

| <u>Consultee</u> | <u>Date Sent</u> | <u>Expires</u> | <u>Reply</u> |
|---|-------------------------|-----------------------|---------------------|
| Bodicote Parish Council | 14.05.2018 | 04.06.2018 | 27.06.2018 |
| Bodicote Neighbourhood Plan | 14.05.2018 | 04.06.2018 | |
| Natural England | 14.05.2018 | 04.06.2018 | 31.05.2018 |
| Thames Water | 14.05.2018 | 04.06.2018 | 01.06.2018 |
| Arboriculture (CDC) | 14.05.2018 | 28.05.2018 | 10.07.2018 |
| Ecology (CDC) | 14.05.2018 | 28.05.2018 | 27.07.2018 |
| Environmental Health (CDC) | 14.05.2018 | 28.05.2018 | 04.06.2018 |
| Health Protection (CDC) | 14.05.2018 | 04.06.2018 | |
| Housing Standards (CDC) | 14.05.2018 | 28.05.2018 | |
| Landscape Services (CDC) | 14.05.2018 | 28.05.2018 | 23.05.2018 |
| Legal Services (CDC) | 14.05.2018 | 28.05.2018 | |
| Planning Policy (CDC) | 14.05.2018 | 28.05.2018 | |
| Recreation & Leisure (CDC) | 14.05.2018 | 28.05.2018 | 24.05.2018 |
| Legal Services Rights Of Way Officer | 14.05.2018 | 04.06.2018 | 18.05.2018 |
| Oxfordshire County Council | 14.05.2018 | 04.06.2018 | 07.06.2018 |
| Strategic Housing (CDC) | 14.05.2018 | 28.05.2018 | 25.05.2018 |
| Thames Valley Police (Design Adviser) | 14.05.2018 | 04.06.2018 | |
| Urban Design (CDC) | 14.05.2018 | 28.05.2018 | |
| Waste & Recycling (CDC) | 14.05.2018 | 28.05.2018 | |
| Lead Local Flood Authority OCC Drainage | 14.05.2018 | 04.06.2018 | |
| Clinical Commissioning Group | 09.07.2018 | 30.07.2018 | |
| Lead Local Flood Authority OCC Drainage | 26.09.2018 | 10.10.2018 | 11.10.2018 |
| Planning & Property (OCC) | 26.09.2018 | 10.10.2018 | |

| | | | |
|----------------------------|------------|------------|------------|
| Thames Water | 26.09.2018 | 10.10.2018 | |
| Arboriculture (CDC) | 26.09.2018 | 10.10.2018 | |
| Ecology (CDC) | 26.09.2018 | 10.10.2018 | 12.10.2018 |
| Environmental Health (CDC) | 26.09.2018 | 10.10.2018 | 09.10.2018 |
| Landscape Services (CDC) | 26.09.2018 | 10.10.2018 | |
| Bodicote Parish Council | 26.09.2018 | 10.10.2018 | |

From: Caroline Morrey
Sent: 10 July 2018 18:20
To: Stuart Howden
Subject: Application No: 18/00792/OUT, land at Tappers Farm, Oxford Road, Bodicote

Hi Stuart,

My comments regarding the above are as follows:

There is a TPO in force on the majority of the trees on site. The reference number is TPO 1/1993. It is proposed that one of the protected trees T8 a Red Chestnut be removed. I will have to have a look at the tree to see whether I agree with the findings of the report. I will aim to do this next week. In the meantime, if this tree is really in the condition that they say I have no overall objections to the proposal as the most significant trees are to be retained. There is also space to plant some replacement trees in the species rich grassland to the northeast of T9. The applicant would need to provide details of any proposed tree planting and details of the proposed planting pits and maintenance regime. We would need to see a method statement with details of the protective fencing and areas of ground protection as needed. I would suggest that the road is constructed first. Details would be needed of any tree pruning which is necessary. This work will need to be agreed with the Council and would need to be carried out before any other work takes place. It appears that a foot path is proposed within the RPA of Tree 5. Details of a no dig solution for this path with a permeable surface would also need to be included within the Arboricultural method statement. There may be future pressure for pruning works on the trees located on the south western boundary due to shading as the properties will be located to the north east of the trees.

I will let you know once I have taken a look at T8. In the meantime, if you have any queries let me know.

Regards,

Caroline

Caroline Morrey
Arboricultural Officer (north)
Environmental Services
Cherwell District & South Northants Councils



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From: Iain Osenton
Sent: 01 August 2018 13:58
To: Clare O'Hanlon
Cc: Caroline Morrey
Subject: RE: Application No: 18/00792/OUT, land at Tappers Farm, Oxford Road, Bodicote

Hi Clare,

I have had a look at the trees proposed to be removed and offer the following comments, for clarity I have attached a screenshot of the trees, T8 on the right with purple flowers, and T6 to the left, the smaller tree in the centre of the field.

T6 – Overall I agree with the report, and categorisation of the tree however do have some concerns. The tree has grown much larger than is expected of a hawthorn, and such in my opinion has gained far greater amenity value than it would have had when the TPO was placed upon it in 1993. Equally the report inherently doesn't detail the ecological value presented by a tree that could arguably be classed as a tree of notable ecological value. The defects mentioned in the reports comments are correct in that there is an area of decay at the base, however on inspection I felt the tree is showing signs of reaction wood that do not compromise its structure in its current location. Whilst it may not be suitable for retention within close proximity to development I do not believe the defects present in its current location would justify its removal as a protected tree.

T8 – Again I agree with the categorisation and report against this tree however do not feel the defects mentioned give sufficient evidence to remove the tree. The tree offers considerable amenity not only to the site, but passers-by (see snip from oxford road). the seasonal pink flowers offer great visual diversity to the location. There are no defects present on the tree that with correct management, would prevent the tree from standing for another 10 - 20 years. I object to the removal of this tree to facilitate development due to its protection status, and visual amenity.

T7 – I'm not sure if this has been mentioned prior, or if it was requested of me however I share concerns that T7 is plotted extremely close to proposed plot 07/06 that will most certainly call for pruning works, or even removal once the properties are occupied. I do not believe the proposed layout accommodates the tree in the long term.

Also, the TPO document from 1993 states in its statement of reasons for the TPO as *“several proposals for new development and road connections have been put forward within the vicinity of the site. It is the opinion of the local planning authority that the trees specified in the order should be afforded the protection of a tree preservation order and should be preserved under a direction of section 198 and 201 of the town and country planning act 1990 - taking effect immediately”* – the trees were originally protected due to development pressures, as their amenity and condition was assessed as able to *“offer considerable amenity for many years to come”*. I believe this statement is still valid and thus object to removal of the TPO trees to facilitate development.



I hope that helps, please let me know if you need anything further.

Kind regards,

Iain Osenton

Arboricultural Officer (South)

Environmental Services

Cherwell District & South Northants Councils



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From: Iain Osenton

Sent: 10 October 2018 13:50

To: Clare O'Hanlon

Subject: RE: Proposed residential development (now reduced from 52 to 46 houses), Tappers Farm, Bodicote 18/00792/OUT

Hi Clare,

Thanks for confirming. Overall I am content with the revised plan, I do hold concerns still for future management pressures for T7, as whilst it appears the number of plots beneath it has been reduced they are still equally close.

Could I suggest please conditions are attached that an Arboricultural method statement is submitted detailing how trees will be retained during development, I believe this is essential due to the multiple protected trees on site, and given the amendments made to the site plan to accommodate the TPOd trees it is in best interests to ensure they aren't damaged.

Additionally, the AMD Arboricultural report suggests tree planting to be of benefit to the areas amenity, In order to confirm this I would need to see a detailed tree planting plan submitted also.

Overall I'm happy with the changes and feel this avoids unnecessary removal of protected trees.

Kind regards,

Iain Osenton

Arboricultural Officer (South)

Environmental services

Cherwell and South Northamptonshire Council

 Direct Dial 01295 221708

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COMMENTS FROM BODICOTE PARISH COUNCIL REGARDING PLANNING APPLICATION 18/00792/OUT

**18/00792/OUT - Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 52 number dwellings, with associated works and provision of open space.
Land At Tappers Farm, Oxford Road, Bodicote, Banbury, OX15 4BN**

Bodicote Parish Council **OBJECTS** to this planning application for the following reasons -

- 'Land at Tappers Farm, Oxford Road, Bodicote' is not identified as a site for development in **The Cherwell Local Plan 2011-2031 Part 1 Adopted 20 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016)**.
- **The Strategic Housing Land Availability Assessment (SHLAA) Update 2014 Part 3 (Aug 2014) Appendix E - Rejected Sites page 40**, refers to site 'BO024 Tappers Field, White Post Road, Bodicote'.
'Reasons for Rejection' are - 'Given the potential landscape, visual and coalescence impacts, it is not considered that this land is suitable for development'.

Four years on these **'Reasons for Rejections'** are still relevant to this site.

In the **The Cherwell Local Plan 2011-2031 Part 1 Adopted 20 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016)** it states the following -

1.66 The detail of the Cherwell Local Plan is set out in the following sections.
In summary, it:

- avoids the coalescence of towns and villages

B.89 We aim to avoid development in inappropriate locations and coalescence with neighbouring settlements.

In the **'Bodicote, Conservation Area Appraisal, Planning, Housing & Economy April 2008'** it is stated:

13. Management Plan 13.1 Policy context

There is no one main threat to the character and appearance of Bodicote Conservation Area but a number of issues that are leading to the erosion rural character and open space. There is the obvious impact of the proximity of Banbury which is undoubtedly having an urbanising effect on the village.

Management and protection of important green spaces

The Council Will:

*2. Promote the retention of significant open spaces and field systems in and around the village. The open fields around Bodicote are key to the character of the area because they create a rural and historic feel to the settlement. The development planned to the north east of the village makes it even more important to retain the rural setting of the village to the west and south. **It is key that Bodicote retains its identity as a village and does not merge completely with Banbury to the north.***

Coalescence is an ongoing issue with Banbury continuing to encroach further into Bodicote Parish. Whilst our Parish land continues to be reapportioned for Banbury's housing requirements.

Bodicote has no desire to become the next Grimsbury or Neithrop, villages in their own right once upon a time, and now boroughs within Banbury Town.

Thus, retaining this site as an open, green buffer between Bodicote and Banbury Town is imperative in preserving the identity of the village and preventing urbanisation.

- *'Land at Tappers Farm, Oxford Road, Bodicote'* is not identified as an allocated site for development in ***The Cherwell District Council Housing and Economic Land Availability Assessment (HELAA), February 2018.***
- ***Cherwell Local Plan 2011-2031 (Part 1) Partial Review - Oxford's Unmet Housing Need Options Consultation, November 2016*** looked at ***Bodicote (Option H, Banbury and Surrounding Area)*** under its ***'Areas of Search'***.
However *'Land at Tappers Farm, Oxford Road'* was not identified as a potential development site to accommodate Cherwells apportionment of 4,400 homes to meet Oxford's housing need.

Whilst the ***'Examination into the soundness of Cherwell District Council - Local Plan Part 1: Partial Review'*** currently lies with the Planning Inspector, it should be noted that through a rigorous consultation process it was determined that ***'Option H, Banbury and Surrounding Area'*** was not a suitable location to meet Oxfords housing shortage.

- ***Policy Villages 1: Village Categorisation of The Cherwell Local Plan 2011-2031 Part 1 Adopted 20 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016)*** identifies Bodicote as a *'Category A village'*.
Category A villages are *'considered to be suitable for minor development, in addition to infilling and conversions'*.
Bodicote Parish Council do not consider 52 dwellings to constitute as *'minor development, infilling or conversion'* and deem this application to be contrary to Policy Villages 1.
- ***Policy Villages 2: Distributing Growth across the Rural Area of The Cherwell Local Plan 2011-2031 Part 1 Adopted 20 July 2015 (incorporating Policy Bicester 13 re-adopted on 19 December 2016)*** states *'A total of 750 homes will be delivered at Category A villages. This will be in addition to the rural allowance for small site 'windfalls' and planning permissions for 10 or more dwellings as at 31 March 2014'*.

And ***The Cherwell Annual Monitoring Report (01/04/2016 – 31/03/2017), December 2017*** specifies that as of *'31st March 2017, there are 86 dwellings remaining from the Policy Villages 2 requirement'*. With the District able to demonstrate a *'current housing land supply of 5.5 year for the period 2017-2022 and 5.7 year for the period 2018-2023'*.

Cotefield sites 1 and 2 will provide 181 homes for existing Bodicote residents and/or new residents moving to the Bodicote area looking to purchase or rent.

Banbury 4 and Banbury 17, sites which surround Bodicote village, will deliver approximately 2000 homes to the immediate area between them.

Therefore there is no requirement to approve this application on the basis of meeting allotted housing targets.

- As a historic Domesday village, Bodicote has already seen significant housing growth, both on its periphery and within its own parish borders.

Despite Bodicotes classification as a 'Category A' village, land provision within the parish borders is in short supply.

Bodicote parish land has already been obtained for the construction of the Longford Park estate. A further parcel of land, north of Wykham Lane, has been acquired for the now approved development site of up to 280 dwellings and associated spine road (*application 15/01326/OUT*). And the approved developments on the two Coteheld sites further diminish the villages land supply.

Unconstrained housing growth could have a detrimental effect on Bodicotes ability to provide green open space and additional recreational facilities to its residents.

- Bishop Loveday School relocated to its current location on White Post Road in 1967. Since then its catchment area has continued to grow taking children from Bodicote, Banbury and the surrounding villages.

On the 1st June 2017 the school became a member of The Warriner Multi-Academy Trust. Meaning any child who is offered a place at Bishop Loveday School is automatically guaranteed a place at The Warriner School; a significantly oversubscribed school expanding to accommodate pupil application demand.

Bishop Loveday School is one of only four primary schools in Oxfordshire to have joined The Warriner Multi-Academy Trust (as of May 2018), one of only two primary schools in the Multi-Academy Trust within a 3 mile radius of Banbury, and the only school of those two which has a sizeable admission number for Early Years pupils (60 places).

It is therefore conceivable to presume that demand for pupil places will increase, which in turn could require expansion and/or the relocation of the existing school buildings, car park and playground.

If the school does outgrow its current site, there is no land within Bodicote village for the school to relocate to. Thus the most logical place for any potential school growth would be the Tappers Farm site.

- Traffic issues in and around the Flyover, White Post Road and the on-slip off -slip road for the Oxford Road are an ongoing concern.

White Post Road is already subject to a considerable amount of traffic.

Staff from Bishop Loveday School park directly on the roads surrounding the school as their own car park is insufficient to deal with staff/visitor numbers.

Parents dropping off and picking up their children from Bishop Loveday School, Kingsfield Nursery and Saltway Day Nursery cause congestion at peak times of the day along Sycamore Drive, White Post Road and the High Street. Resulting in traffic being pushed further into the Conservation Area and increased parking along the High Street, Broad Gap and directly opposite the Wykham Lane junction.

As recognised in the '**Bodicote, Conservation Area Appraisal, Planning, Housing & Economy April 2008**'

7. Northern Village Character Area

7.10 Threats

- *School activities can have a major impact on this area with school rush hour often resulting in the High Street being congested and a large volume of traffic cutting through Wykham Lane and Broad Gap often at speed.*

Cherwell District Council, despite having its own car park, also has insufficient capacity for its staff/visitors resulting in further parking pressure on White Post Road, the High Street and Broad Gap.

And the on-slip and off-slip road to the Oxford Road is used for parking by Bishop Loveday School staff/parents and employees of both Jaybee Motors and the Esso Garage.

- The B3 bus, which runs twice an hour, struggles to navigate White Post Road due to the volume of traffic on both sides of the road. This often requires the bus to mount pavements as it weaves in between vehicles to get through, and to allow other vehicles to pass. Whilst also leaving the bus unable to pick up/drop off safely at the bus stop located outside Cherwell District Council offices, due to a lack of parking space.
- The spine road which will come forward as part of planning applications 14/01932/OUT and 15/01326/OUT will inevitably push further volumes of traffic towards White Post Road and the Flyover, as drivers attempt to avoid existing traffic congestion on both the Bloxham and Oxford Roads.

We have previously raised the following concerns regarding White Post Road -

September 2014 -

White Post Road is already almost gridlocked at peak times due to the amount of traffic and the fact that there are only 2 lanes, bringing traffic to the school and to the Cherwell District Council offices. Bringing any more traffic onto this road would be a disaster.

The Bodicote flyover is a major route into and out of Banbury, as well as for people travelling to the railway station, the M40, etc. It is used by the village residents, as well as people coming from Bloxham and Bankside. However, White Post Road, the flyover and Bankside all have only 2 lanes, with the potential for a bottleneck in addition to the problems already experienced.

August 2015 -

The issue of a bottleneck at the Flyover Bridge must be addressed.

March 2016 -

We are concerned at the volume of traffic coming on to the roundabout from the new spine road/White Post Road and then travelling along the slip road to the Oxford Road. There must be some road widening on the approach to the roundabout and the slip road. There will also be problems for traffic wishing to use the Flyover road.

October 2017 -

*The A361 (Bloxham Road) to A4260 (Oxford Road) spine road form part of a much broader infrastructure plan, **BAN1**, identified in both the **Oxfordshire County Council Local Transport Plan Part 4 (LTP4): Connecting Oxfordshire:Local Transport Plan Plan 2015-2031, Volume 2 part ii:** and the **Cherwell District Council Banbury & Vision Masterplan: Consultation Draft - March 2016**. The two following policies contained within **BAN1**, **'Promotion of Bankside'** and **'Provision of a link road East of M40 Junction 11 (Overthorpe Road to A422)'** are both seeking to redirect traffic away from Banbury town centre in favour of using the proposed spine road.*

and would like these to be considered as part of our objection alongside the following points -

- The construction of Longford Park is ongoing, with application 17/01408/OUT for an additional 600-700 dwellings still under consultation. Whilst the proposed relocation of Banbury Football Club and secondary school on the Oxford Road have no current timescale.
- Banbury 17 and the A361 (Bloxham Road) to A4260 (Oxford Road) spine road has yet to be built, with no current details on how this will be built out. The impact of traffic generated by these future developments on the wider highways network is yet to be determined.
- High volumes of school, residential and construction traffic operating in the same area would lead to the compromised safety of both car drivers, cyclists and pedestrians.
- Additional volumes of traffic would undoubtedly have an effect on the air quality surrounding Bishop Loveday School and Saltway Day Nursery.

The Cherwell District Council North Oxfordshire, 2017 Air Quality Annual Status Report (ASR) In fulfilment of Part IV of the Environment Act 1995 Local Air Quality Management, November 2017 states -

It is noted that there is significant development planned for the District. It's recommended that measures in the air quality action plan relating to development control are considered a priority and implemented as soon as possible to ensure potential further adverse impacts are adequately monitored, measured and mitigated at an early stage. This should also include the highways authorities' consideration of air quality during the development control process relating to highways developments.

With new AQMA's still being identified in Oxfordshire, we would like to see a full assessment of the potential impact any additional development could have on air pollution on White Post Road.

28th May 2018

From: prow
Sent: 18 May 2018 10:37
To: Stuart Howden
Cc: DC Support
Subject: Re: Planning Application Consultation - 18/00792/OUT

Dear Stuart

Further to your consultation in relation to the above mentioned planning application, CDC PRoW have the following comments:

The application does not appear to require the diversion of a right of way to enable the proposed development to take place. The closest right of way to the site being the restricted bridleway located on Salt Way. In theory the development should not impact or affect this right of way however, the increase in traffic that would be generated from this proposal could have a detrimental affect on the surrounding area and this could impact the users of this right of way.

It is noted that the entrance and surrounding highway to the front of the farm shop site is regularly used every week day as parking/drop off/collection point for the primary school. Therefore, we need to ensure that there are no obstructions caused to the Salt Way restricted bridleway entrance on White Post Road.

Kind regards

Judith Humphreys Paralegal(cert)
Paralegal Assistant – Cherwell District Council Bodicote House|Bodicote|Banbury|Oxon|OX15 4AA|
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-----Original Message-----

From: Planning
Sent: 14 May 2018 08:49
To: prow
Subject: Planning Application Consultation - 18/00792/OUT

Please see attached consultation document.

Regards
Development Management

Cherwell District Council
Extension: 7006
Direct Tel: 01295 227006
<mailto:planning@cherwell-dc.gov.uk>
www.cherwell.gov.uk

From: Charlotte Watkins
Sent: 27 July 2018 10:51
To: DC Support
Cc: Stuart Howden; Clare O'Hanlon
Subject: 18/00792/OUT

18/00792/OUT
Land at Tappers Farm
Oxford Road
Bodicote

Stuart/Clare

With regard to the above application the submitted ecological report is satisfactory in terms of surveys and shows relatively few constraints on site as regards the species present. Note that the pictures of T4 and T6 are identical and it should be ensured the applicants are clear about which trees would require soft fell or survey checks prior to felling.

All works should avoid the bird nesting season and the suggested working methodology as best practice to avoid harm to reptiles and amphibians is fine. Reference to table 6.2 of the Extended Phase 1 Habitat Survey Report is appropriate.

Whilst I appreciate the matter of final layout is to be dealt with at reserved matters, referring to the illustrative masterplan, my main concern with this application is the lack of green space which I think makes it less likely that a net gain for biodiversity can be achieved on site (as required by local policy and the NPPF guidance we should be seeking net gain for biodiversity from development). The number of houses on site leaves only a small patch of potential habitat either side of the access road. The 'green corridor' along the boundary to Oxford Road is very pinched in places and doesn't seem to lead anywhere that would aid species movement. Any movement around or through the site elsewhere is not allowed for.

I would recommend therefore that the applicants ecologists run a Biodiversity Impact Calculator (we currently advise use of the one prepared by Warwickshire County Council) on the suggested layout scenarios to show that a net gain can in fact be achieved on site with this level of housing to help inform this aspect. In addition they should include a commitment to biodiversity enhancements within the built environment to achieve a quality development – integrated bat tubes and swift bricks for example which ensure long term retention as well as the inclusion of features such as hedgehog passes through fences should all be considered.

Please get back to me with any queries.

Kind regards
Charlotte

Dr Charlotte Watkins
Ecology Officer
Tel: 01295 227912
Email: Charlotte.Watkins@CherwellandSouthNorthants.gov.uk
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www.cherwell.gov.uk

Office hours: Monday and Friday mornings

From: Charlotte Watkins
Sent: 12 October 2018 12:51
To: Clare O'Hanlon
Subject: RE: Tappers Farm - ecology

Clare

Thank you for sending on the revised metric – this one makes more sense having the correct length of hedgerow and reporting a modest overall net gain of over 1 unit. When layouts are confirmed we will need to be sent a copy of the actual calculator spreadsheet but I am happy enough that an overall gain could be achieved on site in terms of enhanced and created habitats with this scheme and its reduced footprint.

The conditions I previously recommended are mostly still relevant. The submitted bat survey shows that no further surveys are required for the building B1 but there remains the need to survey the identified tree should it need removing but this and the other aspects – protection of nesting birds, reasonable avoidance measures for amphibians - could be included in an overall CEMP for biodiversity along with necessary protection measures for retained vegetation. I would recommend the following conditions or similar therefore but feel free to reword or change.

K17 Biodiversity Enhancement

Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity on site, to include an updated Biodiversity Metric such that an agreed overall net gain for biodiversity is achieved and to provide details of all proposed bat and bird boxes including integrated features within buildings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

Reason KR3

K21 Construction Environmental Management Plans (CEMP) for Biodiversity

Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.

[Reason KR2](#)

K20 Landscape and Ecological Management Plan (LEMP)

Prior to the commencement of the development hereby approved, a Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

[Reason KR2](#)

Lighting - Prior to the commencement of the development hereby approved, a full lighting strategy to include lux spill values shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the strategy shall be carried out in accordance with the approved details.

[Reason KR2](#)

Dr Charlotte Watkins

Ecology Officer

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18/00792/OUT - Bodicote Flyover Farm Shop White Post Road Bodicote Banbury OX15 4BN

Mon 04/06/2018 11:29

This department has the following response to this application as presented:

Noise:

Prior to the commencement of the development, a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Contaminated Land:

Having studied the phase 1 desk top study provided with the application I agree with its findings that further intrusive studies should be undertaken. I would therefore recommend that the full contaminated land conditions are applied (J12 – J16) but noting that J12 has already been complied with.

Air Quality:

Prior to the commencement of development, provision of ducting to allow for future installation of EV charging infrastructure will be required, in order to make resident parking places EV ready for future demand. The details and location of such provision should take into consideration the availability of electrical supply and should therefore be designed making reference to information held by the local distribution network operator. Subsequently, these details and designs should be submitted to and approved in writing by the Local Planning Authority.

Such provision shall be formed, and laid out in accordance with these details before usage of the parking spaces commences and shall remain in place thereafter."

Odour: No comments.

Light: No comments

If you wish to deviate from the suggested conditions then this should be discussed with the officer making these comments to ensure the meaning of the condition remains and that the condition is enforceable and reasonable.

Kind Regards

Neil Whitton

Environmental Protection Officer

Environmental Health and Licensing

Cherwell District Council and South Northamptonshire Council

From: Neil Whitton
Sent: 04 October 2018 14:21
To: Clare O'Hanlon
Cc: DC Support
Subject: 18/00792/OUT - Bodicote Flyover Farm Shop White Post Road Bodicote Banbury OX15 4BN

Dear Clare,

At this time I see no need to alter my earlier comments except to add that having studied the noise report a condition should be included to ensure that site is built to include the mitigation as laid out in the noise report provided.

If you wish to deviate from the suggested conditions then this should be discussed with the officer making these comments to ensure the meaning of the condition remains and that the condition is enforceable and reasonable.

Kind Regards

Neil Whitton
Environmental Protection Officer
Environmental Health and Licensing
Cherwell District Council and South Northamptonshire Council
Tel - 01295 221623
Email - Neil.Whitton@cherwellandsouthnorthants.gov.uk

PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From Landscape Services (CDC)

To Head of Development Management and Major Developments
FAO Stuart Howden

Your Reference 18/00792/OUT

Our Reference:

Date of Consultation 14 05 2018

Target Date for Response: 14 days

| | | | | | |
|---------------------------------|---|---------------------|---------|------------|-------------------------|
| Application/Site Reference | 18/00792/OUT | | | | |
| Development Location. | Land At Tappers Farm Oxford Road Bodicote | | | | |
| Development Proposal | Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 52no dwellings, with associated works and provision of open space | | | | |
| Planning Obligation Requirement | | | | | |
| Mature Trees | | | | | |
| Justification Policies. | | | | | |
| SPD, CUP | | | | | |
| Detail | | | | | |
| | | | | | |
| Detail Specification: | | | | | |
| Trigger for works/Contribution. | | | | | |
| Commuted sum: | | | | | |
| Capital | | Revenue: | 334.82 | Indexation | 2% above bank base rate |
| Capital Management | | Revenue Management: | Tree | | |
| Standard Heads of Terms | | | | | |
| CDC Co | Ext | | 1711 | | |
| Signed: | Date: | | 21/5/18 | | |

PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From. Landscape Services (CDC)

To Head of Development Management and Major Developments
FAO Stuart Howden

Your Reference 18/00792/OUT

Our Reference

Date of Consultation 14 05 2018

Target Date for Response 14 days

| | | | |
|-----------------------------------|---|---------------------|--------|
| Application/Site Reference | 18/00792/OUT | | |
| Development Location | Land At Tappers Farm Oxford Road Bodicote | | |
| Development Proposal | Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 52no dwellings, with associated works and provision of open space | | |
| Planning Obligation Requirement : | | | |
| Public open space | | | |
| Justification Policies | | | |
| CUL, SPD fields in TWST | | | |
| Detail | | | |
| | | | |
| Detail Specification | | | |
| Trigger for works/Contribution | | | |
| Commuted sum | | | |
| Capital | | Revenue | 9.32m2 |
| Capital Management | | Revenue Management. | |
| Standard Heads of Terms | | | |
| CDC Co Signed. | Ext Date: | 1711 21/5/18 | |

Indexation: 2% above bank base rate

PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From Landscape Services (CDC)

To Head of Development Management and Major Developments
FAO: Stuart Howden

Your Reference: 18/00792/OUT

Our Reference.

Date of Consultation: 14 05 2018

Target Date for Response 14 days

| | | | |
|---|---|--------------------|--------------------------|
| Application/Site Reference: | 18/00792/OUT | | |
| Development Location: | Land At Tappers Farm Oxford Road Bodicote | | |
| Development Proposal | Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 52no dwellings, with associated works and provision of open space | | |
| Planning Obligation Requirement : | | | |
| LAP | | | |
| Justification Policies | | | |
| SPD, Fields in Trust, CLP. | | | |
| Detail: | | | |
| on site, overlooked by dwellings not on periphery | | | |
| Detail Specification: | Equipped LAP | | |
| Trigger for works/Contribution | | | |
| Commuted sum: | | | |
| Capital: | | Revenue | 27,501 52 |
| | | Indexation | 20% above bank base rate |
| Capital Management | | Revenue Management | |
| Standard Heads of Terms | | | |
| CDC Co | Ext: 1711 | | |
| Signed. | Date: 21/5/18 | | |

PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

From Landscape Services (CDC)

To Head of Development Management and Major Developments
FAO Stuart Howden

Your Reference 18/00792/OUT

Our Reference

Date of Consultation: 14 05 2018

Target Date for Response 14 days

| | | | |
|----------------------------------|---|--------------------|---------------------|
| Application/Site Reference. | 18/00792/OUT | | |
| Development Location | Land At Tappers Farm Oxford Road Bodicote | | |
| Development Proposal | Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 52no dwellings, with associated works and provision of open space | | |
| Planning Obligation Requirement: | Balancing road | | |
| Justification Policies: | CUP, SPD | | |
| Detail: | | | |
| Detail Specification | | | |
| Trigger for works/Contribution | | | |
| Commuted sum: | | | |
| Capital | | Revenue | 11.63M ² |
| Capital Management | | Revenue Management | |
| Standard Heads of Terms | | | |
| CDC Col | Ext 1711 | | |
| Signed | Date 21/5/18 | | |

2% above bank base rate

From: Consultations (NE) [<mailto:consultations@naturalengland.org.uk>]
Sent: 31 May 2018 11:28
To: Planning
Subject: FAO Mr Stuart Howden REF: 18/00792/OUT

Application ref: 18/00792/OUT
Our ref: 246971

Dear Mr Howden

Natural England has **no comments** to make on this application.

Natural England has not assessed this application for impacts on protected species. Natural England has published [Standing Advice](#) which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on [ancient woodland and veteran trees](#) which you can use to assess any impacts on ancient woodland.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise LPAs to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

We recommend referring to our SSSI Impact Risk Zones (available on [Magic](#) and as a downloadable [dataset](#)) prior to consultation with Natural England. Further guidance on when to consult Natural England on planning and development proposals is available on gov.uk at <https://www.gov.uk/guidance/local-planning-authorities-get-environmental-advice>

Yours sincerely

Sally Wintle

Support Adviser - Consultations Team
Technical Services
Natural England
County Hall
Spetchley Road
Worcester
WR5 2NP

Tel 020 802 58220

Email to: consultations@naturalengland.org.uk

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

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COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application No: 18/00792/OUT

Proposal: Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 52no dwellings, with associated works and provision of open space

Location: Land At Tappers Farm Oxford Road Bodicote Banbury

Response date: 7th June 2018

This report sets out the officer views of Oxfordshire County Council (OCC) on the above proposal. These are set out by individual service area/technical discipline and include details of any planning conditions or informatives that should be attached in the event that permission is granted and any obligations to be secured by way of a S106 agreement. Where considered appropriate, an overarching strategic commentary is also included. If the local County Council member has provided comments on the application these are provided as a separate attachment.

Assessment Criteria

Proposal overview and mix /population generation

OCC's response is based on a development as set out in the table below. The development is taken from the application form.

| Residential | |
|--------------------------|----|
| 1-bed dwellings | 7 |
| 2-bed dwellings | 12 |
| 3-bed dwellings | 23 |
| 4-bed & larger dwellings | 9 |

Based on the completion and occupation of the development as stated above it is estimated that the proposal will generate the population stated below:

| | |
|--|--------|
| Average Population | 134.89 |
| Primary pupils | 15.77 |
| Secondary pupils | 9.61 |
| Sixth Form pupils | 1.45 |
| SEN pupils | 0.32 |
| Nursery children (number of 2 and 3 year olds entitled to funded places) | 3.99 |
| 20 - 64 year olds | 93.42 |
| 65+ year olds | 10.12 |
| 0 – 4 year olds | 14.26 |

Application no: 18/00792/OUT

Location: Land At Tappers Farm Oxford Road Bodicote Banbury

General Information and Advice

Recommendations for approval contrary to OCC objection:

IF within this response an OCC officer has raised an objection but the Local Planning Authority are still minded to recommend approval, OCC would be grateful for notification (via planningconsultations@oxfordshire.gov.uk) as to why material consideration outweigh OCC's objections, and given an opportunity to make further representations.

Outline applications and contributions

The number and type of dwellings and/or the floor space may be set by the developer at the time of application, or if not stated in the application, a policy compliant mix will be used for assessment of the impact and mitigation in the form of s106 contributions. These are set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by the developer a matrix (if appropriate) will be applied to assess any increase in contributions payable. The matrix will be based on an assumed policy compliant mix as if not agreed during the s106 negotiations.

Where unit mix is established prior to commencement of development, the matrix sum can be fixed based on the supplied mix (with scope for higher contribution if there is a revised reserved matters approval).

Where a S106/Planning Obligation is required:

- **Index Linked** – in order to maintain the real value of s106 contributions, contributions will be index linked. Base values and the index to be applied are set out in the Schedules to this response.
- **Security of payment for deferred contributions** – An approved **bond** will be required to secure payments where the payment of S106 contributions (in aggregate) have been agreed to be deferred to post implementation and the total County contributions for the development exceed £1m (after indexation).

Administration and Monitoring Fee - £3,750

This is an estimate of the amount required to cover the extra monitoring and administration associated with the S106 agreement. The final amount will be based on the OCC's scale of fees and will be adjusted to take account of the number of obligations and the complexity of the S106 agreement.

- **OCC Legal Fees** The applicant will be required to pay OCC's legal fees in relation to legal agreements. Please note the fees apply whether an s106 agreement is completed or not.

CIL Regulation 123

Due to pooling constraints for local authorities set out in Regulation 123 of the Community Infrastructure Levy Regulations 2010 (as amended), OCC may choose not to seek contributions set out in this response during the s106 drafting and negotiation.

That decision is taken either because:

- OCC considers that to do so it would breach the limit of 5 obligations to that infrastructure type or that infrastructure project or
- OCC considers that it is appropriate to reserve the ability to seek contributions to that infrastructure type or that infrastructure project in relation to the impacts of another proposal.

The district planning authority should however, take into account the whole impact of the proposed development on the county infrastructure, and the lack of mitigation in making its decision.

Application no: 18/00792/OUT

Location: Land at Tappers Farm Oxford Road Bodicote Banbury

Transport Schedule

Recommendation:

Objection for the following reasons:

- The applicant has not submitted an appropriate surface water drainage strategy for the site which gives priority to sustainable urban drainage systems (SUDs) and demonstrates that any increased surface water run-off volumes and rates can be accommodated within the site. Therefore, the applicant has not complied with paragraphs 103 and 104 of the National Planning Policy Framework.

If despite OCC's objection permission is proposed to be granted then OCC requires prior to the issuing of planning permission an S106 agreement, including an obligation to enter into an S278 agreement, and an S38 agreement to mitigate the impact of the development plus planning conditions and informatives as detailed below.

S106 Contributions

| Contribution | Amount £ | Price base | Index | Towards (details) |
|---------------------------|-----------------|-------------------|--------------|--------------------------|
| Public transport services | £52,000 | June 2018 | RPI-x | |
| Total | £52,000 | | | |

Key points

- Although infiltration appears to be the preferred method of disposing of surface water within the site, the infiltration potential for the site has not been verified.
- The shared space streets within the site need to be widened to 6m, plus a service strip of 0.8m in width. The applicant will be required to enter into a private street agreement with the Local Highway Authority under S220 of the Highways Act 1980 concerning any private street that will serve 5 dwellings or more.
- The applicant needs to submit a drawing which must show that a refuse vehicle of not less than 11.6m in length can enter, turn in, and exit the development safely in forward gear, and that the refuse vehicle can get within 25m of the collection point of any household refuse bin, and within 12m of any communal refuse collection area in accordance with *Manual for Streets*.
- The applicant will need to ensure that they can meet Oxfordshire County Council's residential parking standards. For this, a profile of the make-up of the housing will need to be submitted at the reserved matters stage.
- While pedestrians can access the bus stops for the circular bus services from the centre of Bodicote safely and easily, they must detour northwards via Sycamore Drive and the Bankside/A4260 Oxford Road over-pass to access the southbound bus stop for the S4 bus service to Oxford city centre.

Comments:

Vehicular Access

The applicant wants to provide a priority access junction with a ghosted right-turn lane into the development for east-bound motor traffic, plus a pedestrian refuge immediately north of the access and east of the right turn lane.

Paragraph 2.15 of TD 42/95 of the *Design Manual for Roads and Bridges* states that “For new rural junctions they (simple priority junctions) should be used when the design flow of the minor road is not expected to exceed 300 vehicles 2-way AADT, and that on the major road is not expected to exceed 13,000 vehicles 2-way AADT.” Based on the applicant’s TRICS analysis, which I accept, the access road to this development (the minor road) will add 31 two-way trips to the network in the AM peak, 34 two-way trips in the PM peak, and 253 two-way trips per day between 07.00 and 19.00.

Paragraph 2.16 of the TD 42/95 of the *Design Manual for Roads and Bridges* states that “However, upgrading (from a simple priority to a ghosted right-turn lane) should always be considered where...vehicles waiting on the major road to turn right inhibit the through-flow of traffic and create a hazard.” Because of the proximity of the proposed access to the eastern arm of the White Post Road/Sycamore Drive/Bankside roundabout, vehicles waiting to turn right into this development at the PM weekday peak could inhibit the progress of through-traffic as motorists accelerate when exiting the above roundabout in an easterly direction.

Visibility Splays from the Access

The applicant completed AADT 85th percentile wet weather speed surveys on White Post Road between 26 March 2018 and 1 April 2018 in the near vicinity of the site access, although they do not say exactly where. These gave results of 21.9mph in an easterly direction and 24.7mph in a westerly direction. The applicant has then applied a vehicle deceleration rate of 4.41 metres per second and driver perception/reaction time of 1.5 seconds in accordance with Chapter 10 of *Manual for Streets*. I consider *Manual for Streets* to be appropriate highway design guidance for this location and accept the applicant’s speed survey results and visibility splay proposals.

Pedestrian Access to the Development

The applicant proposes a direct access on to White Post Road and proposes a pedestrian refuge which will be built via an agreement under S278 of the Highways Act 1980. In addition to this, the applicant proposes two separate pedestrian accesses directly on to the A4260 Oxford Road. One of these is approximately 87m south of the mid-point of the existing A4260 Oxford Road/White Post Road junction and the other at a point approximately 160m south of this. In both instances, the highway boundary appears to be the back edge of the grass verge immediately to the west of the existing footway on the western side of the A4260 Oxford Road.

To make these accesses usable in all weathers, the applicant will need to provide two hardstanding areas within the highway boundary on the A4260 Oxford Road to connect the proposed accesses to the existing footway. Should they wish the footways within the development to be adopted as public highway, these will need to have hard surfacing. Details of the surfacing will need to be provided.

Existing Access to the current Farm Shop

The existing access to the current land use for part of the site lies approximately 17m to the west of the access proposed by the applicant. The front edge of this immediately south of the carriageway needs to have a full height kerb reinstated and a verge placed immediately south of this and north of the existing footway which is within the highway boundary. These measures will prevent motorists parking vehicles at this location which is a short distance from the roundabout.

Vehicular Parking

Depending on the make-up of the housing proposed, the applicant will need to meet the vehicular parking standards set out in Table A6.B1 on page 63 of Oxfordshire County Council's Residential Roads Design Guide, which can be accessed at: <https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/transportpoliciesandplans/newdevelopments/DesignGuidePublication.pdf> at reserved matters stage.

Cycle Parking

This development is within cycling distance of Banbury town centre and should encourage residents to cycle for short journeys. Therefore, high quality cycle parking facilities should be provided, particularly for dwellings that do not have an allocated garage. The applicant will need to demonstrate how they will meet the cycle parking standards set out in the table below at reserved matters stage:

| | |
|--|---|
| | Residential |
| Long stay/ employee/ resident | 1 bed - 1 space; 2+ beds - 2 Spaces *** |
| Visitor | 1 stand per 2 units where more than 4 units |

Surface Water Drainage

The preferred option for the disposal of surface water is by infiltration. However, the infiltration potential for the site has not been verified at this stage and therefore the Lead Local Flood Authority strongly advises that this be informed through infiltration testing throughout the site and objects to the application because the infiltration potential has not been verified.

It will be an important design consideration that the base of any proposed infiltration device maintains a one metre separation to the seasonal high ground water level, as well as avoiding the mobilisation of any existing contaminant present in the ground. Therefore, seasonal monitoring of ground water levels and soil testing may be necessary in areas where infiltration is viable.

At outline stage it may be acceptable to base infiltration values on typical values for the local geology, but only if an alternative drainage design and agreed point of

discharge is provided should infiltration rates prove to be unsuitable. In this case, it will not be possible to dispose of surface water to a watercourse, and the alternative will be to make use of the nearby sewer system. However, if discharge is to a surface water or combined sewer, or highways ditch or drain, a letter of confirmation from the Water Company or responsible body will be required, stating their required discharge maximum rates and confirmation that there is adequate capacity in the existing system. This information is generally provided by going through the relevant water company's "Pre-Planning Service". The advice given is usually valid for a one-year period. This process will provide assurance that there are no capacity issues with third party assets, as the LLFA are not able to make this type of assumption on behalf of a Water and Sewerage provider. This assurance was not provided within the application documents, therefore the Lead Local Flood Authority objects to this application.

The flood exceedance plan provided with this application shows flow routing out on to the highway. If the drainage system that has been designed to allow flooding on site is during the 1% (1 in 100) storm event (+ 40 % CC), a plan must be provided which identifies where this flooding will occur. Any flooding of the site should be assessed to ascertain if it is safe for the site's users. This can be secured by way of a planning condition.

A Sustainable Urban Drainage (SUDs) Management and Maintenance Plan will need to be produced for this development. This can be secured through a planning condition.

Servicing the Development

The applicant must provide a drawing which shows that a refuse vehicle of the following dimensions can enter, turn in, and exit the development safely in forward gear, can get within 25m of the collection point for any household refuse bin, and within 5m of the collection/storage point for any communal refuse bins:

- Phoenix 2 – 23W with elite 2 6x4 chassis
- Overall length – 11.6m (including bin lift)
- Overall Width – 2.530m
- Overall body height – 3.205m
- Min body ground clearance – 0.410m
- Track width – 2.5m
- Lock to lock time – 4.00s

It is also unclear how some residents will be expected to get refuse bins and bicycles from their back gardens on to the internal collection areas and roads within the development. Plots 27 and 30-34 provide examples of this issue, which will need to be addressed at reserved matters stage.

Shared Space Areas

The applicant proposes some shared space streets/driveways that will feed into the main access road through the site. For example, the road that will serve properties 46-52 has no footway and is a shared space area. Drawing UG1732-URB-UD-XX-XX-GA-(90)-001 Rev. B shows this as having a carriageway width of 5m. This needs to

be widened to have a carriageway width of 6m, plus a service strip of 0.8m in width to allow for the installation of street lighting.

S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):

£52,000 Public Transport Service Contribution indexed from June 2018 using RPI-x

Towards: The improvement in the frequency of local bus services which serve current bus stops near the development.

Justification: The contribution is necessary to make the development acceptable in planning terms because it accords with Banbury Policy 4: Bankside Phase 2 of Cherwell District Council's Local Plan 2011-2031 which states that one of the key components of improving access and movement to and from the development is to extend local bus routes arising from phase 1 of the Bankside development which this is located near. The development is located approximately 425m from bus stops on Sycamore Drive which are served by service B1, which is a circular service travelling via Banbury town centre every 30 minutes, Monday – Saturday 09.15-16.20. It is also 490m from two bus stops on the A4260 Oxford Road which provide an hourly service to Oxford, Monday - Saturday daytime, and two-hourly on Sundays.

This contribution will be pooled with contributions from other residential developments in the local area to enable the procurement of sufficient vehicles to increase the frequency of local bus services where there is sufficient demand, or to operate services at times of the day that do not currently have a service (e.g. later in the evenings or on Sundays).

The contribution is also necessary to make the development acceptable in planning terms because, although there is a Post Office within 1300m of the access to the development, three pubs within 800m of this, and one primary school within 200m of the access, residents will still need to travel to Banbury town centre itself to access amenities, employment, leisure facilities, and rail services. The development is approximately 1.3 miles from Banbury town centre and railway station. Both bus services mentioned above travel via Banbury bus station, which is located immediately west of this. Therefore, this contribution, which could increase the frequency and/or the time coverage of local bus services, would improve access to amenities, employment, and national rail services.

The contribution is fair and reasonably related in scale and kind to the development because it is calculated at a rate of £1,000 per dwelling, a rate which is applied to residential developments throughout Oxfordshire for which contributions to improved local bus services are sought.

Calculation: £1000 per dwellings x 52 dwellings = £52,000

S278 Highway Works:

An obligation to enter into a S278 Agreement will be required to secure mitigation/improvement works, including:

- The construction and tying in of the proposed bell-mouth vehicular and pedestrian access to the existing highway network on White Post Road, together with dropped kerbs, tactile paving, and road markings as shown on Drawing No. 1608/01.
- The construction of a ghosted right turn lane, together with appropriate road markings as shown on Drawing No. 1608/01.
- The construction of a pedestrian refuge, together with dropped kerbs and tactile paving, on White Post Road as shown on Drawing No. 1608/01.
- The construction of two hardstanding areas within the existing highway boundary on the western side of the A4260 Oxford Road, one at a point approximately 86m south of the mid-point of the A4260 Oxford Road/White Post Road junction, and one approximately 160m south of the mid-point of the A4260 Oxford Road/White Post Road junction to connect two proposed pedestrian accesses to the existing footway on the western side of the A4260 Oxford Road.
- The restoration of a full-height kerb and the installation of verging that will not interfere with the existing footway across the existing access to the existing land use of this site, which is approximately 217m west of the proposed vehicular and main pedestrian access to the site.

Notes:

This is secured by means of S106 restriction not to implement development (or occasionally other trigger point) until S278 agreement has been entered into.

The trigger by which time S278 works are to be completed shall also be included in the S106 agreement.

Identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary to enter into the S278 agreements.

S278 agreements include certain payments that apply to all S278 agreements however the S278 agreement may also include an additional payment(s) relating to specific works.

S38 Highway Works – Spine Road

An obligation to provide a spine road as part of the highway network will be required for the development. The S106 agreement will secure delivery via future completion of a S38 agreement.

The S106 agreement will identify for the purpose of the S38 agreement;

- Approximate location of spine road and information as to provision e.g. minimum width of carriageway, footways etc as appropriate.
- Timing – this may be staged.
- Additional facilities/payments e.g. on-site bus infrastructure and related payments.

Planning Conditions:

If permission is given, the following planning conditions should be attached:

Existing vehicular Access to be Stopped Up

Prior to the first use of the access hereby approved, the existing vehicular access for the site's current land use onto the highway east of the White Post Road/Bankside/Sycamore Drive roundabout shall be permanently stopped up by means of the installation of a verge and full-height kerb and shall not be used by any vehicular traffic whatsoever.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Refuse Vehicle Tracking

Prior to the commencement of development, a vehicle tracking drawing, which must show that a refuse vehicle of not less than 11.6m in length can enter, turn in, and exit the development safely in forward gear, and can get within 25m of any residential bin collection point and within 12m of any communal refuse collection point, must be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, construction shall only commence in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Road Construction, Surfacing, and Layout

Prior to the commencement of the development hereby approved, full specification details of the internal carriageways and footways, including construction, surfacing, layout, drainage and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, construction shall only commence in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Parking and Manoeuvring Areas Retained

Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the vehicular parking and manoeuvring areas shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the parking and manoeuvring areas shall be provided on the site in accordance with the approved details and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times thereafter.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Surface Water Drainage Strategy

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes

- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing
- No private drainage into the public highway drainage system.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Travel Plan Statement and Travel Information Pack

Prior to first occupation a Travel Plan Statement and Travel Information Pack shall be submitted to and approved by the Local Planning Authority. The first residents of each dwelling shall be provided with a copy of the approved Travel Information Pack.

Reason: In the interests of maximising the opportunities for travel by sustainable modes in accordance with the National Planning Policy Framework.

Cycle Parking

Prior to the first use or occupation of the development hereby permitted, covered cycle parking facilities shall be provided on the site for those houses that do not have the use of a garage in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of maximising the opportunities for travel by sustainable modes in accordance with the National Planning Policy Framework.

Construction Traffic Management Plan

Prior to the commencement of development, a construction traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, construction shall only commence in accordance with the approved details.

Reason: In the interests of highway safety in accordance with the National Planning Policy Framework.

Informative:

Travel Plan Statement and Travel Information Pack

Please see the document below for more information regarding what needs to be included in these documents:

<https://www2.oxfordshire.gov.uk/cms/sites/default/files/folders/documents/roadsandtransport/transportpoliciesandplans/newdevelopments/TravelAssessmentsandTravelPlans.pdf>

Construction Traffic Management Plan

A CTMP will need to incorporate the following in detail where applicable:

- The CTMP must be appropriately titled, include the site and planning permission number.
- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for on-site works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should be raised with in first instance to be provided and a record kept of these and subsequent resolution.
- Any temporary access arrangements to be agreed with and approved by Highways Depot.
- Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours.

Officer's Name: Will Marshall

Officer's Title: Senior Transport Planner

Date: 6 June 2018

Application no: 18/00792/OUT

Location: Land at Tappers Farm Oxford Road, Bodicote, Banbury.

Education Schedule

Recommendation:

No objection subject to:

- **S106 Contributions** as summarised in the tables below and justified in this Schedule.

| Contribution | Amount £ | Price base | Index | Towards (details) |
|--------------------------------|-----------------|----------------------|--------|---|
| | | | | |
| Primary and early years | £334,923 | 4Q2014 | PUBSEC | A new primary school south of Salt Way |
| Primary School land | £33,906 | November 2016 | RPIX | Land for a new primary school south of Salt Way |

S106 obligations and their compliance with Regulation 122(2) Community Infrastructure Levy Regulations 2010 (as amended):

£334,923 Primary School Contribution indexed from 4Q2014 using PUBSEC Index

Towards: building a new primary school south of Salt Way.

Justification: Banbury's primary schools are forecast to see rapid growth in pupil numbers over the coming years as a result of the scale of housing growth included in the Cherwell Local Plan. Expansion of school capacity is required, and is already underway through a strategic programme of new schools and school expansions. Longford Park Primary School opened in 2017, and a new primary school at Southam Road is due to open 2020. These, in addition to the existing schools, will mean that Banbury schools will jointly offer 813 places per year group by 2020. Current pupil forecasts indicate that this will only be sufficient until 2021, by when further school capacity will be required.

A new school is planned for the development south of Salt Way. This will provide sufficient capacity for a number of surrounding developments, and will lie approximately one mile from this proposed development. The capacity it will provide will be necessary to make this proposed development acceptable in terms of primary school capacity, and this proposed development would be required to contribute in a proportionate manner towards its cost.

Calculation:

The south of Salt Way new school is currently planned as a 2.5 form entry school, the cost of which the county council's property consultants have calculated as **£21,238 per pupil**, or £11,150,000 in total.

This proposed development has been estimated to generate 15.77 primary pupils for whom the necessary capacity would be provided through the new school.

15.77 pupils * £21,238 per pupil = £334,923

£33,906 Primary School Land Cost Contribution indexed from November 2016 using the RPIX Index

Towards: the cost to the county council of acquiring sufficient land south of Salt Way for a new primary school.

Justification: the county council is required to pay to acquire that proportion of site area for the new school south of Salt Way which is not attributable to the expected pupil generation of the host development. Developments benefitting from the additional capacity which will be provided by this school should contribute towards the cost of land in a proportionate manner.

Calculation:

3.01 (hectares of land required for new primary school)

At a value of £375,000 per hectare this equates a total land cost of £1,128,750

Per pupil this equates to £2,150 (£1,128,750 ÷ 525)

This proposed development has been estimated to generate 15.77 primary pupils therefore the land contribution required from this development is:

15.77 x £2,150 = £33,906

CIL Regulation 123

OCC considers that the following education contributions meet the tests required by Regulation 122 (2) of the CIL Regulations but they are not sought due to Regulation 123.

| Contribution | Amount £ | Price base | Towards (details) |
|---------------------|-----------------|-------------------|--|
| Secondary | 325,352 | 3Q2015 | A new secondary school for Banbury |
| Special Education | 11,137 | 4Q14 | Creating additional permanent capacity at Frank Wise School. |

Officer's Name: Barbara Chillman

Officer's Title: Pupil Place Planning Manager

Date: 25 May 2018

Application no: 18/00792/OUT

Location: Land At Tappers Farm Oxford Road Bodicote Banbury

Archaeology Schedule

Recommendation:

No Objection subject to the planning conditions below.

Comments:

The site is located in an area of archaeological interest to the east of an Iron Age and Roman settlement site identified from an archaeological evaluation. This site consisted of a series of pits, posthole and linear features dating to the Iron Age and Roman periods. A possible Bronze Age barrow was also recorded along with a number of Neolithic pits. One possible Neolithic pit was recorded approximately 100m west of this proposed site. Further evidence of Roman occupation was recorded 480m east of the proposed site where Roman ditches and gullies were recorded during another archaeological evaluation.

The line of the Salt Way, a possible Anglo Saxon routeway, aligned WNW – ESE, runs towards the site but stops at the NW edge of the proposed site. The line of this trackway beyond this point is unknown but it is possible that it may have originally continued through the site.

It is likely that aspects of these archaeological features could survive on this site and a programme of archaeological evaluation and mitigation will need to be undertaken ahead of any development.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition as suggested below.

Planning Conditions:

In the event that permission is to be given, the following planning conditions should be attached:

1. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation, relating to the application site area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2012).

2. Following the approval of the Written Scheme of Investigation referred to in condition 1, and prior to any demolition on the site and the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a staged programme of archaeological evaluation and mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority.

Reason – To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2012).

Officer's Name: Richard Oram

Officer's Title: Planning Archaeologist

Date: 22 May 2018

From: Goddard, Andrew - Communities
Sent: 10 October 2018 11:04
To: Plant, Tom - Communities
Cc: Clare O'Hanlon; Lead Local Flood Authority
Subject: RE: New Consultation: Cherwell, 18/00792/OUT 18/00792/OUT Land At Tappers Farm
Oxford Road Bodicote Banbury CRM:0079134

Tom

REF : 18/00792/OUT

PROPOSAL : Outline application (all matters reserved except for access) for the demolition of existing buildings and erection of up to 46 no dwellings, with associated works and provision of open space

LOCATION : Land At Tappers Farm, Oxford Road, Bodicote, Banbury, OX15 4BN

OCC (drainage) Revised Comment : No objection subject to condition : OCC (drainage) has received information that clarifies the point of concern raised in our previous response to this application and confirm no objection to the proposals to manage surface water at this site.

The SuDS proposals are at a very outline nature at this stage with no preferred option identified and without any infiltration testing having been undertaken at the site. Therefore, OCC drainage requests its standard outline surface water pre-commencement condition to apply subject to planning approval being granted.

Condition

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- SUDS (Permeable Paving, Attenuation / Infiltration Pond or other SuDS identified in Section 5.3 of the FRA)
- Maintenance and management of SUDS features (To include provision of a SuDS Management and Maintenance Plan)
- Infiltration in accordance with BRE365 (To include infiltration testing; seasonal monitoring and recording of groundwater levels)
- Detailed drainage layout with pipe numbers
- Network drainage calculations
- Phasing
- Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan)

Andrew Goddard

Engineer
Design & Safety Improvements

Operations
Oxfordshire County Council
County Hall
New Road
Oxford
OX1 1ND

From: Michael Forester
Sent: 24 May 2018 14:23
To: DC Support
Cc: Stuart Howden
Subject: Leisure Consultation Response - 18/00792/OUT

Ref 18/00792/OUT

Off-site outdoor sports facilities capital provision (as per the 2018 SPD):

Offsite contribution towards enhancing outdoor sports facilities within the vicinity of Bodicote (more specific information to be provided as the new district sports studies emerge). Based on £2017.03 per dwelling. 52no dwellings = **£104,885.56**

Off-site indoor sports facilities (as per the 2018 SPD):

Offsite contribution towards enhancing indoor sports facilities within the vicinity of Bodicote (more specific information to be provided as the new district sports studies emerge). Based on £335.32 per person. 52no dwellings x 2.49 x £335.32 = **£43,417.23**

Community Hall Facilities (as per the 2018 SPD):

In accordance with the recommendation of the 2017 CCDS Study a required community hall facility standard of **0.185m² per person** will be applied for applications of 10 dwellings or more. The minimum onsite facility size is 345m² (approx. 750 dwellings). For applications smaller than this, a financial contribution towards existing facilities within the vicinity of the development will be requested. Based on the cost of existing facilities, **£298.88 per 1m²** will be expected. 50 no dwellings x 2.49 persons x 0.185m² x £298.88 = **£6,883.95**

Public Art Provision (as per the 2018 SPD)

Financial contributions will be sought for public realm and public art projects listed in the Council's IDP which is updated on an annual basis. Furthermore, Community Services Arts officers will be consulted on a case by case basis for guidance on what projects to request funding towards for smaller on-site projects.

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**Investment and Growth Team
Regeneration and Housing
Planning Application Comments**

From: Yvonne Markie
Sent: 25 May 2018 15:29
To: Planning; Stuart Howden
Subject: Planning Application Consultation - 18/00792/OUT

Good Afternoon

Please find attached response to the above consultation from the Strategic Housing Team..

Regards

Yvonne Markie

**Yvonne Markie BA (Hons) PgDip FCIH
Strategic Housing Officer
Cherwell and South Northamptonshire Councils
Tel: 01295 221604
Email: Yvonne.markie@cherwellandsouthnorthants.gov.uk**

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**Investment and Growth Team
Regeneration and Housing
Planning Application Comments**

Planning Application Number: 18/00792/OUT

Site Name : Land at Tappers Farm, Oxford Road, Bodicote

Planning Officer : Stuart Howden

Date of Comments: 25/05/2018

Comments by: Yvonne Markie

Comments :

The Council require a 35% affordable housing contribution for applications of 10 or more units in Bodicote parish.

We therefore require 18 units for this development which is for up to 52 units in total.

A split of 70/30 rented/shared ownership units would be expected with clusters of no more than 10 units dispersed across the site.

An indicative mix is below:

Rent

4 x 1b2pM

6 x 2b4pH

3 x 3b5pH

Shared Ownership

3 x 2b4pH

2 x 3b5pH

We would expect that 50% of the affordable rented units would meet the Building Regulations Requirement M4(2) Category 2: Accessible and Adaptable Dwellings requirement. Additionally, 100% of the affordable rented units are to be built to the government's Nationally Described Space Standard (Technical Housing Standards).

We require that one bedroom flats are provided with one parking space per property and two bedroom flats would need two parking spaces.

The RP that takes on the affordable units will need to be discussed and agreed with the Council.

From: BCTAdmin@thameswater.co.uk [<mailto:BCTAdmin@thameswater.co.uk>]

Sent: 01 June 2018 11:46

To: Planning

Subject: 3rd Party Planning Application - 18/00792/OUT

Cherwell District Council
Planning & Development Services
Bodicote House
Bodicote, Banbury
Oxon
OX15 4AA

Our DTS Ref: 53744
Your Ref: 18/00792/OUT

1 June 2018

Dear Sir/Madam

Re: LAND AT TAPPERS FARM, OXFORD ROAD, BODICOTE, BANBURY, OXFORDSHIRE, OX15 4BN

Waste Comments

Following initial investigations, Thames Water has identified an inability of the existing foul water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a phasing and infrastructure strategy for foul water but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or- a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents." The developer can request information to support the discharge of this condition by visiting the Thames Water website <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development>. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Following initial investigations, Thames Water has identified an inability of the existing surface water infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a infrastructure and phasing strategy for surface water but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all surfacewater network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The

development may lead to flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents.” The developer can request information to support the discharge of this condition by visiting the Thames Water website. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development>. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

Water Comments

Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a water strategy but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan. Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development” The developer can request information to support the discharge of this condition by visiting the Thames Water website <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development>. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk

Yours faithfully
Development Planning Department

Development Planning,
Thames Water,
Maple Lodge STW,
Denham Way,
Rickmansworth,
WD3 9SQ
[Tel:020 3577 9998](tel:02035779998)
Email: devcon.team@thameswater.co.uk

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