

**Case Officer:** Linda Griffiths

**Recommendation:** Approve

**Applicant:** L & Q Estates

**Proposal:** Reserved Matters to 14/01932/OUT: Western Perimeter Road and Loop Road ancillary to the main Spine Road including landscaping and associated infrastructure

**Expiry Date:** 24 June 2022

**Extension of Time:** 1 July 2022

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## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is part of a wider parcel of land allocated for residential development with associated infrastructure through the adopted Cherwell Local Plan 2011-2031 under Policy Banbury 17. The whole site allocation was formerly in agricultural use and extends from the Bloxham Road in the west to White Post Road in the east. A new spine road will run directly through the site from Bloxham Road linking to White Post Road, Bodicote.
- 1.2. Outline consent was granted in December 2019 for up to 1,000 dwellings, a Primary School, Local Centre and other infrastructure to serve the development. The application site comprises the larger, most significant part of the allocation, with a smaller area of land to the east being currently built out by Barratt/David Wilson Homes and a small area to the northwest adjacent to Bloxham Road that has already been built out by Morris Homes.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The application seeks reserved matters consent for the Western Perimeter Road and the loop road ancillary to the main spine road. The ancillary roads to the spine road will provide essential sections of road required to facilitate the delivery of the parcels for the community infrastructure; the primary school and local centre and also linkages to Wykham Park Farm.

## **3. RELEVANT PLANNING HISTORY**

- 3.1. The following planning history is considered relevant to the current proposal:

14/01932/OUT – outline consent granted for up to 1,000 new dwellings with associated infrastructure;

15/01326/OUT – outline consent granted on appeal on the eastern part of this allocation for up to 280 new dwellings and associated infrastructure;

18/00895/REM – reserved matters consent to 15/01326/OUT;

20/01048/DISC – design code approved for the western part of this site;

20/03702/REM – reserved matters consent granted for the spine road.

#### **4. PRE-APPLICATION DISCUSSIONS**

4.1. No pre-application discussions have taken place with regard to this proposal.

#### **5. RESPONSE TO PUBLICITY**

5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **19 February 2021**, by advertisement in the local newspaper expiring **18 February 2021** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **9 June 2022**.

5.2. No comments have been raised by third parties.

#### **6. RESPONSE TO CONSULTATION**

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

##### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. **Banbury Town Council:** No objection.

##### STATUTORY CONSULTEES

6.3. None.

##### NON-STATUTORY CONSULTEES

6.4. CDC Arboriculture: No comments.

6.5. CDC Landscape Services: No comments.

6.6. CDC Land Drainage: No comments.

6.7. OCC Transport: Initial Objection – the delivery bay at the local centre is shown as indicative, dropped kerb access to local centre car park should be a kerbed bellmouth and pedestrian/cycle route around parking layby should have a buffer or extra width of 500mm to allow for car doors.

Update 23.06.2022 – no objection – previous concerns have been addressed by amended details.

#### **7. RELEVANT PLANNING POLICY AND GUIDANCE**

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

### CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD15 - The Character of the Built and Historic Environment
- Banbury 17 – strategic allocation

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – design and layout

#### 7.3. Other Material Planning Considerations:

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Cherwell Residential Design Guide (2018)
- Approved Design Code August 2021

## **8. APPRAISAL**

#### 8.1. The key issues for consideration in this case are:

- Principle of development
- Highway Safety
- Design and Landscaping

8.2. The application is pursuant to the outline planning permission for the strategic housing allocation under Policy Banbury 17 of the adopted Cherwell Local Plan 2011-2031.

8.3. An Environmental Statement and other supporting information were submitted with the original outline consent. A reserved matters application is a 'subsequent' application which is also regarded as an EIA application. The application submission follows the granting of outline consent and has been assessed against the original ES. There are no new, additional or significant likely effects arising from this submission and therefore no further ES is required.

8.4. The new development is structured around the spine road, which also includes cycleways and footpaths and will form the central connection through the site. Both the loop road and the western perimeter road are ancillary to the main spine road and are required to be delivered in phase 1 of the development in accordance with the Highways Infrastructure Plan Reference L&Q 002-004 Rev D, as approved under the outline consent.

8.5. The application has been assessed by OCC as highway authority. The original submission was not considered acceptable in respect of the loop road serving the local centre and school for a number of reasons.

8.6. The amended submission has now addressed the previous concerns raised by OCC highways with the exception that vehicle swept path analysis for a max artic has not been provided for the servicing layby at the local centre. To avoid the risk of this type of vehicle being unable to access the bay and stopping to unload at an unsafe location, a condition is recommended to address the issue and ensure acceptability.

8.7. The addition of the cycle parking on the footway adjacent the school is welcomed, but it has not been drawn showing the parked bikes, to demonstrate there is adequate space, therefore a further condition is recommended accordingly.

## 9. PLANNING BALANCE AND CONCLUSION

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The proposal will provide for essential services to the development. The forward delivery of infrastructure will enable residential parcels and associated infrastructure to be serviced such that the development parcels, local centre and the school can all then be delivered in a timely fashion. The application is in accordance with the principles of the approved design code, and those principles set out in the outline planning permission, phasing plan and other related documents.

## 10. RECOMMENDATION

That permission is granted, subject to the following conditions:

1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:

Technical Design Note WPF-HYD-XX-XX-RP-C-0200 P01 dated April 2022;  
WPF-HYD-XX-XX-DR-C-0011 P08;  
WPF-HYD-XX-XX-DR-C-0013 P10;  
WPF-HYD-XX-XX-DR-C-2304 P06;  
WPF-HYD-XX-XX-DR-C-0012 P11;  
WPF-HYD-XX-XX-DR-C-0222 P07;  
WPF-HYD-XX-XX-DR-C-0223 P01;  
WPF-HYD-XX-XX-DR-C-0224 P04;  
WPF-HYD-XX-XX-DR-C-0405 P03;  
WPF-HYD-XX-XX-DR-C-0406 P02;  
WPF-HYD-XX-XX-DR-C-0004 P08;  
WPF-HYD-XX-XX-DR-C-2303 P06;  
WPF-HYD-XX-XX-DR-C-2303.1 P04;  
WPF-HYD-XX-XX-DR-C-2304 P06;  
WPF-HYD-XX-XX-DR-C-2304.1 P05;  
WPF-HYD-XX-XX-DR-C-0601 P10;  
WPF-HYD-XX-XX-DR-C-0602 P09;  
WPF-HYD-XX-XX-DR-C-0603 P09;  
WPF-HYD-XX-XX-DR-C-0604 P09;  
WPF-HYD-XX-XX-DR-C-0605 P10;  
04841-HYD-XX-XX-DR-C-5605 P05;  
edp5378-d013e and gas network design drawing.

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

2. The commercial premises at the local centre shall only be serviced from the adjacent layby as shown in approved drawing WPF-HYD-XX-XX-DR-C-0013 P10.

Reason: In the interests of highway safety and to comply with Government guidance within the National Planning policy Framework.

3. Prior to the commencement of development, details of the cycle parking adjacent the school shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the cycle parking shall be provided prior to first occupation of the school.

Reason: In the interests of highway safety and to comply with Government guidance within the National Planning Policy Framework.

Case Officer: Linda Griffiths

DATE: 27<sup>th</sup> June 2022

Checked By: Andy Bateson

DATE: 28<sup>th</sup> June 2022

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