



<b><u>Consultee</u></b>	<b><u>Date Sent</u></b>	<b><u>Expires</u></b>	<b><u>Reply</u></b>
Ward Councillors – Banbury Cross and Neithrop	29.12.2021	19.01.2022	
Banbury Town Council	04.01.2022	25.01.2022	03.02.2022
Arboriculture CDC	04.01.2022	25.01.2022	
Banbury Historical Association	04.01.2022	25.01.2022	
Clinical Commissioning Group	04.01.2022	25.01.2022	20.01.2022
Conservation CDC	04.01.2022	25.01.2022	22.03.2022
Ecology CDC	04.01.2022	25.01.2022	01.03.2022
Environment Agency	04.01.2022	25.01.2022	01.02.2022
Environmental Health CDC	04.01.2022	25.01.2022	05.01.2022
Fire Service OCC	04.01.2022	25.01.2022	24.01.2022
Landscape Services CDC	04.01.2022	25.01.2022	
Legal Services CDC	04.01.2022	25.01.2022	
Recreation Leisure Community Halls and Art CDC	04.01.2022	25.01.2022	
Oxfordshire County Council Major Planning Applications Team	04.01.2022	25.01.2022	25.02.2022
Planning and Property OCC	04.01.2022	25.01.2022	
Planning Policy CDC	04.01.2022	25.01.2022	
Public Art CDC	04.01.2022	25.01.2022	
Recreation and Leisure CDC	04.01.2022	25.01.2022	25.01.2022
Strategic Housing CDC	04.01.2022	25.01.2022	08.02.2022
Thames Valley Police Design Advisor	04.01.2022	25.01.2022	

Thames Water	04.01.2022	25.01.2022	10.01.2022
Waste and Recycling CDC	04.01.2022	25.01.2022	
CDC Land Drainage	04.01.2022	25.01.2022	05.01.2022
Banbury Active Travel Supporters	04.01.2022	25.01.2022	
Healthy Place Shaping CDC	26.01.2022	16.02.2022	27.01.2022
Oxfordshire County Council Major Planning Applications Team	17.03.2022	31.03.2022	30.03.2022
Oxfordshire County Council Major Planning Applications Team	07.04.2022	28.04.2022	

# Consultee Comment for planning application 21/04202/F

<b>Application Number</b>	<input type="text" value="21/04202/F"/>
<b>Location</b>	<input type="text" value="Former Buzz Bingo Bolton Road Banbury OX16 5UL"/>
<b>Proposal</b>	<input type="text" value="Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping."/>
<b>Case Officer</b>	<input type="text" value="Linda Griffiths"/>
<b>Organisation</b>	<input type="text" value="Clerk to Banbury Town Council"/>
<b>Name</b>	<input type="text"/>
<b>Address</b>	<input type="text" value="Town Hall Town Hall Buildings Bridge Street Banbury OX16 5QB"/>
<b>Type of Comment</b>	<input type="text" value="Comment"/>
<b>Type</b>	<input type="text"/>
<b>Comments</b>	<input type="text" value="Banbury Town Council agree with the principle of this form of development in this location but raise concerns about the scale and siting of the blocks nearest to Trelawn House and suggest that a greater set back from the listed building be explored with reduced block sizesheights near to the listed building ."/>
<b>Received Date</b>	<input type="text" value="03/02/2022 09:33:38"/>
<b>Attachments</b>	

# Consultee Comment for planning application 21/04202/F

<b>Application Number</b>	21/04202/F
<b>Location</b>	Former Buzz Bingo Bolton Road Banbury OX16 5UL
<b>Proposal</b>	Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.
<b>Case Officer</b>	Linda Griffiths
<b>Organisation</b>	CDC - Land Drainage
<b>Name</b>	Tony Brummell
<b>Address</b>	Cherwell District Council Bodicote House White Post Road Bodicote Banbury OX15 4AA
<b>Type of Comment</b>	Comment
<b>Type</b>	
<b>Comments</b>	Land Drainage/Flood Risk: No comments or objections. Surface Water Drainage: Section 2 of the applicant's "Flood Risk and Drainage Technical Note" covers the proposed means of surface water drainage. The Note concludes that no means of surface water disposal is available for the site other than to the adjacent public surface water sewerage system. Its conclusion that the underlying stratum is not suitable for soakaways is wholly consistent with my experience and knowledge of the ground conditions in this locality. The Note further shows that the 1% AEP greenfield rate from the development as proposed will represent significant betterment over the existing conditions and on that basis I support the strategy. However, Thames Water must also be consulted for their agreement to it.
<b>Received Date</b>	05/01/2022 16:13:14
<b>Attachments</b>	

From: Neil Whitton  
Sent: 05 January 2022 13:55  
To: Linda Griffiths  
Cc: DC Support  
Subject: 21/04202/F - Buzz Bingo, Bolton Road, Banbury, Oxfordshire, OX16 5UL

Environmental Protection has the following response to this application as presented:

Noise: Having read the noise report provided I have the following comments:

Where there is a need for background ventilation to achieve the desired noise levels then an overheating assessment should be carried out and any mitigation required is in place prior to first occupation.

Whilst the external areas on to castle street will have noise levels above 55dB as long as all residents have access to the communal patio area for relaxing then this is not a reason for objection however I am concerned that relying on the gate being closed is not the best way to maintain a good noise environment on the patio area. I would have thought that the best way to do this would be to have an acoustic fence/wall running the full length of the boundary with Land Tyre Service.

Having read the CMP provided I am satisfied with its contents.

Contaminated Land: Having read the report provided I am satisfied with its contents and findings. I would like the following condition to be placed on any permission granted:

Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the local planning authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development [or relevant phase of development] is resumed or continued.

Air Quality: Having read the AQ report provided I am satisfied with its contents and findings, I would like the following condition placed on any permission granted:

Prior to the occupation of the development there should be measures in place to encourage the uptake of low emission transport including the provision of Electric Vehicle (EV) charging infrastructure. We require EV charge points to 25% of the proposed parking and ducting to the rest of the parking spots to allow for the easy expansion of the EV charging system to allow for the future uptake of EV's by residents and visitors to maximise opportunities for sustainable transport in accordance with Government guidance contained within the National Planning Policy Framework.

Reason – To comply with policies SLE 4, ESD 1, ESD 3 and ESD 5 of the adopted Cherwell Local Plan 2011-2031 Part 1 and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework

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 BSC, MCIEH  
Environmental Health Officer  
Environmental Health and Licensing  
Cherwell District Council

**From:** Rosie Rowe  
**Sent:** 27 January 2022 08:49  
**To:** Linda Griffiths  
**Subject:** RE: HIA Consultation

Thanks Linda for sight. This application will have most impact on primary care services – I have checked with CCG colleagues and they are responding. Nothing else from me.

Thanks

Rosie

Application number(s):	21/04202/F
Application site:	Former Buzz Bingo, Bolton Road, Banbury OX16 5UL
Proposal:	Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.

- Listed Building – refer to separate 21/04179/LB
  Conservation Area
  Setting of a Listed Building  
 Grade I
  Grade II\*
  Grade II – refer to separate 21/04179/LB

### Policies

#### Cherwell Local Plan 2011-2031 (2015)

- Policy ESD15** “Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.” And that, “New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All new development will be required to meet high design standards.”

New development proposals should: Conserve, sustain and enhance designated and non-designated ‘heritage assets’ including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated, furthermore development should respect the traditional pattern of the form, scale and massing of buildings.

Any application should include necessary information on Heritage Assets sufficient to assess the potential impact of the proposal on their significance. Further, where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.

- X SLE2: Securing Dynamic Town Centres.
  - X ESD1: Mitigating and adapting to climate change
  - X ESD5: Renewable energy.
  - X Policy Banbury 8
- Other policies include Policy SLE2, Policy BSC2, Policy ESD1, Policy ESD2, Policy ESD3, Policy ESD4, Policy ESD5, Policy Banbury 7.

#### Cherwell Local Plan 1996 Saved Policies

- C18** Works to a listed building should preserve the building, its setting and any features of special architectural or historic interest. Alterations or extensions to a listed building should be minor and sympathetic. [21/04179/LB](#)
- C23** Presumption in favour of retaining positive features within a Conservation Area.
- C28** The layout, design and materials proposed within a new development should respect the existing local character. ‘control will be exercised over all new development to ensure that standards of layout, design and external appearance are sympathetic to the character of the urban or rural context of that development.
- C30:** The design of the proposed scheme should show compatibility with the existing street scene and vicinity.
- C34** Buildings whose height or appearance would spoil views of St Mary’s Church, Banbury, will not normally be permitted.
- 9.48 In implementing policy C34 the Council will have regard to the physical context of the development proposed. Proposals for new buildings of obviously poor design or ostensibly out of scale with their surroundings or of incongruous materials will normally be resisted. Regard will be taken of the topography of the site, existing trees, and other features of importance.



## NPPF – Chapter 16

- Paragraph 194.** In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.
- Paragraph 195.** Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise.
- Paragraph 199.** When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- Paragraph 200.** Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
  - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
- Paragraph 201.** Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
- a) the nature of the heritage asset prevents all reasonable uses of the site; and
  - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
  - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
  - d) the harm or loss is outweighed by the benefit of bringing the site back into use.
- Paragraph 202.** Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- Paragraph 203.** The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

### Other Relevant Policies and guidance

- Cherwell DC's 'Guidance on heritage applications' can be found here:  
<https://www.cherwell.gov.uk/downloads/126/conservation-and-heritage>  
Historic England's Statements of Heritage Significance: Analysing Significance in Heritage Assets Historic England Advice Note 12  
Historic England's Conservation Principles, Policies and Guidance 2008  
Historic England's The Setting of Heritage Assets, GPA3 2017  
Historic England's Streets for All  
The Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter 1987)  
CDC The Banbury Vision and Masterplan 2016 supplementary planning document – Banbury 8  
CDC Residential Design Guide supplementary planning document 2018  
CDC The Banbury Conservation Appraisal (Sept 2018)  
Oxfordshire Health Impact Assessment Toolkit

## Planning (Listed Buildings and Conservation Areas) Act 1990

**X** **Section 16.** In considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

**X** **Section 72.** With respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

### Significance

#### **Banbury Conservation Area Appraisal – designated 1969, last reviewed September 2018: the site bounds the Main Route/Calthorpe/Medieval/and Castle Street Character Areas**

Banbury is a rural market town with an intact medieval street pattern within its central core, surrounded by 18<sup>th</sup> and 19<sup>th</sup> century suburbs. The significant urban fabric and grain of the town needs to be understood and respected to inform any future development. The c1800 map of Banbury shows an exceptionally complete and elegant network of streets and spaces. The town has several archaeological sites of significance, the site of the North Bar (one of 5 toll gates in an unwallled town) lies immediately NW of the site, and the Municipal Boundary ran east of this along the south of Castle Street West – see CAA Section 4.

#### Banbury Conservation Area Appraisal Main Route Corridor Character Area

*‘Despite comprising a variety of building types, ages, uses and architectural styles, the homogeneity of this character area is derived from its linear space clearly defined by strong building lines... This is one of the busiest areas of the town with constant movement of vehicles and pedestrians throughout the day and evening.’*

#### Banbury Conservation Area Appraisal Medieval Core Character Area

*‘The medieval street pattern remains intact comprising Market Place, medieval streets with burgage plots and interconnecting lanes. This remains the traditional retail and commercial core of the town with some retail redevelopment and continues to host the market and street fair. The treeless environment is somewhat enlivened by street furniture and active frontages at ground floor level.’*

#### **Key listed Buildings in the immediate area, not including St Mary’s which has its own Policy C34 – see above:**

- BANBURY NORTH BAR STREET (East side) SP4540NW No.34 (Trelawn) 6/129 16/06/77 **GV II**
- BANBURY NORTH BAR STREET (East side) SP4540NW No.42 (Cherwell Interiors) 6/130 (Formerly listed as No.42) 07/10/69 **GV II**
- BANBURY NORTH BAR STREET (East side) SP4540NW Nos.43 and 44 (Robert Atkins 6/131 and Powdrell) (Formerly listed as No.43 and 07/10/69 No.44) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (East side) 6/132 No.45 07/10/69 **GV II**
- BANBURY NORTH BAR STREET SP4540NW (East side) No.47 (Johnson and Gaunt 6/133 Solicitors) 07/10/69 (Formerly listed as No.47) **GV II\***
- BANBURY NORTH BAR STREET SP4540NW (East side) 6/134 No.48 (David Taylor) and No.49 (Roberts Dental Surgeon) 07/10/69 (Formerly listed as No.48 and No.49) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (West side) 6/135 No.20 (Arrow Audio and Oscan 07/10/69 Electronics) (Formerly listed as No.20) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (West side) 6/137 Nos.13 and 14 (4B Micro 07/10/69 Centres) (Formerly listed as No.13 and No.14) **GV II**
- BANBURY NORTH BAR STREET SP4540NW (West side) 6/136 No.15 (The Cross Bar) 07/10/69 (Formerly listed as No.15) **GV II**
- BANBURY SOUTHAM ROAD SP4540NW (East side) 6/198 No.3 (The Three Pidgeons 16/06/77 Public House) **GV II**
- BANBURY SOUTHAM ROAD SP4540NW (East side) 6/197 Nos.4 to 8 (consecutive) 16/06/77 **GV II**

There are further listed buildings to Parsons Street and the Cornmarket that are relevant to the wider Banbury 8 site.

#### **Local Heritage Assets/Non-Designated Heritage Assets:**

*These include buildings on North Bar Street, Warwick Road and Castle Street.*

**The Burra Charter (1979, last updated 2013) Article 1.2:**

*“Cultural significance means aesthetic, historic, scientific, social or spiritual value for past, present or future generations. Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups”*

**The Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter 1987):**

*“All urban communities, whether they have developed gradually over time or have been created deliberately, are an expression of the diversity of societies throughout history. This charter concerns historic urban areas, large and small, including cities, towns and historic centres or quarters, together with their natural and man-made environments. Beyond their role as historical documents, these areas embody the values of traditional urban cultures. Today many such areas are being threatened, physically degraded, damaged or even destroyed, by the impact of the urban development that follows industrialisation in societies everywhere.”*

*“This new text defines the principles, objectives, and methods necessary for the conservation of historic towns and urban areas.” It also seeks to “promote the harmony of both private and community life in these areas and to encourage the preservation of those cultural properties, however modest in scale, that constitute the memory of mankind.”*

*“Qualities to be preserved include the historic character of the town or urban area and all those material and spiritual elements that express this character, especially: a) Urban patterns as defined by lots and streets; b) Relationships between buildings and green and open spaces; c) The formal appearance, interior and exterior, of buildings as defined by scale, size, style, construction, materials, colour and decoration; d) The relationship between the town or urban area and its surrounding setting, both natural and man-made; and e) The various functions that the town or urban area has acquired over time. Any threat to these qualities would compromise the authenticity of the historic town or urban area.”*

*“The conservation of historic towns and urban areas concerns their residents first of all.”*

*“Planning for the conservation of historic towns and urban areas should be preceded by multidisciplinary studies. Conservation plans must address all relevant factors including archaeology, history, architecture, techniques, sociology and economics.”*

*“ensuring a harmonious relationship between the historic urban areas and the town as a whole.”*

*“Before any intervention, existing conditions in the area should be thoroughly documented”*

*“ New functions and activities should be compatible with the character of the historic town or urban area. Adaptation of these areas to contemporary life requires the careful installation or improvement of public service facilities.”*

*“ When it is necessary to construct new buildings or adapt existing ones, the existing spatial layout should be respected, especially in terms of scale and lot size. The introduction of contemporary elements in harmony with the surroundings should not be discouraged since such features can contribute to the enrichment of an area.”*

*“Knowledge of the history of a historic town or urban area should be expanded through archaeological investigation and appropriate preservation of archaeological findings.”*

*“Traffic inside a historic town or urban area must be controlled and parking areas must be planned so that they do not damage the historic fabric or its environment.”*

**Historic England’s Conservation Area Appraisal Designation Management:**

Historic areas are a link to our past that provides a sense of continuity and reassurance to a community. Historic England’s notes *“The way building traditions and settlement patterns are superimposed and survive over time will be unique to the townscape of each area. This local distinctiveness can provide a catalyst for regeneration and inspire well designed new development which brings economic and social benefits valued by both local planning authorities and local communities.”*

### The Application Site:

The site is part of an important urban block in the centre of Banbury, lying within and adjacent to the Banbury Conservation Area. Whilst there are several important listed buildings and non-designated heritage assets, with key views and focal points, the quality of the street scene has suffered due to a lack of vision in the late 20<sup>th</sup> century and early part of the 21<sup>st</sup> century. A concurrent application 21/04179/LB deals with the demolition of the Buzz Bingo buildings which enveloped 3 sides of the Grade II listed Trelawn House.

### Comparing historic and current views:



The two buildings in the black and white photo beside the roundabout were demolished as part of the road widening between 1955 and 1966. The white building on the left formed the south boundary of Back Lane and Cuttle Brook (the lane later became known as Castle Street) and the north of the lane was formed by the Three Pigeons as seen in the 2<sup>nd</sup> photograph from the right.



Copyright: Britain from Above 1947 - The red and blue hatches indicate some of the buildings that have since been demolished. <https://www.britainfromabove.org.uk/en/image/EAW006314>

The visual analysis maps in Figures 14 and 18 of the Banbury Conservation Area Appraisal (CAA) identify views. There are other important views adjacent to the site and outside of the Conservation Area which need to be considered, including views of St Mary's Church from Castle Street, North Bar Street and Southam Road (Saved Policy 34), and the settings of other listed buildings.

The submission includes an Archaeological Desk Top Assessment, a Heritage Statement, A Design and Access Statement, a Planning Statement, a Landscape Strategy, a Banbury Urban Form Analysis, and a Visual Assessment of the proposals.

### Ground Contamination report:

The c1800 map shows a Tanyard\* immediately north of the later Engineering Works, this is not mentioned in the report (<https://www.colvilleleather.co.uk/blogs/news/a-brief-history-of-leather-tanning>)



Lobel c1800



Plot Sheet

### Flood Risk and Drainage:

The c1800 map shows 'Cuttle Brook' on the south side of 'Back Lane' which may have been diverted or buried beneath Castle Street.

## Appraisal

- Demolition of modern building attached to listed building – refer to separate 21/04179/LB
- Setting of listed buildings - including views
- Banbury Conservation Area

**Relevant Planning History: See Appendix for earlier applications**

**21/01879/Preapp – raised possible retirement living use – refer to formal Conservation Comments**

**21/02881/Preapp - retirement living use**

**Current Proposal: Assuming the comments on the concurrent 21/04179/LB can be addressed**

**Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.**

Advisory Note: This scheme has been assessed on the information submitted by the applicant to the Council. The proposal has been assessed, as applicable, against the criteria set out in the design and conservation policies of the Cherwell Residential Design SPD adopted July 2018 and Cherwell Local Plan 2011-2031, the Saved Policies from the Adopted Local Plan 1996, the NPPG - Plan Making: the Historic Environment. Describes public benefits as *'anything that delivers economic, social or environmental progress.'*, the NPPF, Historic England guidance, the Banbury Conservation Appraisal (Sept 2018), and any supplementary guidance drafted by the local authority and related to this site.

The Conservation Team have now reviewed the listed building consent for the concurrent scheme for Trelawn House 21/04179/LB and this Planning Application submitted by Churchill Retirement Living for the redevelopment of the site for '80 retirement living apartments including communal facilities, access, car parking and landscaping' in the town centre of Banbury, within the Banbury Conservation Area. We have attended two pre-app meetings where the Applicant was present along with their project team to further understand the submission. A further site visit has been undertaken to provide the Conservation Consultation response for this re-development scheme. Our comments are informed by the above, and the submission which includes an Archaeological Desk Top Assessment, Heritage Statement, Banbury Urban Form Analysis, Design and Access Statement, Planning Statement and a Visual Assessment of the proposals. We have the following observations to make:

Historic England's Conservation Area Appraisal, Designation and Management: *'Change is inevitable, and often beneficial, and this advice sets out ways to manage change in a way that conserves and enhances the character and appearance of historic areas. Conservation areas can contribute to sustainable development in all its three dimensions as outlined in the NPPF. However, 512 conservation areas were recorded as 'at risk' by local planning authorities in Historic England's national survey in 2017 through pressure for inappropriate new development, vacancy, decay or damage (the gathering of local authority information on conservation areas at risk has provided information on over 80% of conservation areas in England).'*

### **Banbury Conservation Area:**

The Banbury Conservation Area is a designated heritage asset (DHA) and comprises mainly traditional buildings forming strong frontages on burgage plots using a limited palette of materials, form and scale. The designation aims to manage and protect the special architectural and historic interest of the urban grain of the town and the features that make it unique. Any new development should preserve or enhance the character or appearance of the conservation area, "the special architectural or historic interest of which it is desirable to conserve or enhance". This enables the achievement of higher standards of design in new developments and secures the conservation of existing important features and characteristics. Information supporting planning applications must demonstrate the proposal, and its impact on the conservation area, in sufficient detail to enable a thorough assessment.

The Banbury Conservation Appraisal (CAA) identified the following summary of issues and opportunities:

- *The future preservation and enhancement of the special character of the conservation area will owe much to the positive management of the area by homeowners, landowners, highways, and service providers. In addition to national statutory legislation and local planning control, the following opportunities for enhancement have been identified: ...*
- *Promote economic regeneration through a series of heritage-led schemes*
- *Management and regeneration of degraded areas*
- *Locally significant buildings, structures and areas have been identified and added to the district-wide register of Non-designated Heritage Assets...*
- *Ensure the protection of historic detail and the reinstatement of missing architectural details*
- *Ensure that all new development is sustainable, high quality, and responds to its historic environment*
- *Promote the sympathetic management of the public realm*

*Section 22 of the CAA Opportunities and Options for Regeneration: “Sadly site and whole-scale land clearance (such as land west of Pepper Alley and Bolton Road) have resulted in the loss of often significant buildings and spaces of heritage significance. However the significance of these alleys and yards remains. The best and most significant parts of the past should be integrated into the future of any location. It is therefore beholden on any scheme for the regeneration of Banbury that the enclosed and intimate nature of these spaces is ensured. Therefore where there has been site clearance any new scheme should seek to re-establish an intimate built form, referential to the historic settlement pattern of the site, which provides relatively high density accommodation in these inner-town locations.” and “The town planning schemes of the 20th century have left Banbury with current day Castle Street and Bolton Road area, the remains of the northern working canal-side suburb of the town. The area now comprises a limited number of terraces of 19th century housing which sits ill with the 20th century roads that have been engineered through. The multi-storey carpark has now gone and the site sits ready for a heritage-inspired scheme sympathetic to the northern boundary of the medieval core and the remaining terraced housing which will enhance the approach to the town and the canal.”*

The proposed development site lies adjacent to the site of Banbury’s historic North Bar, south of the Cuttle Brook and Back Lane (now known as Castle Street). There was a strong traditional frontage to North Bar Street/Southam Road with long rear linear development stretching to the east. A Tanyard\* was located north of the site and likely used the Brook, contaminated land may have been encapsulated under the raised level. We later see an engineering works on the line of Castle Street, formal gardens with orchards and glasshouses, and a bowling green which was later developed as a multi-storey car park that has only recently been demolished and the land used as a surface car park.

The rear out-shots to the north of Parsons Street form an ‘unsightly edge’ to the north of the Medieval Core Character Area, an informal route from North Bar Street is used over private land owned by the Grade II\* listed 47 North Bar Street and links with the Cornmarket and provides a shortcut to Castle Street. The CAA identifies threats to this area as: *“There are a few gap sites within the historic core, although there are development opportunities to enclose the exposed backs of properties for example at Bolton Road.”* However, it also notes *“The commercial properties on Parson Street still require delivery by vehicles...”*

The visual analysis of the Main Route Character Area (Figure 18) identifies the bingo site as a negative landmark and the crossroads where the North Bar stood as a point of ‘disorientation’

**The Banbury Vision and Masterplan 2016 supplementary planning document:**

Refer to the document for illustrations.

*‘The vision is to create a vibrant and attractive town centre, but with continued pressures from out of town retailing and internet shopping the future role and viability of the town centre, as in other towns, is being tested. The town centre must deliver an entertainment, cultural and leisure quarter, quality food retailing and new niche and speciality shops together with festivals and events. This should be complimented with improved access, an enhanced business and professional sector together with new town centre housing and improved community facilities.’*

*‘The quality and character of the environment is a part of what creates that sense of place that unifies towns and sometimes makes them memorable. It provides the setting for daily life and enables a healthier lifestyle with better links to open space and sports facilities. Proposals include providing a north-south green lung that improves access to the town centre and opens up the canal and river; new public spaces and green links connecting the neighbourhoods together; attractive gateways in to the town; a richer more diverse bio-environment; and, new open space and amenity areas to serve the needs of residents.’*

Banbury 8 – The development of the Bolton Road site on the northern edge of the town centre alongside Castle Street. ‘Bolton Road Development Area’ is identified as a key development site which includes this application site and is identified in the Local Plan town centre allocations. The first bullet point under the Initiative section is *“Preserving and enhancing the heritage assets, and their settings, within the town centre”* . Under Vitality *“Mixed use development of the Bolton Road site to support Parson’s Street and the north-western quarter of the town centre”*. It also identifies that junction improvements are needed to the crossroads between North Bar Street/Castle Street/Warwick Road and Southam Road.

New trees and landscape to Castle Street frontage/Improvements to town centre public realm. Street improvements to North Bar Street/New linkages Bolton Road connection from Castle Street. Including as part of the making of east/west connections. *“Greening of the town centre retail area improving east – west connectivity from People’s Park to an enhanced green lung along the river/canal corridor.”*



Important new frontage formed from new development blocks/ retained listed building frontage/Bolton Road retained as service to rear of Parson's Street properties. New development and pedestrian links into Parsons Street/greening of Castle Street/public square and access to parking.

### **Bolton Road Area (Banbury 8)**

The Bolton Road development area is located in the north-west corner of the town centre, south of Castle Street. Bolton Road runs in an east-west direction through the area, with the properties fronting onto Parson's Street backing onto it. The area contains a bingo club, offices and small business units. It is well located to provide access into the main retail area, but suffers from a poor image as back land with unattractive parking facilities.

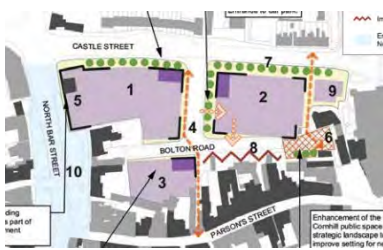
The recent demolition of the multi-storey car park provides an opportunity for redevelopment that respects the historic environment in this part of the town. There is the opportunity to redevelop the area to create: an intensification of uses; improved frontage along Castle Street; access into Parson's Street; and, synergy with the main town centre retail area. The site is prominent and visible from the main road network, but also has good links into the town centre and the Castle Quay Shopping Centre. One of the key issues, which will affect the deliverability and viability, is whether the development area should include the rear of the Parson's Street properties next to Bolton Road.

The land between Bolton Road and Castle Street should provide a mixture of residential and town centre uses, including niche retailing opportunities together with car parking to serve this part of the town centre, which will support the Parson's Street retail quarter.

The transport and movement strategy shows the Bolton Road site continuing to provide town centre car parking to service Parson's Street and the adjacent town centre area. The frontage onto Castle Street has the potential for new bus stops to provide better access to public transport. A new pedestrian link from the Bolton Road area to Parson's Street should be provided to improve connectivity through the retail area and link into the proposed enhancements around St Mary's Church and Church Lane. The special historic architectural character of the listed buildings and their settings should be considered as part of any development proposals. To deliver the Bolton Road development Cherwell District Council and Oxfordshire County Council should undertake the following actions:

- Prepare a deliverable Development Brief that develops the principles set out in this document with minimum use of Parson's Street properties;
  - Identify a development partner who shares the vision for this site and will work with CDC and OCC to deliver the scheme; and
  - Investigate the deliverability of the proposed new pedestrian link with property owners on Parson's Street.
- The key urban design principles that will guide the redevelopment of the area are set out in Appendix I.

Bolton Road development area (Banbury 8) Development proposals should be consistent with the design principles below, which build on the Local Plan Policy.



The Banbury Vision and Masterplan 2016: Bolton Road – Urban Plan Framework pg. 62 key for numbers mentioned below.

#### **Key urban design/development principles**

1. Bolton Street development area split into three development areas (1, 2 and 3) by the existing road network, with area 1 on the west to provide three/four storey mixed use development for residential and town centre uses. Existing modern buildings will need to be removed if Area 1 comes forward for redevelopment. Uses and occupiers could remain on the site.
2. Area 2 on the east to be redeveloped for car parking and perimeter mixed use along Bolton Street close to Cornhill and the public space next to The Beer Tree public house.
3. Area 3 includes the surface car park behind Parson's Street to be developed for mixed use with a gateway building forming a frontage and access to Parson's Street through a new pedestrian link. The special historic architectural character of the listed buildings and their settings to be considered as part of any redevelopment proposals.

4. *New pedestrian and cycle link through the rear of Parson's Street properties to connect the Bolton Road Development and car park to retail activity on Parson's Street.*
5. *Existing Listed Buildings fronting onto Parson's Street and North Bar Street to be retained as part of the comprehensive regeneration of the site. All development proposals within the Bolton Road development area should seek to preserve and enhance listed buildings and the conservation area. The Urban Framework Plan opposite illustrates a development solution following the urban design principles:*
6. *Cornhill public space improved and extended with strategic landscaping at the eastern end of Bolton Road and a new pedestrian/cycle link onto Castle Street to improve town centre accessibility.*
7. *Improved frontage onto Castle Street with strategic landscaping.*
8. *Bolton Road retained for service access to rear of Parson's Street properties. Consideration to be given to the inclusion of the rear of Parson's Street as part of the development area after consultation with owners/operators.*
9. *Existing single storey building to be redeveloped.*
10. *Environmental improvements to North Bar Street and Horse Fair to include new public realm, landscape*

The proposed development site has the potential to fulfil **some of** these requirements (highlighted in green above), without compromising the wider goals of Policy Banbury 8.

Banbury 8 identifies the application site within a potential new development area with the potential for 3-4 storey mixed use, although there would be conservation and urban design concerns with 4-storey housing adjacent to the 2-storey listed buildings, we recognise there is a precedent for lower vernacular 3-stories beside the listed Trelawn House. The historic curtilage of Trelawn House, 34 North Bar Street, extended eastward. Demolition or extension to the listed building is part of a concurrent listed building consent [21/04179/LB](#).

**The Charter for the Conservation of Historic Towns and Urban Areas (Washington Charter 1987) highlights the need to understand the place and the benefits of community involvement. The following key headings for further study and analysis were identified as part of the initial preapp:**

- *Topography of the site/site sections*
- *Design, layout, scale, proportion, form, massing and materials*
- *Permeability*
- *Security through design and active frontages and mixed use*
- *Healthy Place Shaping, the public realm and landscaping*
- *Heritage Statement, Design Parameters and the Setting of Heritage Assets (Historic England's guidance GPA3)*
- *Archaeology: Desk top assessment. I note an Archaeological Field Evaluation has been recommended by the County Archaeologist in their comments on this application.*

#### **Current Proposal:**

The principle of the retirement living development on the site is supported.



#### **Plan form – building footprint and massing:**

Issues: Active frontage/passive surveillance/building line/scale

Traditionally Banbury has a strong active street frontage, typically back of pavement or behind small gardens enclosed by railings running parallel with the street, of single pile, with phased rear wings extending along deep burgage plots. These rear wings were often service wings or developed as additional housing, making a very dense urban fabric which was permeable due to the many narrow lanes that ran between the urban blocks. The Grade II listed Trelawn House is a dwelling with two rear wings which creates the illusion of a deeper pile, not common in this part of the Conservation Area.



By the publication of the 1885 OS map, the north side of Castle Street West (Formerly Back Lane) consisted of a row of terraced brick houses fronting the street, which survives almost intact. The Cuttle Brook ran along the south of Back Lane and was most likely a ditch forming the Municipal Boundary. The brook is not marked on the 1885 OS Map and resulted in the boundary being marked as 'Und' (meaning undefined boundary). To the north of Trelawn House there appears to have been a parallel lane giving access to a long linear series of buildings (residential or possible mews). Separated by a smaller lane, to the north of this range, there was a short terrace in alignment with Trelawn House, set back from Castle Street behind gardens, with small yards to the rear (demolished between 1955 and 1966 to widen Castle Street). The white building in the 'Comparing historic and current views' photos, also demolished for the widening of Castle Street, addressed both North Bar Street and Castle Street but on a different alignment from Trelawn House.



c1800



1882



1900

When we look back at the early OS maps and the c1800 Lobel map we see the junction at North Bar was once denser. The proposal under the concurrent [21/04179/LB](#) looks to expose the northern gable of Trelawn House and this application does not take up the challenge of rebuilding on the corner site. This will make the intersection between the four streets less defined. The opportunity to create a piece of architecture worthy of corner status, adjacent to the Grade II listed Trelawn House and the Three Pigeons Pub was encouraged at Preapp, although the alternative option of public art celebrating the history of the North Bar was also discussed. Not building on the corner site means that there is more pressure to create denser development on Castle Street and Bolton Road. The landscaping and public artwork on the corner site must therefore make a positive statement to the streetscape. The north elevation of Trelawn House is blank and was not designed to be exposed to public view.

We also confirmed at preapp that the development did not need to be a slavish copy of typical Banbury terraces but the basic proportions of a Georgian or Victorian façade, with the balance of solid to void, could translate to a modern development. However, the proposed development aims to interpret existing terraces in a traditional way, and I do not have an issue with this if the proportions and details are correct.



The development aligns with Trelawn House creating a green wedge to Castle Street with the building line set back. It runs parallel with the north wall of Trelawn House in the western part, and then breaks forward, parallel with Castle Street. I am not wholly convinced that Trelawn House, with its blank north elevation, should dictate this move away from a strongly defined building line addressing Castle Street and North Bar Street illustrated in the Banbury 8 masterplan, especially when we need to make the best use of land. It also creates difficulty at the change in angle which has not been resolved in the proposals.

#### Castle Street Elevation:



The west block on Castle Street is 3-storeys, set slightly above pavement level, this should step down to 2 storeys beside Trelawn House, and the space between the two would need further consideration. As the roof is continuous and there is a stone band separating the second and first floor it looks quite monolithic, as it lacks the usual plot width of traditional terraces normally be divided by chimneys and doors. Omitting the stone band and dividing the façade into typical 2-bay burgage plots would be more reflective of the north side of Castle Street. Chimneys can be useful for disguising ventilation and SVPs. Juliet balconies would be discouraged fronting the highway. The widths of the doors and windows look too wide and the band of masonry between ground and first floors looks too thin omitting the Juliet balconies would help. The proportions of the white block are too squat, and together with the width and colour, detracts from the scheme. The depth of the roof slope east of the white block creates a roof slope that is too big (compare with the lower 3-storey roof) and starts to make the development look contrived). It would also look better without the thin vertical strip to the eastern 4-storey block, I would rather see a 2-storey building on the corner than the 4 storeys.



The relationship of the new development with Trelawn House. The landscaping scheme does not look to be particularly urban or usable but could be developed into a positive space – see comments below.

**North Bar Elevation:**



The proposed development south of Trelawn House is 3-storeys. North Bar Street rises in a southerly direction towards the south of the application site and adjoins modest 3-storey development with a higher eaves line. There would be an opportunity to have modest 3-storeys fronting the public car park with slightly higher eaves aligning with the adjacent 3-storeys, stepping down to 2-storeys towards Trelawn House. See comments elsewhere on the corner site.

The rendered painted brick looks contrived and should be removed. The non-symmetrical door with side light should be replaced with symmetrical door with no side lights. Porches should be narrower as per the red door version and their success will come down to the material and detail being authentic and appropriate for Banbury. The proportion of the windows is wider than we normally see in Banbury for sash windows, yet not tall enough for cruciform windows – both patterns can be found in Cherwell. The gap between lintels and cills would benefit from slight adjustment. Eaves should not overhang but be traditional, and boxed eaves or fascias should be avoided. Chimneys should be authentic.



View looking north down towards Trelawn House.

**The site boundary:** Refer to the Banbury Landscape Strategy.  
 Issues: Active frontage/passive surveillance/east-west green lung.



Railings Oxford Road

The proposals include a 1.2m high railing at the back of pavement to Castle Street and North Bar, behind which is green space with the building line set back and a single access point to the development. There are 12No paved areas suggesting residents would be able to walk out into the ribbon of green space between the new building and the pavement. There appears to be dense planting north of the proposed hedge and I have some concerns this would hide any active frontage, and reduce limited passive surveillance of Castle Street. Trees with a higher canopy, well maintained low hedges and lawns might provide greater visible permeability between the retirement living and the street. There would also be an opportunity for a neat community garden for residents.

Trees in urban areas improve the environmental quality of the environment in a number of ways. Trees absorb noise and pollution, provide oxygen and moisture, provide privacy and can help stabilise land. They can also support wildlife. Care is needed in the selection of species, method of planting SUDS and natural watering and long term maintenance. Trees should be grown as assets rather than liabilities. Castle Street is a wide road and it would be softened by the extension of the existing trees which stood beside the former multi-storey car park.

<https://historicengland.org.uk/images-books/publications/streets-for-all/heag149-sfa-national/> page 48

		
When planting is dense it is difficult to see the active frontage behind – Castle Street elevation	Simple lawn between trees would allow greater visibility and passive surveillance	Small garden behind railings may be suitable for the terrace south fo Trealwn House
		
NT Wales – east/west route	Cothay Manor Gardens – east/west route could be less formal	High tree canopy – east/west route and benefit to the wider community, lockable gates down to dusk. CCTV
		
Raised planters – fresh produce/mental health	Raised planters – fresh produce/mental health	Orchard trees– fresh produce/mental health

**The Wellbeing Directorate have referred to SPD 4.130 Public Realm, Public Art and Cultural Well-being:**  
Q. Can contributions towards public art be targeted to this development? The historical and cultural interpretation of the North Bar and wider site would form a worthwhile part of this redevelopment and help to strengthen the understanding of North Bar and reinforce the sense of place. This could be integrated into the proposed landscaping scheme which should adhere with the Banbury 8 desire to introduce a green lung running east to west through the town centre. Public Art should be more than a simple interpretation panel although hoardings during construction can be used as such. The following publication includes a few quotes and ideas about understanding [https://www.heritagecouncil.ie/content/files/bored\\_of\\_boards\\_1mb.pdf](https://www.heritagecouncil.ie/content/files/bored_of_boards_1mb.pdf)

**MATERIALS AND DETAILS:** In any forthcoming revised scheme it is worth noting the following would be required:  
Slate sample  
Roof details – traditional eaves/ridge/verge  
Traditional black metal RWGs  
Brick sample including lime pointing  
Window details – avoid storm-proof details, sash windows provide the best ventilation and would suit the development  
Door details  
Lintel and cill details including thresholds  
Services, including routes and vents.  
Railing details  
Landscaping details including EV charging  
Public Art  
Defer to OCC Archaeology for any excavation conditions and mitigation.

**Level of harm**

No Harm to certain elements of the scheme     Less than Substantial Harm     Substantial Harm

**Public Benefit (NPPG)**

Yes – Green Lung     No

## Comments

The key points to note are that development should be sympathetic and conserve, sustain and enhance the special architectural or historic interest considered to be of national importance and therefore worth protecting. Works to a listed building should preserve the building, its setting and any features of special architectural or historic interest.

## Recommendation

Refusal as submitted. With some adjustment, based on the comments above, there could be an acceptable development but we are not quite there yet. We would need to agree an EOT or withdrawal with the option to engage in PREAPP.

No objections

Objections to some aspects

Engage in preapp

## Supporting information required

Refer to comments.

**Conservation Officer:** Joyce Christie

**Date:** 17/03/2022 updated 22.03.2022

# Consultee Comment for planning application 21/04202/F

<b>Application Number</b>	<input type="text" value="21/04202/F"/>
<b>Location</b>	<input type="text" value="Former Buzz Bingo Bolton Road Banbury OX16 5UL"/>
<b>Proposal</b>	<input type="text" value="Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping."/>
<b>Case Officer</b>	<input type="text" value="Linda Griffiths"/>
<b>Organisation</b>	<input type="text" value="Ecology (CDC)"/>
<b>Name</b>	<input type="text" value="Charlotte Watkins (Ecology Officer)"/>
<b>Address</b>	<input type="text" value="Ecology Cherwell District Council Bodicote House White Post Road Bodicote Banbury OX15 4AA"/>
<b>Type of Comment</b>	<input type="text" value="Comment"/>
<b>Type</b>	<input type="text"/>
<b>Comments</b>	<input type="text" value="With regard to the above application there are no issues here as regards protected species or habitats. There is a small chance of nesting birds being disturbed during any demolition however this can be dealt with via condition to ensure that the timing of the works are outside the nesting season or that a check by an ecologist is carried out first. The development will deliver a good level of biodiversity enhancement and as such I am supportive of the changes proposed on site. Currently there is no real ecological value on site and the proposed planting will provide some limited resources for invertebrates and birds in this part of Banbury. I have no issues with the planting plan. The Ecological report mentions that they will install integrated bird provisions on site. A biodiversity enhancement plan should be conditioned which details features to be integrated into the fabric of the buildings along with types and locations. I would highly recommend that this includes swift bricks given the surrounding records and that these can equally be exploited by other bird species to making them particularly versatile. Invertebrate hotels/bricks should also be considered. Kind regards Charlotte"/>
<b>Received Date</b>	<input type="text" value="01/03/2022 11:08:50"/>
<b>Attachments</b>	



**From:** Planning\_THM  
**Sent:** 01 February 2022 15:04  
**To:** Planning <Planning@Cherwell-DC.gov.uk>  
**Subject:** RE: Planning notification for application reference: 21/04202/F

Dear Sirs/Madams,

This planning application is for development we do not wish to be consulted on. Please see the attached which was issued to your council to screen applications before sending to us. **Please only consult us on planning applications that fall within the categories in the attached list.** Ensuring your authority **only** consult us on the development we wish to comment on, saves time for both our organisations which can be better spent on other higher risk developments requiring our input.

**For development that falls within a flood risk area:**

For certain development types, we have supplied your authority with Flood Risk Standing Advice (FRSA). Please refer to this in accordance with the table below. Please consult the Environment Agency for development **not** covered by FRSA.

<b>Flood Zone 3</b>	Minor development
	Non-domestic extensions of 250 square metres or less
	Change of use (except a change to more or highly vulnerable or a change from water compatible to less vulnerable)  Refer to Table 2 of the Flood risk and coastal change NPPG for vulnerability definitions <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#Table-1-Flood-Zones">https://www.gov.uk/guidance/flood-risk-and-coastal-change#Table-1-Flood-Zones</a>
<b>Flood Zone 2</b>	Minor development
	Non-domestic extensions of 250 square metres or less
	Water compatible (including essential accommodation within a water compatible development), more vulnerable (except landfill, a waste facility or a caravan or camping site), less vulnerable (except a waste treatment site, mineral processing site, water treatment plant, or sewage treatment plant)  Refer to Table 2 of the Flood risk and coastal change NPPG for vulnerability definitions <a href="https://www.gov.uk/guidance/flood-risk-and-coastal-change#Table-1-Flood-Zones">https://www.gov.uk/guidance/flood-risk-and-coastal-change#Table-1-Flood-Zones</a>

If you require any further assistance understanding the attached list, please do not hesitate to contact me directly.

Kind regards,

**Alex Swann**

Planning Advisor - Thames Sustainable Places Team  
**Environment Agency** | Red Kite House, Wallingford, OX10 8BD

# Consultee Comment for planning application 21/04202/F

<b>Application Number</b>	<input type="text" value="21/04202/F"/>
<b>Location</b>	<input type="text" value="Former Buzz Bingo Bolton Road Banbury OX16 5UL"/>
<b>Proposal</b>	<input type="text" value="Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping."/>
<b>Case Officer</b>	<input type="text" value="Linda Griffiths"/>
<b>Organisation</b>	<input type="text" value="Fire Service (Oxfordshire)"/>
<b>Name</b>	<input type="text" value="Jacky Hughes"/>
<b>Address</b>	<input type="text" value="Fire Service HQ Sterling Road Kidlington OX5 2DU"/>
<b>Type of Comment</b>	<input type="text" value="Comment"/>
<b>Type</b>	<input type="text"/>
<b>Comments</b>	<input type="text" value="Good Afternoon It is taken that these works will be subject to a full Building Regulations application and subsequent statutory consultation with the fire service, to ensure compliance with the functional requirements of The Building Regulations 2010. Thank you Sarah Mackay OFRS"/>
<b>Received Date</b>	<input type="text" value="24/01/2022 16:17:44"/>
<b>Attachments</b>	

Rachel Tibbetts

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From: Green, Victoria - Oxfordshire County Council <Victoria.Green@Oxfordshire.gov.uk>  
Sent: 30 March 2022 08:33  
To: Planning  
Subject: App ref: 21/04202/F Former Buzz Bingo site, Banbury

Dear Sir/Madam,

**Ref: 21/04202/F Former Buzz Bingo, Banbury**

I have previously given advice on this site asking for a predetermination archaeological evaluation at this site, though I have recently been in discussion with the consultant working on behalf of the applicant, and I would like to update my advice, if possible. It seems that predetermination work will be difficult to carry out whilst the building and carpark are still in use, so I would like to ask for a staged programme of archaeological investigation to be part of the conditions, if permission is granted.

The wording we would normally respond with for staged programme conditions:

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 along the lines of:

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 (2021).

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 within two years of the completion of the archaeological fieldwork.

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 (2021).

Please let me know if you need any more information,

Kind regards,

*Victoria*



Victoria Green BA (Hons.) MA PCIfA  
Planning Archaeologist  
Oxfordshire County Archaeological Services

Tel: 07922 848811  
victoria.green@oxfordshire.gov.uk

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

**District:** Cherwell

**Application no:** 21/04202/F

**Proposal:** Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.

**Location:** Former Buzz Bingo, Bolton Road, Banbury

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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.

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**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **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](mailto:planningconsultations@oxfordshire.gov.uk)) as to why material consideration outweighs OCC's objections, and to be given an opportunity to make further representations.

### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

### **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.
- **Administration and Monitoring Fee - TBC**  
This is an estimate of the amount required to cover the 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 a S106 agreement is completed or not.

**Security of payment for deferred contributions** - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and

- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **Transport Development Control**

This application is for a development proposal comprising 80 Retirement Living apartments at the former Buzz Bingo, Bolton Road, Banbury. Typically, people of 60 years and over are permitted to purchase the Apartments and confirms 80years as the average of residents .

### **Recommendation:**

**No Objection** subject to planning conditions.

### **Conditions**

- **Car Park Layout Plan**

Prior to commencement of the development, a plan detailing the layout of the car parking area shall be submitted to, and approved by, the Local Planning Authority. The Car Park Layout Plan must set out so that all car parking spaces meet the minimum dimensions required and can be safely and easily accessed. The Parking Layout Plan should demonstrate its capability of accommodating the associated car parking manoeuvres within the car park.

*Reason: in the interest of highway safety.*

- **Cycle Parking**

Before the development permitted is commenced, details of the cycle parking areas, including dimensions and means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved cycle areas shall thereafter be retained solely for the purpose of the parking of cycles.

*Reason: To encourage the use of sustainable modes of transport.*

- **Full Access Details**

Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including, position, layout, construction, drainage, and visibility splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

*Reason: in the interest of Highway Safety*

- **Travel Plan.**

Prior to first occupation a Travel Plan shall be submitted to and approved by the Local Planning Authority.

*Reason: To encourage the use of sustainable modes of transport*

- **Construction Traffic Management Plan (CTMP)**

A Construction Traffic Management Plan should be submitted to the Local Planning Authority and agreed prior to commencement of works. This should identify among others state; the routing of construction vehicles, access arrangements for construction vehicles, Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours (to minimize the impact on the surrounding highway network)

*Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding road network, road infrastructure and local residents, particularly at peak traffic times.*

- **Delivery Service Plan**

Prior to occupation of the retirement home, A DSP for the development supported by a designated Taxi and ambulance standing area, should be provided for approval LPA.

*Reason: In the interests of highway safety.*

## **Key issues**

- Information on the number of Residents/ Staff and Visitor mode of travel and associated parking demands.
- Vehicle parking design layout in compliance highway parking design Standards for cars and cycles and manoeuvring areas in accordance with OCC Residential Road Design Guide (2003) - Second Edition (2015)
- Designated Ambulance and Taxi and pick- up and drop-off area
- Travel Plan for Residents Staff and Visitors?
- Plans detailing the proposed access design and adjacent footway and cycle routes and connectivity in compliance with highway design specifications and sustainable travel

## **Detail Comments**

The site is in a sustainable location with abundance of amenities situated within walking and cycle distances. For instance, the Castle Quay shopping centre (approximately 215m east), Market Place (approximately 180m directly southeast of the site) and Parsons Street shopping parade (approx.100m directly south of site).

Footways exist on Bolton Road flanking the western side of internal access measuring 1.5m approx. and on both the northern and southern sides immediately outside the site access and towards the Castle Street junction. A pedestrian refuge island is located 100m northeast of the site (at the Bolton Road/Castle Street junction). Also, a signalised pedestrian crossing at the junctions (Castle Street/Warwick Road/Southam

Road/North Bar Street). In addition to the footways along the local highway network, the site is situated within proximity to a few Public Rights of Way (PRoW).

**Trip generation** -. The submitted TA shows the TRICS based trip generation estimates for the existing Bingo Hall, with no AM peak, 23 PM peak hour trips and a 12hr daily trips of 313trips.

In comparison, the proposed development, shows a modest increase of 8 AM peak hour trips, a reduction of 12 trips during the PM peak hour, with a 12 hr daily 139 trips in total. An estimated reduction of 174 total daily trips for the retirement home compared to for the extant permission. There is even a greater reduction when the present permission total daily trips is compared to that of Churchill Independent Research Retirement living sites trip forecast (a 194 trip 12- hour period total trip reduction).

The Transport Officer questions why no details of generated development's multimodal trips data for the residents, staff, and visitors and anticipated, trip movements and staff shift patterns etc are absent in the submitted TA document.

#### **Vehicle Access and Pedestrian and cycle route connectivity –**

Given that application site is to be accessed via the existing access, the proposed bellmouth junction access drawing should be provided showing the access visibility splays for vehicles and pedestrians at junction. The TA has provided drawings that seeks improvements to pedestrian and cycle connectivity with the local road network, Public footway and pedestrian and cycle networks between Bolton Road, Castle Street and North Bar Street requested in the Pre-application comments.

#### **Public Transport**

The closest bus stop to the site is the 'Bolton Road' bus stop located on Castle Street, 170m northeast of the site (a 2-minute walking distance). The Bus Stop is served by 6 bus service routes. Banbury Railway Station, southeast of site, is about 4- minute cycle ride and a 11-minute walk away.

**Car Parking** - In the absence OCC's and Cherwell Design Parking Standards for retirement homes, 27 parking space arrangement is proposed for the development (at a ratio of 0.33 per unit). Vehicle tracking drawings has also been provided demonstrating access and egress manoeuvres, associated with the site and the proposed parking arrangement. Independent research of the existing Churchill Retirement homes confirms average car parking demand of 0.28 spaces per apartment which amounts to 22 parking space provision for the proposed 80 apartments. Based on proposed parking space provision, the Applicant asserts that overspill parking should not occur, however in the unlikely event that it arises, the nearby 58 space Bolton Road Car Park is available to accommodate. This statement is however made without providing any detail substantive support on the availability of parking spaces to accommodate this demand.

That said, no provision has been made for designated Staff, residents, visitor, and disabled parking bays nor EVCP bays in compliance with OCCs Standards within the

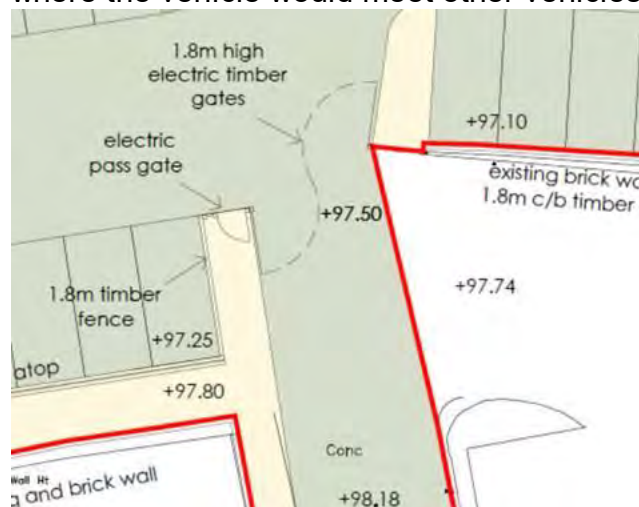
parking facility. OCC will expect the provision of 7 EVCP bays, with one EVCP allocated to a disabled parking bay. Also a parking/standing area for Taxi and Emergency Service Vehicle (e.g. Ambulance) is not evident in the Car Park layout proposal. A scaled and dimensioned parking layout plan capable of accommodating the manoeuvres and swept paths of different types of vehicles including a Fire Tender and Pentechicon will be welcomed

**Cycle parking** – It is stated that a secure cycle parking facility will be located within the mobility scooter store for the Retirement Living apartments. No details, however of drawings of the cycle storage facility for Residents Staff and Visitors has been provided. Neither has any information been submitted on how the parking would be managed in safe and secure manner. Given the age profile of residents, the sustainable location of the site and the average cycle per development (0.75) based on other Churchill Retirement home surveys. It is accepted that cycling is unlikely to be highly utilised by residents, however opportunities to promote cycling within the vicinity of the site for visitors and staff should be promoted.

**Personal Injury Accidents**- The most recent 5-year (2016-2020) Personal Injury accidents for the area, confirmed 3 accidents occurred within the proximity of the above site, two were 'slight and one serious. The serious accident was however unrelated to the proposed access junction or highway safety design issues.

**Refuse and Servicing**- Refuse collection for the development is proposed to be collected on-site, with the appropriately sized vehicle able to access the site, turn and leave in forward gear. The footway leading into the site should be 2m wide however It is noted that the existing fence which may prevent this being any wider.

We would not recommend the carriageway be narrowed within the site especially where the vehicle would meet other vehicles as shown below.



The Refuse Strategy is not ideal as the Refuse vehicle appears to narrowly pass the parking gate entrance area, with a 10.6m long Refuse vehicle used in swept path



drawing no.536.0037.003 Rev. C. The LHA normally requires the use of 11.6m long Refuse vehicle when assessing Refuse Vehicle tracking drawings. It also not obvious from the drawing where the Refuse vehicles will park for the collection of refuse/ recyclables.

A few dropped kerbs with tactile pavements should be installed where possible to allow pedestrians to safely walk down along Bolton Road from the site in the south and the northeast and in vicinity of the uncontrolled crossing at the Bolton Road/Castle Street junction.

The Applicant should note that Offsite works will need to be designed in accordance with DMRB. Furthermore, Junction and Forward Visibility Splays and dimensions must be in accordance with the OCC Street Design Guide and dedicated to OCC if they fall out of the existing highway boundary. A Stage 1 Road Safety Audit in accordance with GG119 (5.46.1) may be required in advance of planning permission being granted as the findings may result in the red line boundary having to change due to road safety remedial measures being required.

GG 119 Revision 2

5. Undertaking the road safety audit

*NOTE*      *The highway scheme can be designed by an organisation working for the third-party organisation rather than an organisation working for the Overseeing Organisation.*

5.46.1      A stage 1 RSA report should be undertaken before planning consent is applied for as this demonstrates that the potential for road user safety issues has been addressed.

*NOTE*      *The third party organisation-led scheme is submitted for planning approval to the local planning authority and, where there are highway implications, the highway or Overseeing Organisation is consulted.*

No private drainage is to discharge onto any area of existing or proposed adoptable highway. The drainage proposals will be agreed at the Section 38 Agreement stage once the drainage calculations and detailed design are presented. Oxfordshire County Council have published the "[Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire](#)" to assist developers in the design of all surface water drainage systems, and to support Local Planning Authorities in considering drainage proposals for new development in Oxfordshire. The guide sets out the standards that we apply in assessing all surface water drainage proposals to ensure they are in line with National legislation and guidance, as well as local requirements.

The Highway boundary needs to be checked with OCC Highway Records ([highway.records@oxfordshire.gov.uk](mailto:highway.records@oxfordshire.gov.uk)) to determine whether it coincides with the site boundary at the proposed access junction. The highway boundary is usually identified along the roadside edge of the ditch.

No Highway materials, construction methods, adoptable layouts and technical details have been approved at this stage. The detailed design and acceptable adoption standards will be subject to a full technical audit.

OCC require saturated CBR laboratory tests on the sub-soil likely to be used as the sub-formation layer. This would be best done alongside the main ground investigation for the site, but the location of the samples must relate to the proposed location of the carriageway/footway.

**Travel Plan** – OCC welcomes the submission of the Travel Plan for the Retirement home. The size of the proposed development triggers the requirement for a Travel Plan and associated monitoring fee. The submitted Travel Plan does not meet OCC requirements and will need to be amended, then resubmitted prior to occupation. The Travel Plan specific comments are as follows:

- Add the planning application number;
- Add the full address of the development site;
- Add the planned / estimated date of occupation;
- 6.5 – ask for staff postcodes and produce a postcode plot from these;
- Show targets as a modal share including all modes for each year monitoring will take place;
- Prior to the first survey, targets can be set using data from other care home sites or using Census data;
- Targets should be set, and surveys undertaken for visitors to the site;
- Will the mobility space parking be sufficient?; and
- The Travel Plan should be able to act as a standalone document, therefore background information on the site and transport connections in the area will need to be added into the document.

Please note that the above list is not exhaustive and the [OCC guidance](#) (see appendix 5) should be consulted when updating and resubmitting the Travel Plan.

The EV charging, cycle spaces and changing facilities are welcomed.

**Legal Agreement required to secure:**

Section 106 Agreement required to secure the monitoring fee of £1,446 (RPIx Dec 2020).

Based on the nature of the residential development and the TRICS trip estimates, the LHA has in principle no objection to this application subject to the above conditions and comments being satisfied by the Applicant.

**Informative**

Please note If works are required to be carried out within the Public highway, it would be undertaken within the context either Section 278 /38 Agreements between the applicant and the Highway Authority. The Highway works shall not commence before a formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and the Council

**Officer's Name: Francis Hagan**

**Officer's Title: Senior Transport Planner**

**Date: 18 January 2022**

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

### **Key issues:**

- Drainage strategy drawing not detailed.
- Microdrainage calculations not detailed.
- Existing drainage not shown on the drainage strategy drawing.
- Remedial works for existing drainage pipes not identified on plan drawings.
- Surface water catchment plan not provided.
- Detailed SuDS maintenance schedule not provided.
- Surface water exceedance plan not provided.
- Public sewer technical approval not provided.
- Ground investigation report does not show the infiltration testing results.

### **Detailed comments:**

As part of a full application drawings and calculations are expected to be detailed. Drainage strategy drawing should show invert and cover levels for all proposed drainage infrastructure and SuDS feature. All surface water pipes needs to be numbered and sized which should correlate with the Microdrainage calculations. Calculations required for the whole surface water network.

Existing drainage to be shown on drainage strategy drawings. Existing pipes that are being retained should be clearly identified. Also all the maintenance requirements for the existing retained pipes needs to be identified on plan drawings.

Surface water catchment plan required to demonstrate how the site will drain and to which drainage features. The proposed areas needs to be clearly shown and the existing areas.

A detailed maintenance schedule required for all proposed drainage infrastructure and SuDS features. All the maintenance requirements needs to be clearly identified.

Surface water exceedance plan to be provided to demonstrate how the site will drain in an event where the surface water network fails. All surface water should be kept away from structures and within the site boundary.

Technical approval from the public sewer undertaker required in order to make drainage connections.

Ground investigation report states infiltration not feasible however the infiltration testing results and location of testing are not provided.

**Officer's Name: Kabier Salam**

**Officer's Title: LLFA Planning Engineer**

**Date: 25 February 2022**

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **Archaeology**

### **Recommendation:**

In accordance with the National Planning Policy Framework (NPPF 2021) paragraph 189, we would therefore recommend that, prior to the determination of this application the applicant should therefore be responsible for the implementation of an archaeological field evaluation.

This must be carried out by a professionally qualified archaeological organisation and should aim to define the character and extent of the archaeological remains within the application area, and thus indicate the weight which should be attached to their preservation. This information can be used for identifying potential options for minimising or avoiding damage to the archaeology and on this basis, an informed and reasonable decision can be taken.

### **Detailed comments:**

The development site lies in an area of archaeological potential and interest, within the historic core of Banbury and south east of the North Bar, which was built in the 13<sup>th</sup> century around one of the five gates to the town. The Medieval settlement is recorded in the Domesday Survey of 1086, and it is likely that the centre is what forms the historic core today.

An archaeological evaluation 50m to the west at the site of the redevelopment of the Warwick Road carpark, archaeological deposits were recorded relating to a post-medieval brewery. An archaeological watching brief took place 85m to the west of the development area at Warwick Road found that though the area had been heavily truncated by earlier development, an undated pit and gully were recorded. An archaeological investigation c. 138m to the east of the development site recorded late Saxon ditches which were likely property boundaries, an 11<sup>th</sup> century pit, a stone lined pit and gullies dated to the 13/14<sup>th</sup> centuries.

The development site also lies 160m south west of the site of Banbury Castle, where an archaeological evaluation recorded pre-Conquest activity that predated the castle. Also recorded were a large ditch and a causeway constructed across the silty marshes. The evaluation took place on a site which has been subject to development and truncation, though this is likely less than that seen on the proposal site, it suggests that

the development has the potential to impact on archaeological remains associated with the Medieval and early post Medieval development of the town.

**Officer's Name: Victoria Green**

**Officer's Title:** Planning Archaeologist

**Date:** 6th January 2022

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

**District:** Cherwell

**Application no:** 21/04202/F

**Proposal:** Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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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.

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**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **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](mailto:planningconsultations@oxfordshire.gov.uk)) as to why material consideration outweigh OCC's objections, and to be given an opportunity to make further representations.

### **Outline applications and contributions**

The anticipated number and type of dwellings and/or the floor space may be set by the developer at the time of application which is used to assess necessary mitigation. If not stated in the application, a policy compliant mix will be used. The number and type of dwellings used when assessing S106 planning obligations is set out on the first page of this response.

In the case of outline applications, once the unit mix/floor space is confirmed by reserved matters approval/discharge of condition a matrix (if appropriate) will be applied to establish any increase in contributions payable. A further increase in contributions may result if there is a reserved matters approval changing the unit mix/floor space.

### **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.
- **Administration and Monitoring Fee - TBC**  
This is an estimate of the amount required to cover the 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 a S106 agreement is completed or not.

**Security of payment for deferred contributions** - Applicants should be aware that an approved bond will be required to secure a payment where a S106 contribution is to be paid post implementation and



- the contribution amounts to 25% or more (including anticipated indexation) of the cost of the project it is towards and that project cost £7.5m or more
- the developer is direct delivering an item of infrastructure costing £7.5m or more
- where aggregate contributions towards bus services exceeds £1m (including anticipated indexation).

A bond will also be required where a developer is direct delivering an item of infrastructure.

The County Infrastructure Funding Team can provide the full policy and advice, on request.

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## Transport Schedule

This application is for a development proposal comprising 80 Retirement Living apartments at the former Buzz Bingo, Bolton Road, Banbury. Typically, people of 60 years and over are permitted to purchase the Apartments and confirms the 80 years as the average age of residents.

### **Comments**

Having looked over the submitted documents OCC's comments are as follow: -

The Applicant has only submitted additional indicative plans covering the site, car and service vehicle tracking in response to our earlier transport response of 18/01/2022. This is clearly inadequate to address the transport comments and issues raised in our earlier response.

Regarding the vehicle swept paths drawings, the manoeuvres would be tight and just manageable within the parking area. We acknowledge receipt of the updated site plan ref no. PA01 C. which includes a hard standing in front of the Refuse store to accommodate car parking manoeuvres. That said, the revised drawing superimposed with the swept manoeuvres of Refuse vehicles to and from the designated collection point would be needed.

None of the submitted plans in support of this application shows EVCPs for any of the parking bays, neither designated parking space for Taxis, Ambulances, Refuse and Service vehicles etc. this should be addressed.

In our view, because of the nature of the residential development, the single disabled parking bay is inadequate, additional disabled parking spaces would be required.

It is also noted that on details of cycle storage facilities have been submitted for consideration as requested- for example storage dimensions, spaces allocated to Residents, Staff and Visitors, and how the facility would be managed for all users etc.

With regards to the request for details of generated development's multimodal trips data for the residents, staff, and visitors and anticipated, trip movements and staff shift patterns etc, the requested information has not been provided. Instead, a pie chart showing modal split percentages, has been submitted. Clarification of this matter is therefore required.

Also details of Offsite works, including suggested dropped kerbs requested in OCC'S response of 18/01/2022 has not been addressed. Additional information requested on the Travel Plan is also unavailable with the revised submitted documents.

The TDC Officer is therefore unable to advance the approval process for above application from the transport perspective because the Applicant has not dealt fully and satisfactorily with most of the comments in OCC's initial response.

We therefore await the receipt of the Applicant's comments on the issues requiring attention in our first response before further comments.

**Informative**

Please note If works are required to be carried out within the Public highway, it would be undertaken within the context either Section 278 /38 Agreements between the applicant and the Highway Authority. The Highway works shall not commence before a formal approval has been granted by Oxfordshire County Council by way of legal agreement between the applicant and the Council.

**Officer's Name:** Francis Hagan

**Officer's Title:** Senior Transport Planner

**Date:** 04/04/2022

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **Lead Local Flood Authority**

### **Recommendation:**

Objection

No updated drawings/report provided to address the previous comments below.

### **Key issues:**

- Drainage strategy drawing not detailed.
- Microdrainage calculations not detailed.
- Existing drainage not shown on the drainage strategy drawing.
- Remedial works for existing drainage pipes not identified on plan drawings.
- Surface water catchment plan not provided.
- Detailed SuDS maintenance schedule not provided.
- Surface water exceedance plan not provided.
- Public sewer technical approval not provided.
- Ground investigation report does not show the infiltration testing results.

### **Detailed comments:**

As part of a full application drawings and calculations are expected to be detailed. Drainage strategy drawing should show invert and cover levels for all proposed drainage infrastructure and SuDS feature. All surface water pipes needs to be numbered and sized which should correlate with the Microdrainage calculations. Calculations required for the whole surface water network.

Existing drainage to be shown on drainage strategy drawings. Existing pipes that are being retained should be clearly identified. Also all the maintenance requirements for the existing retained pipes needs to be identified on plan drawings.

Surface water catchment plan required to demonstrate how the site will drain and to which drainage features. The proposed areas needs to be clearly shown and the existing areas.

A detailed maintenance schedule required for all proposed drainage infrastructure and SuDS features. All the maintenance requirements needs to be clearly identified.

Surface water exceedance plan to be provided to demonstrate how the site will drain in an event where the surface water network fails. All surface water should be kept away from structures and within the site boundary.

Technical approval from the public sewer undertaker required in order to make drainage connections.

Ground investigation report states infiltration not feasible however the infiltration testing results and location of testing are not provided.

**Officer's Name: Kabier Salam**

**Officer's Title: LLFA Planning Engineer**

**Date:23/03/2022**

**Application no: 21/04202/F**

**Location:** Former Buzz Bingo, Bolton Road, Banbury,

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## **Archaeology**

**Recommendation:**

**Key issues:**

**Legal agreement required to secure:**

**Conditions:**

**Informatives:**

**Detailed comments:**

We have previously responded to this application and asked for a pre-determinaton evaluation. We are currently in discussion with the applicant as how this should be carried out.

**Officer's Name: Victora Green**

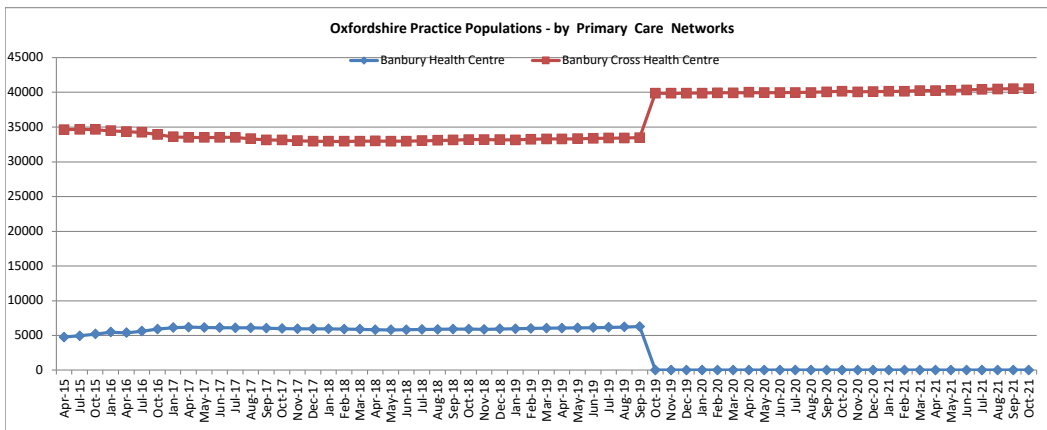
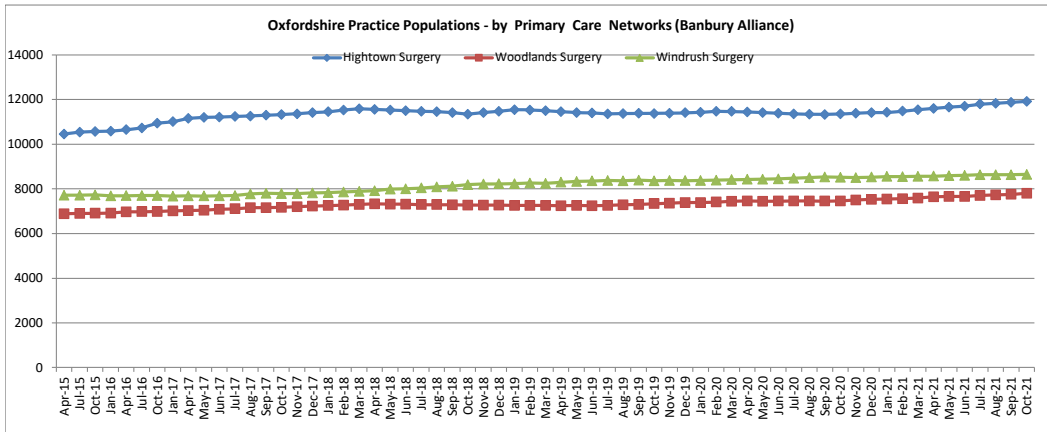
**Officer's Title:** Planning Archaeologist

**Date:** 28/03/2022

OCCG Planning Application response

	21/04202/ F - OBJECTION
Cherwell District Council - number:	
Site: Former Buzz Bingo Bolton Road Banbury OX16	
SUL	Dwellings: 80
Type:	Retirement Living Apartments
Stage of development?	at consultation
Expected start:	
Practice(s): see list	
As at 01/10/21: Banbury Alliance Hightown Surgery - 11,913 Woodlands Surgery - 7,809 Windrush Surgery - 8,654  Banbury Cross Banbury Cross Health Centre - 40,498	PCN: Banbury Cross & Banbury Alliance PCN populaton: Banbury Alliance - 28,376 as at 01.10.21 Banbury Cross - 40,498 as at 01.10.21
Population increase due to this application and number of bedded dwellings	192
Capacity issues:	Significant
Accommodation issues:	Insufficient Consulting rooms to cope with increased population growth as a direct result of the increase in dwellings.
Proposed planning solution:	OCCG request CIL and / or s106 financial contribution - index linked
s106 contribution @ 2.4 & £360 per head: by bedrooms in Planning Statement	To be adjusted when the housing bed mix is known
0 x 1 bed at £504 per dwelling	
0 x 2 bed at £720 per dwelling	
0 x 3 bed at £1,008 per dwelling	
0 x 4 bed at £1,260 per dwelling	
0 x 5 bed at £1,729 per dwelling	
Total	£ 69,120
OCCG policy document link: <a href="https://www.oxfordshireccg.nhs.uk/about-us/primary-care-estates-strategy-2020-25.htm">https://www.oxfordshireccg.nhs.uk/about-us/primary-care-estates-strategy-2020-25.htm</a>	
Date response sent: 20.01.2022	By: JAH / WJ
Notes: These PCN areas are already under pressure from nearby planning applications, and this application directly impacts on the ability of the Banbury Cross Health Centre practice in particular, to provide primary care services to the increasing population. Primary Care infrastructure funding is therefore requested to support local plans to surgery alterations or capital projects to support patient services. The funding will be invested into other capital projects which directly benefit this PCN location and the practices within it if a specific project in the area is not forthcoming.	

Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping



# Consultee Comment for planning application 21/04202/F

<b>Application Number</b>	<input type="text" value="21/04202/F"/>
<b>Location</b>	<input type="text" value="Former Buzz Bingo Bolton Road Banbury OX16 5UL"/>
<b>Proposal</b>	<input type="text" value="Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping."/>
<b>Case Officer</b>	<input type="text" value="Linda Griffiths"/>
<b>Organisation</b>	<input type="text" value="Recreation &amp; Leisure (CDC)"/>
<b>Name</b>	<input type="text"/>
<b>Address</b>	<input type="text" value="Recreation &amp; Leisure Cherwell District Council Bodicote House White Post Road Bodicote Banbury OX15 4AA"/>
<b>Type of Comment</b>	<input type="text" value="Comment"/>
<b>Type</b>	<input type="text"/>
<b>Comments</b>	<input type="text" value="Please see attached comments."/>
<b>Received Date</b>	<input type="text" value="25/01/2022 10:16:49"/>
<b>Attachments</b>	The following files have been uploaded: Planning consultation response 21.04202.F.pdf



**PLANNING CONSULTATION**

<b>Planning Reference</b>	21/04202/F
<b>Development Location</b>	Former Buzz Bingo, Bolton Road, Banbury, OX16 5UL
<b>Development Proposal</b>	Redevelopment for 80 retirement living apartments including communal facilities, access, car parking and landscaping.

CIL Regulation 122 states that the use of planning obligations should only be sought where they meet all the following three tests:

- They are necessary to make the development acceptable in planning terms
- They are directly related to the development
- They are fairly and reasonably related in scale and kind to the development.

<b>Planning Obligations S106</b>	<b>Requested Costs</b>	<b>Justification</b>	<b>Policy Links</b>
Community Hall Facilities	<p>Average occupancy per dwelling, using the figure for a one-bed dwelling = 1.28 residents. 0.185m<sup>2</sup> community space required per resident.</p> <p>1.28 x 80 = 102.4 residents 102.4 x 0.185m<sup>2</sup> = 18.94m<sup>2</sup> 18.94 x £2,482.00 = <b>£47,009.08</b></p>	We would be seeking a contribution towards enhancement of a community centre in the vicinity.	Policy BSC 12 – The council will encourage the provision of community facilities to enhance the sustainability of communities.
Outdoor Sport Provision	<p>Based on £2,017.03 per dwelling (2,017.03/2.49) x 1.28 = £1,036.87</p> <p>£1,036.87 x 80 = <b>£82,949.60</b></p>	We would be seeking an off-site contribution towards the provision of a 3G football pitch within the locality. The provision of such a facility will support the delivery of activities for all age groups,	Policy BSC 10 Ensuring proposals for new development contribute to sport and recreation provision commensurate to the need generated by the proposals.

		<p>including activities such as walking football, for residents over the age of 50, offering an accessible way to get involved in a team sport, with both benefits to physical and mental wellbeing.</p>	<p>Policy BSC 11 – Local standards of provision – outdoor recreation.</p> <p>CDC Playing Pitch Strategy identified the provision of 3G artificial grass pitch for football as a priority in Banbury.</p> <p>Local Football Facility Plan – identifies Banbury area as a priority for two 3G Football turf pitches.</p>
Indoor Sport Provision	<p>Based on £335.32 per person</p> <p>1.28 x 80 = 102.40</p> <p>102.40 x £335.32 = <b>£34,336.77</b></p>	<p>We would be seeking an off-site indoor sport contribution towards the provision of an Indoor Tennis Centre in Banbury or improvements to other indoor sports facilities in the locality.</p>	<p>Policy BSC 10 Addressing existing deficiencies in provision through enhancements of provision, improving access to existing facilities. Ensuring proposals for new development contribute to sport and recreation provision commensurate to the need generated by the proposals.</p> <p>Policy BSC 12 – Indoor Sport, Recreation and community Facilities. The council will encourage the provision of community facilities to enhance the sustainability of communities – enhancing quality of existing facilities and improving access.</p>

Public Art	We would be seeking a contribution of £200 per dwelling plus 5% management and 7% maintenance fees. <b>= £17,920.00</b>	The development is on a prominent site at a key junction to the town centre. An outdoor public space with artwork is proposed to the north western corner of the site which is considered the most appropriate site. We are seeking a contribution towards a public art feature which should ideally reflect something of the dynamic changes inherent in these busy crossroads, possibly incorporating a kinetic aspect in its design.	SPD 4.130 Public Realm, Public Art and Cultural Well-being. Public realm and public art can play an important role in enhancing the character of an area, enriching the environment, improving the overall quality of space and therefore peoples' lives.
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The above figures are in line with the Development Contributions Supplementary Planning Document (SPD). These figures will need to be index linked up to 2022.

Directorate Wellbeing

Name Helen Mack Date 25 January 2022

## Lynne Baldwin

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**From:** Planning  
**Sent:** 10 January 2022 14:23  
**To:** DC Support  
**Subject:** FW: 3rd Party Planning Application - 21/04202/F

-----Original Message-----

**From:** BCTAdmin@thameswater.co.uk <BCTAdmin@thameswater.co.uk>  
**Sent:** 10 January 2022 13:56  
**To:** Planning <Planning@Cherwell-DC.gov.uk>  
**Subject:** 3rd Party Planning Application - 21/04202/F

CAUTION: This email originated from outside of the Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

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

Our DTS Ref: 54207  
Your Ref: 21/04202/F

10 January 2022

Dear Sir/Madam

Re: FORMER BUZZ BINGO, BOLTON ROAD, BANBURY, OXFORDSHIRE, OX16 5NU

### Waste Comments

Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Thames Water would advise that with regard to SURFACE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow guidance under sections 167 & 168 in the National Planning Policy Framework. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

<https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>.

### 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 position on water networks 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 development shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate

the additional demand to serve the development have been completed; or - a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development 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 at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). 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.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

Yours faithfully  
Development Planning Department

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