
STATEMENT OF CASE

Former Buzz Bingo Site, Bolton Road, Banbury, OX16 0TH

planning*issues*
TOWN PLANNING AND ARCHITECTURE

TOWN & COUNTRY PLANNING ACT 1990

APPEAL BY CHURCHILL RETIREMENT LIVING LTD AGAINST CHERWELL DISTRICT COUNCIL'S FAILURE TO DETERMINE A PLANNING APPLICATION FOR THE REDEVELOPMENT FOR 80 RETIREMENT LIVING APARTMENTS INCLUDING COMMUNAL FACILITIES, CAR PARKING AND LANDSCAPING.

SITE: Former Buzz Bingo site, Bolton Road, Banbury, OX16 0TH

LPA REF: 21/04202/F

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1.0 INTRODUCTION

- 1.1 This statement has been prepared by Planning Issues Ltd. to support an appeal by Churchill Retirement Living Ltd against Cherwell District for failure to determine an application for the redevelopment for 80 retirement living apartments including communal facilities and associated car parking and landscaping. This document should be read in conjunction with the Draft Statement of Common Ground (SoCG).
- 1.2 Planning Issues Ltd is a subsidiary company of the Appellant. Planning Issues Ltd has provided planning advice to the Appellant on the proposed redevelopment of the appeal site since January 2021 and has acted as agent on behalf of the Appellant in submitting and pursuing the planning application that is now subject to this appeal.
- 1.3 This Statement provides a summary of the site and its surroundings, relevant planning policy considerations and planning history, a statement of the Appellant's case, and documentation which will be referred to in evidence.

2.0 APPEAL PROPOSAL

Appeal Site Description

- 2.1 The site is located within the built up area of the town of Banbury. The site is within Banbury Town Centre and within close proximity to a range of shops and services.
- 2.2 The site currently comprises the vacant Buzz Bingo Hall, offices and parking area. It is on the junction of Castle Street and North Bar Street. Bolton Road is to its eastern boundary,
- 2.3 The site surrounds but does not include Trelawn House, which is a Grade II Listed Building. The existing Buzz Bingo Hall currently adjoins Trelawn House and a separate Listed Building application has been made to address the demolition and restoration of the party walls.
- 2.4 The site is part of the wider Policy Banbury 8 allocation within the Cherwell Local Plan. This seeks to regenerate this part of the town with a mixed development comprising retail, hotel, leisure, 200 dwellings and car parking. Further detail for this redevelopment is set out within the Banbury Vision and Masterplan SPD.
- 2.5 A small part of the site fronting North Bar Street is within the Banbury Conservation Area.
- 2.6 Further detail regarding the site and its surroundings is included within the Design and Access Statement.

Proposed Appeal Scheme

- 2.7 The scheme the subject of this appeal is for the redevelopment of the site to form 80no. retirement living apartments for older persons including communal facilities and associated car parking and landscaping.
- 2.8 Revised plans were submitted during the application, removing two units. This has reduced the number of units to 78.
- 2.9 The Appellant has specialised in the provision of purpose built apartments designed specifically for the elderly since 1998 and has provided development proposals throughout England and Wales. The accommodation proposed is specifically designed to meet the needs of independent retired people, and provides self-contained apartments for sale contained within a single block. The Planning Statement submitted with the application provides more information on the nature of the accommodation proposed and the benefits of specialised accommodation for older persons.

Relevant Planning History

- 2.10 A search of the planning register reveals there is no relevant planning history on the appeal site. Planning applications were made in 2007 for minor modifications to the Bingo Hall and in 2015 for advertisement consent.

3.0 PLANNING APPLICATION PROCESS

3.1 The application subject of this appeal was submitted to Cherwell District Council on 16th December 2021 and was validated from the 23rd December 2021. The application submitted was for the redevelopment for 80 retirement living apartments including communal facilities, access, parking and associated landscaping.

3.2 In accordance with the National Planning Policy Framework at paragraphs 39-41 the Appellant submitted a pre app on 23rd August 2021. A meeting was held with the Council on 2nd November, with a written response received on 17th November 2021.

3.3 The application was submitted with the following plans:

Details	Plan Number	Scale
Site Location Plan	10116BB-PA00	1:1250 @ A4
Site Layout Plan	10116BB-PA01	1:200 @ A1
Ground Floor Plan	10116BB-PA02	1:100 @ A1
First Floor Plan	10116BB-PA03	1:100 @ A1
Second Floor Plan	10116BB-PA04	1:100 @ A1
Third Floor Plan	10116BB-PA05	1:100 @ A1
Roof Plan	10116BB-PA06	1:100 @ A1
Castle Street Elevations	10116BB-PA07	1:100/200 @ A1
North Bar Street Elevations	10116BB-PA08	1:100/200 @ A1
Internal and Gable Elevations	10116BB-PA09	1:100 @ A1
Proposed Site Sections	10116BB-PA10	1:200 @ A1
Existing Elevations	EL 01	1:200 @ A1
Existing Site Plan	210076-3DR-XX-XX-DR-A-10001	1:200 @ A1
Existing Bingo Hall/Office Plans	210076-3DR-XX-XX-DR-A-10002	1:200 @ A1

3.4 The application was also submitted with the following accompanying statements and information;

- Design and Access Statement by Planning Issues Limited;
- Planning Statement by Planning Issues Limited;
- Statement of Community Involvement by Devcomms

- Affordable Housing and Viability Statement by Planning Issues Limited;
- Heritage Statement by Ecus Consultants Ltd;
- Archaeological Assessment by Ecus Consultants Ltd;
- Flood Risk and Drainage Technical Note by AWP;
- Transport Statement by Paul Basham Associates;
- Travel Plan by Paul Basham Associates;
- Landscape Strategy Plan by James Blake Associates;
- Noise Impact Assessment by 24Acoustics;
- Air Quality Report by Air Quality Consultants;
- Ground Investigation Report by Crossfields Consulting;
- Health Impact Assessment by Planning Issues Ltd;
- Sustainability Statement by JSP Ltd;
- Construction Management Plan by Churchill Retirement Living;
- Urban Form Analysis Document by Barton Wilmore; and
- Ecological Assessment by Tyler Grange;

3.5 The following amended plans were submitted through the course of the application on 28th February 2022. These resulted in the loss of 2 units.

Details	Plan Number
Site Layout Plan	10116BB-PA01 A
Ground Floor Plan	10116BB-PA02 A
First Floor Plan	10116BB-PA03 A
Second Floor Plan	10116BB-PA04 A
Third Floor Plan	10116BB-PA05 A
Roof Plan	10116BB-PA06 A
Castle Street Elevations	10116BB-PA07 B
North Bar Street Elevations	10116BB-PA08 B
Internal and Gable Elevations	10116BB-PA09 B

3.6 On 4th March 2022 Visually Verified Montages were submitted.

3.7 On 9th March 2022 an Overheating Risk Assessment was submitted following comments from the Environmental Health Officer.

3.8 On 7th March 2022, in response to comments from the Highways Officer the following was submitted:

- Amended Site Plan ref 10116BB-PA01 B
- Extract drawing 536.0037.001 C showing vehicle tracking drawing from the Transport Statement Appendix.
- Banbury Multi Modal TRICS graph
- Drawing 536.0037.003 D showing vehicle tracking with the larger refuse vehicle.

3.9 On 1st April, a further tweak was made to the layout to address concerns about the parking spaces. The submission comprised:

- Amended Site Plan ref 10116BB-PA01 C
- Vehicle Turning Tracking 536.0037.006

3.10 On 4th April a revised Flood Risk and Drainage Technical Note (Rev C) was submitted in response to the objection from the Local Lead Flood Authority who required further information.

3.11 For clarity the plans in front of the Inspector for determination are:

Details	Plan Number	Scale
Site Location Plan	10116BB-PA00	1:1250 @ A4
Site Layout Plan	10116BB-PA01 C	1:200 @ A1
Ground Floor Plan	10116BB-PA02 A	1:100 @ A1
First Floor Plan	10116BB-PA03 A	1:100 @ A1
Second Floor Plan	10116BB-PA04 A	1:100 @ A1
Third Floor Plan	10116BB-PA05 A	1:100 @ A1
Roof Plan	10116BB-PA06 A	1:100 @ A1
Castle Street Elevations	10116BB-PA07 A	1:100/200 @ A1
North Bar Street Elevations	10116BB-PA08 A	1:100/200 @ A1
Internal and Gable Elevations	10116BB-PA09 A	1:100 @ A1
Proposed Site Sections	10116BB-PA10	1:200 @ A1
Existing Elevations	EL 01	1:200 @ A1
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Existing Bingo Hall/Office Plans	210076-3DR-XX-XX-DR-A-10002	1:200 @ A1

4.0 DEVELOPMENT PLAN POLICY

4.1 This section of the SoC identifies the relevant national, regional, and local planning policies considered to be of relevance to the determination of the Appeal. It is anticipated that the applicable adopted and emerging national and local planning policy will be agreed with the Council through the SoCG. If certain matters cannot be agreed, evidence will be presented in relation to adopted and emerging national and local planning policy.

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

4.3 The Development Plan for Cherwell District Council comprises Cherwell Local Plan (Part 1) (adopted July 2015), the Partial Review Local Plan – Oxford’s unmet Housing Need (September 2020) and the saved policies from the Cherwell Local Plan (1996).

Development Plan Policy

4.4 Adopted Cherwell Local Plan 2011-2031:

The relevant policies include:

- PSD1: Presumption in favour of sustainable development
- BSC1: District Wide Housing Distribution
- BSC2: The Effective and Efficient use of land
- BSC3: Affordable Housing
- BSC4: Housing Mix
- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy and Allowable Solutions
- ESD3: Sustainable Construction
- ESD7: Sustainable Drainage Systems
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15: The Character of the Built and Historic Environment
- ESD17: Green Infrastructure
- Policy Banbury 7: Strengthening Banbury Town Centre
- Policy Banbury 8: Bolton Road Development Area

4.5 Cherwell Local Plan 1996

The relevant saved policies comprise:

- C28: Layout Design and external appearance of new development

- C30: Design Control

National Planning Policy

4.6 The **National Planning Policy Framework** (July 2021) (the Framework) sets out the Government's planning policies for England, and how these are expected to be applied, and is a material consideration in the determination of the Appeal.

4.7 The following sections are considered to be relevant to this appeal;

- Section 2 - Achieving Sustainable Development
- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- Section 6 - Building a strong, competitive economy
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting Sustainable Transport
- Section 11 - Making Effective use of Land
- Section 12 - Achieving well-designed places
- Section 16 - Conserving and Enhancing the Historic Environment

4.8 In addition, the **National Planning Practice Guidance (PPG)**, launched on 6th March 2014, also contains relevant advice on the determination of planning applications and plan making. It is considered that the following sections are relevant to this appeal;

- Design
- Effective Use of Land
- Historic Environment
- Housing for Older and Disabled People
- Housing Supply and Delivery
- Viability

4.9 Other relevant Supplementary Planning Documents include:

- Banbury Vision and Masterplan SPD
- Cherwell Residential Design Guide SPD
- Developer Contributions SPD

5.0 APPELLANT'S CASE

5.1 The following section of the Statement of Case summarises the Appellant's evidence in relation to the proposed development at the Appeal site, prior to a full submission of the Appellant's evidence.

5.2 In the absence of reasons for refusal, the Appellant's case focuses on compliance of the scheme with the Development Plan and national planning policy, and the material planning benefits to be accrued by the proposed scheme. The Appellant's evidence will demonstrate that the scheme makes a significant contribution to housing and specialist housing need in a sustainable location and incorporates good-quality design appropriate to local character.

5.3 Given the failure of the LPA to determine the application and the absence of any reasons for refusal the Appellant will need to submit evidence separately addressing any deemed reasons for refusal cited by the LPA.

Five Year Housing Land Supply

5.4 Under the revised Framework, Local Planning Authorities need to demonstrate a five year supply of deliverable housing sites, with appropriate buffer (paragraph 74).

5.5 Failure to demonstrate a five year supply of deliverable housing sites indicates that the delivery of housing was substantially below the housing requirement over the previous three years then the policies which are most important for determining a planning application are out of date and the tilted balance applies (National Planning Policy Framework, paragraph 11).

5.6 The Council have confirmed their AMR (2021) identifies a 3.8 year land supply for the period 2021-2026 and a 3.5 year housing land supply for the period 2022-2027.

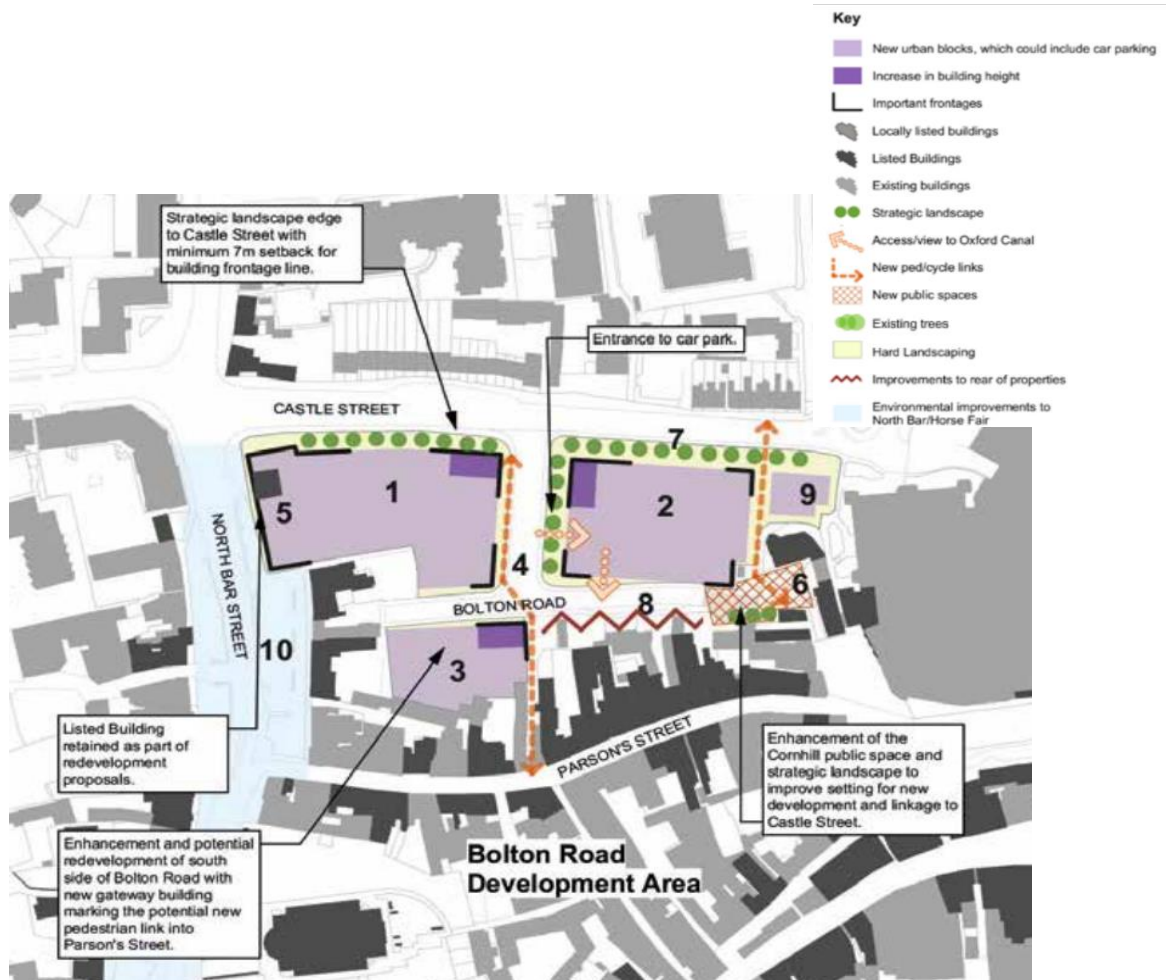
5.7 The Council have confirmed that the tilted balance applies and that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the adopted Cherwell Local Plan 2011-2031 and the NPPF taken as a whole.

5.8 It is the Appellant's case that the proposed scheme would not result in any adverse impacts, and even if it were considered to be some adverse impacts they would not significantly and demonstrably outweigh the benefits of the proposed scheme.

Principle of Development

- 5.9 Cherwell Local Plan Policy BSC1 seeks to focus new development in the towns of Banbury and Bicester. The plan seeks to secure the redevelopment of a number of major previously developed sites, including the appeal site under Policy Banbury 8.
- 5.10 The site is within the Banbury Town Centre (Policy Banbury 7). This policy seeks to strengthen the town centre and supports shopping, leisure, and other main town centre uses together with residential development in appropriate locations. Policy 7 states that the change of use of a site for residential development will normally be permitted if proposals contribute significantly to the regeneration of the town centre.
- 5.11 Policy Banbury 8 seeks to redevelop the area to include a range of town centre and high quality residential uses that will regenerate and enliven this part of the town centre. The uses include retail, hotel, leisure, residential and car parking. The allocation includes for 200 residential units to come forward across the wider site. It is notable that this policy was adopted in 2015 yet there has not been any sign of development on this site so far.
- 5.12 The Bolton Road urban framework plan set out within the Banbury Vision and Masterplan SPD is set out below. The application site is identified by block 1 with the key urban design principles setting out:

“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”.



- 5.13 Policy Banbury 8 requires the inclusion of a 7m landscape buffer fronting Castle Street. The proposed design includes this, which is set out clearly on the proposed landscape strategy. The proposals include street, ornamental and fruit trees. The sloping ground will remain and will be planted up with ornamental shrub and herbaceous planting. Some wild flower areas will be included to enhance biodiversity.
- 5.14 Policy Banbury 8 sets out that a comprehensive approach to the site is preferred, although acknowledges that a phased approach may be permitted provided that it is clearly demonstrated that the proposals will contribute towards the creation of a coherent development.
- 5.15 A masterplan was prepared independently and submitted with the application. This clearly shows an example of how the wider site could be developed and shows how the delivery of 80 units on this part of the site will not prejudice the delivery of 200 homes across the wider masterplan area. The masterplan document shows the connections onto Parson's Street can still be provided, as well as wider connections around the site.
- 5.16 The Council remain concerned that the site does not incorporate the adjacent Land Tyre Depot. They have requested further detailed information on the length of the lease and any evidence that would preclude an early release. There is a lease on the site until 2026 although Churchill are not party to its

contents, this is confidential information between the tenant and freeholder. The Appellant considers the masterplan demonstrates that the Land Tyre Depot can still come forward for development at a later date. The masterplan demonstrates that the development of this site alone does not prejudice the delivery of the remainder of the policy allocation.

- 5.17 The Council have raised concerns about the loss of the existing offices on the site. They have requested further evidence that the employers will move elsewhere within Banbury town centre together with some evidence of having sought to secure alternative premises and how this would be secured through the permission.
- 5.18 It is the Appellant's understanding that the current offices do intend to move elsewhere within Banbury. Information was submitted with the planning application setting out the availability of alternative office space within the town. In addition, the Council's allocation of the site under Policy Banbury 8 already accepts the loss of office use on the site.
- 5.19 Policy Banbury 8 was adopted by the Council in July 2015. The proposed policy was included in the Proposed Submission Local Plan as far back as August 2012. The Banbury Vision and Masterplan SPD was adopted in December 2016. This policy aspiration has therefore been around for a while with, until this point, no signs of delivery. The appeal scheme will help meet the Council's aspirations for this part of the site as well as acting as an important catalyst for the remainder of the land within Policy Banbury 8 being brought forward for development.
- 5.20 The Appellant considers that the redevelopment of the site accords with Policies Banbury 7 and Banbury 8 and that the principle of residential development on the site is acceptable.
- 5.21 The redevelopment of the site is considered consistent with Policy BSC2 which states that the Council will encourage the re-use of previously developed land. The NPPF is clear that decision makers should give substantial weight to the value of using suitable brownfield land within settlements (para 120c).

Design

- 5.22 The application was submitted with a Design and Access Statement that undertook a thorough contextual analysis of the site and surrounding area. The scale and massing of the proposed scheme at 3-4 stories is in keeping with the key urban design/development principles in the Banbury Masterplan SPD, the heritage context, and the character and appearance of the surrounding area.
- 5.23 The building has been designed to reflect the narrow burgage plots. The fenestration proportions have also been designed to reflect the historical grain of the surrounding area and the strong vertical emphasis. A limited palette of materials have been proposed to reflect the historical character.

- 5.24 The Appellant is an experienced provider of specialised accommodation for older people and designs schemes with the functional requirements of its end users in mind as well as the constraints and opportunities provided by the site. The Appellant is the view that the proposed scheme is a high quality design and that planning permission should have been granted without delay.
- 5.25 The Local Authority through application discussions have advised they have concerns in respect of the design. The Appellant therefore reserves the right to provide additional representation in respect of the design and any perceived impact on heritage assets.
- 5.26 The Appellant considers that the issue of design will be a live issue through the appeal.

Heritage

- 5.27 The site lies partly within and adjacent to the Banbury Conservation Area and adjacent to Grade II Listed Trelawn House.
- 5.28 The site currently comprises a building of no visual interest and poor public realm. The Heritage Statement accompanying the application concludes that the site is void of any heritage interest or elements which positively contribute to or enhance the streetscape or surrounding townscape which forms part of the Banbury Conservation Area and its setting. The Buzz Bingo building is identified as a negative landmark within the Conservation Area with the crossroads of Castle Street and North Bar Street as a point of disorientation.
- 5.29 The proposal will significantly open up the setting of Trelawn House to the north. This will give the building space and enhance its setting in accordance with policy ESD15.
- 5.30 A number of appeal decisions have recently confirmed that an increase in prominence and visual presence does not automatically translate into harm for the Conservation Area.
- 5.31 In relation to Trelawn House, it is considered that although the proposal will introduce a building which is taller, it would be observed in the context of other tall buildings, and with variations in roof heights, the overall perceived height will be reduced. Although redevelopment of the site would result in a change to the setting of Trelawn House, it would not result in harm to the heritage significance. Through its design and careful layout the scheme would enhance the setting and open up elevations currently blocked. Consequently the listed building would be better understood, experienced and appreciated.
- 5.32 At the same time the proposal balances the need to deliver an efficient use of land as required by the NPPF and policy ESD15; and deliver the required housing allocation under policy Banbury 8.
- 5.33 Paragraph 206 of the NPPF sets out that Local Planning Authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better

reveal their significance. As set out above, it is considered that pulling the proposed building back and opening up the setting of Trelawn House will help reveal its significance. The NPPF is clear that proposals which make a positive contribution to the heritage asset or which better reveal its significance should be treated favourably.

5.34 The Appellant considers the proposal would cause no harm to the heritage assets and if it were considered to cause some harm it would be less than substantial. In that case and having regard to Paragraph 202 of the Framework, the Appellant considers the public planning benefits of the scheme would outweigh any less than substantial harm to the heritage assets.

5.35 The Appellant considers that no harm has been identified as part of this Historic Environment assessment and as such the proposals comply with Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF and local planning policies ESD15, C28 and C30.

5.36 The Appellant considers that the issue of heritage impact will be a live issue through the appeal.

Highways and Parking

5.37 The Appellant submitted a Transport Statement with the application which considered the transport aspects of the site and the proposed development. The proposed development provides 27 unallocated car parking spaces for residents of the apartments along with a buggy store for mobility scooters. The provision of 27 parking spaces associated with the development is considered to be appropriate given the highly sustainable location of the site and based on the demand evidence from similar Churchill Retirement Living sites elsewhere. The apartment scheme provides a car parking ratio of 0.33. Seven of these spaces will provide EV charging, with passive provision to 100% of the spaces. The existing vehicular access off Bolton Road will be utilised, with the number of trips reduced in comparison to the use of the site as a Bingo Hall.

5.38 A tracked 11.6m refuse vehicle can enter and leave the site in a forward gear. Cycle parking has been included within the mobility scooter store following the request of the Highway Authority.

5.39 The Highway Authority have requested a designated taxi and ambulance standing area. The Appellant has responded that given the very low vehicle movements within the parking area, for the limited times they are called out, an ambulance could pull up alongside the landscaped area to the south of the terrace. The provision of a specific bay would have a negative impact on the proposed landscaping and amenity space.

5.40 The Appellant considers the proposal complies with the development plan and Paragraph 111 of the Framework which advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the

road network would be severe. The Appellant considers that the proposal would not result in an unacceptable impact on highway safety.

Drainage & Flood Risk

5.41 As part of the application a Flood Risk and Drainage Technical Note was submitted with the application. Following the objection of the Local Lead Flood Authority, more detailed Flood and Drainage design has been submitted.

5.42 The Appellant is assuming that this will be a live issue at the appeal if the further information submitted does not satisfy the Authority.

5.43 The site falls within Flood Zone 1 (low probability of flooding). Flooding is not considered to be an issue for the appeal

Affordable Housing

5.44 The Appellant submitted a detailed viability assessment of the proposed scheme for the Council's consideration. This included evidence in respect to the viability inputs associated with specialised accommodation for older people which is acknowledged by national planning policy (PPG) to differ from mainstream housing in terms of its characteristics and viability consideration (e.g. additional communal areas, slower sales rate etc.).

5.45 The independent viability assessment has made a number of changes to the viability assessment that are disputed. The key areas of dispute include build cost, fees and profit.

5.46 On this basis the Appellant is assuming this to be a live issue for the appeal and would need to provide detailed expert advice on all aspects of development viability of the proposed scheme. The nature of this evidence could be extensive and complex.

Planning Balance and Material Planning Benefits

5.47 It is necessary for the decision maker to carry out a planning balance exercise in respect to the application including consideration of the policy compliance of the application, its planning merits in meeting planning objectives and the consideration of other planning benefits. Evidence will be presented to demonstrate that in line with the social, economic, and environmental objectives of Paragraph 8 of the Framework, the scheme presents the following benefits:

- Development of previously developed land;
- Development would be of land in a sustainable location
- Making optimum use of a previously developed site

- The delivery of much needed specialist housing for older people
- Development would provide 78 retirement market dwellings
- Releasing under-occupied housing stock
- Economic benefits through job creation through construction and operational phases, and through residents spending locally
- Social benefits of specialised accommodation for older persons
- Environmental benefits including photovoltaic panels and biodiversity enhancements

5.48 The Appellant will provide recent appeal decisions at Fleet (APP/N1730/W/20/3261194) and Basingstoke (APP/H1705/W/20/3248204) with appeal evidence to demonstrate the substantial weight that should be afforded to the planning benefits of the proposed scheme.

Conclusion

5.49 In conclusion, the Appellant will demonstrate that the proposal is completely in accordance with the development plan and the material planning benefits of the proposed scheme as established in recent appeal decisions all weigh heavily in favour of the scheme.

5.50 The Appellant considers that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the proposed scheme when assessed against the Framework as a whole. The Appellant considers the proposed scheme complies with the development plan and planning permission should have been granted.

6.0 WITNESSES

6.1 At this stage, we anticipate presenting evidence and witnesses to address the reasons for refusal which will be;

- Planning witness addressing planning policy and planning balance
- Design Witness
- Heritage Witness
- Highways Witness
- Development Viability Witness
- Drainage Witness

6.2 We will seek to reduce the evidence required through the production of an agreed Statement of Common Ground (SoCG), as indicated above and will continue to work with the Council to minimise dispute between parties.

Planning Conditions

6.3 A list of draft Planning Conditions will be discussed and agreed with the Local Planning Authority and will be included within the final SoCG.

7.0 CONCLUSION

7.1 The Appellant's case clearly sets out that the Appeal Site is located in a sustainable location in Banbury, within reasonable walking distance of key local services and facilities, is in accordance with the Local Plan for new development, and will deliver significant and tangible benefits to the new and existing community, including:

- The site is in a highly accessible location, making it suitable for older people housing;
- The location of the development will make a positive and sustainable contribution to the local economy in terms of placing development where it is needed in an accessible location ensuring there is no undue reliance on use of the private car for future occupants;
- This site is part of a wider allocated site for mixed use development including 200 homes. The proposal will help to deliver the vision of the Development Plan, without prejudicing the wider delivery of the site.
- The proposals contribute to a serious and significant local need for older people housing and to the Council's housing policy objectives in respect of delivery of private retirement housing;
- The proposal would assist in releasing and freeing up under-occupied houses back into the housing market;
- The high quality design will enhance the character and appearance of the Conservation Area and the setting of Trelawn House.
- The development would allow independent living, reducing security worries for older people, reducing loneliness and isolation for older people by creating a community and having someone who can be called upon in an emergency;
- The proposal is a result of comprehensive engagement, pre-application discussions, and an evolving design process. This has resulted in a proposal that provides high-quality design which accords with the character of the area, whilst meeting the needs of the future occupiers;

7.2 On the basis of the above, we consider that the proposals accord with national and local planning policy, and in line with the presumption in favour of sustainable development and Paragraph 11 of the Framework, should be approved without delay.