurements taken from the centre of the site via actual walk routes		Train Station Health Centre Dentist Secondary School College/Higher Education Leisure / Arts Centre Library Large Park District Centre Supermarket District Sports Facility Employment Area Bank  3,030m to Banbury Station 1,900m to Hightown Surgery 1,495m to Cherwell Heights Dentists 1,531m to Blessed George Catholic Sch. 1,531m to Blessed George Catholic Sch. 1,755 Bannatynes Health Club 2,880m to Banbury Library 1,755m Bodicote Park 2,760m Banbury Town Centre 1,593m to Sainsbury's 3,535m to Spiceball Leisure Centre 2,760m Banbury Town Centre 2,900m to TSB Bank	See Design and Access Statement and Travel Plan
Sustainable Settlement and Location	Development restricted to flood zone 1 / able to contain rainfall from 1:100 year rain events		The site is located in flood zone 1.	See FRA
	Areas of ecological and geological interest are unaffected / mitigated by the proposals		There are no known ecological or geological interest on the site. Trees and hedgerows will be retained where possible.	See Ecological Report
	Additional capacity provided to ensure existing education / medical facilities will cope		Appropriate contributions would be made, where appropriate, towards the upgrade of education and medical infrastructure that are directly and reasonably related to the application scheme.	Statement of Community Involvement
	All homes within 5km of long distance public transport services (railway station/bus service)		Banbury Train Station is approximately 3km away. Trains operate directly to London Marylebone around twice and hour and there are also services	See Transport Assessment

3	Sustainable Transport			to Oxford, Birmingham, Manchester, Stratford-upon-Avon and Bournemouth.	
		Development site within 800m of hourly bus service		The nearest bus stop lies approximately 560m from the site which provides a half hourly service to Banbury town centre.	See Transport Assessment and Travel Plan
		Simple street pattern of indicative scheme gives priority to pedestrians and cyclists linking outwards to as many local facilities, public transport and natural green spaces as possible.		Street patterns will be integrated that the development links well with the existing residential development within the settlement. The street pattern will enable pedestrians and cyclists to travel safely to Banbury's public open space and local facilities.	See Design & Access Statement
		Travel Plan Co-ordinator to provide site-specific Travel Pack detailing measures to reduce car-reliance and give access to lift share		A Travel Pack will be prepared for new residents.	See Transport Assessment and Travel Plan
		High quality paving materials used to control traffic speed, encourage shared-use, amenity, recreation and community		Pavements and shared surfaces would be prepared to provide a pedestrian friendly and reduce traffic speeds.	See Design & Access Statement
4	Economic Benefits	Does the scheme promote aims of Planning for Growth?		The proposals are consistent with Planning for Growth.	See Planning Statement
		Benefits to LPA: New Homes Bonus, Council Tax revenue, CIL / S106 contributions; Job creation (f/t, p/t), Economic value of works		Benefits associated with the provision of up to 280 dwellings.	See Planning Statement
		Proposal that increases the viability and reinforces the sustainability of local businesses and facilities.		Pedestrian access routes tie into the existing footpath network which will benefit from the wider resident and business community. The viability of Banbury's local businesses would therefore be reinforced.	See Planning Statement
		Existing dwellings within settlement benefiting from increased sustainability by provision of new facilities on-site		Provision of new open space on-site will be made easily and readily available to both the new development and the surrounding housing.	
		Does the provision of Affordable Housing distributed throughout the site contribute to the major local shortfall of affordable housing		Affordable housing is not to be grouped or pushed to the site boundaries but appropriately pepper potted throughout the development and positioned in close proximity to local facilities	
5	Housing	Diversity of housing stock: • flexibility within homes to enable home-working • Achieve Lifetime Homes standard in all social housing and other tenures		The proposal promotes the highest quality sustainable design, creating a 'place' which is both safe and attractive and which enhances quality of life, health and social well-being, supporting 'building for life' and 'lifetime homes'.	See Design & Access Statement
		Meet Local Housing needs, maintain land supply and reduce waiting lists by providing a range of types, sizes and tenures of market housing based on socio-economic demographics.		The proposed development provides a choice of housing size and tenure in order to help create a mixed community, including provision of affordable housing.	See Design & Access Statement
		Enable safe routes to schools		The location of the proposed development enables safe and accessible routes to school.	See Travel Plan
6	Education, Community & Sports provision affecting quality of life	Will create a balanced community by increasing affordability and introducing a younger demographic of working age population.		The site's close proximity to the Town provides easy access to existing community amenities including educational, health and retail facilities.	See Travel Plan
7	Linkages Integration Design (Intrinsic Factors)	A high quality built environment with a network of connected streets with active frontages responsive to local vernacular as reference points for design		The site specifically does not seek to create, or generate a pastiche of what has gone before, but instead to look forward to contemporary sustainable design solutions which effectively integrate into the existing fabric of Banbury by way of referencing common building materials, layout and street hierarchy.	See Design & Access Statement
		Provide multi-functional green spaces on-site achieving Local Plan and / or NPFA standards for recreation and play space, incorporating • Local landscape features, • Existing vegetation / native planting scheme • SUDS including swales, open water course, reed beds or ponds		The proposals protect and extend the Site's existing environmental assets and use them as a framework for the creation of new Green Infrastructure, which respects the landscape and promotes bio-diversity. The site's landscape and ecological assets, and the conservation of natural resources are important both in terms of minimising the impact of development within the site but also in setting the development within its wider context.	See Design & Access Statement
		"approving development proposals that accord with the development plan without delay;"		It has been demonstrated that the proposals are in broad compliance with the overall objectives of national planning policy.	Planning Statement
		NPPF: Para 14: "At the heart of the National Planning Policy Framework is a presumption in favour of		Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.	Planning Statement

sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking... For decision-taking this means (unless material considerations indicate otherwise)..."	"–any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;"	✓	There are a number of significant benefits associated with the development: <ul style="list-style-type: none"><li>• New housing to meet an identified need</li><li>• New affordable housing to meet a Borough-wide shortfall</li><li>• On-site public open space and amenity areas</li><li>• Ecological/ biodiversity enhancements and future management</li></ul>	Planning Statement
	"or specific policies in this Framework indicate development should be restricted (SSSI, Green Belt, AONB etc.)."	✓	The site represents an acceptable and sustainable location on the edge of a large settlement, which is targeted for growth. The site is not covered by any national designations and is considered a suitable site for residential development.	Planning Statement

This page has been  
left intentionally  
blank