

Planning, Design and Access Statement

Reserve Matters Approval – Substations

Wykham Park Farm (Policy 17) Strategic Development

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1.0 INTRODUCTION

1.1 This Planning, Design & Access Statement ('the Statement') has been prepared by David Lock Associates ('DLA') on behalf of L & Q Estates Ltd (Previously known as Gallagher Estates), the master developer of Land at Wykham Park Farm which forms part of a Residential Led, Mixed Use Allocation of a Strategic Development known as South West Banbury.

1.2 The Wykham Park development includes outline permission under local authority reference 14/01932/OUT, first granted on 19th December 2019 on this part of the site for:

"Development of up to 1,000 dwellings together with a mixed use local centre [including A1 retail up to 1,000 m2, financial services (A2), restaurants, pubs and takeaways (A3, A4, A5), community uses (D1)]; primary school and safeguarded additional primary school land; secondary school playing field land; green infrastructure including formal (including playing fields) and informal open space, landscape and amenity space; changing and sports facilities (including D2); sustainable drainage systems; highway, cycle and pedestrian routes; car parking; infrastructure (including utilities); engineering works including ground remodelling; demolition, site reclamation and removal of structures. Formation of a new roundabout access from the A361 together with associated alterations to alignment of Bloxham Road and provision of a section of link road through the site up to its eastern-most boundary."

1.3 The development of site combines two adjoining sites that were allocated as a residential led development within the Councils adopted Development plan under Banbury Policy 17. The development as a whole will help the Council meet its housing requirements, create new jobs and investment opportunities, improve infrastructure.

1.3 The outline planning permission was subject to a number of conditions relevant to the proposal herein, those most relevant include:

Cond 1:

"No development shall commence on a phase identified within an approved phasing plan (see condition 2), with the exception of works undertaken in accordance with condition 50, until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) of the development proposed to take place within that phase have been submitted to and approved in writing by the Local Planning Authority."

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)."

Cond 3:

"In the case of the reserved matters, no application for approval shall be made later than the expiration of eight years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004."

- 1.4 This application is for 4 No electricity substations each measure approximate 81m2 and totally together some 324m2. The application is pursuant to the outline and includes hard landscaping and associated infrastructure.
- 1.5 The application is one of a series of reserved matters applications ('RMAs') submitted by DLA on behalf of L&Q pursuant to the outline planning permission 14/01932/OUT. This includes, where necessary, details of access, appearance, landscaping, layout and scale ('the reserved matters') submitted for approval by Cherwell District Council, as the local planning authority, before development begins on the land or parcel to which it relates.
- 1.6 The development is associated with and structured around the spine road (Primary Street). The primary street network (which also includes cycleways and footpaths) will form the central connection through the site, connecting each residential area. The developments design and siting is mindful of and in accordance with the Approved Wykham Park Farm Design Code.
- 1.7 The proposal provides for critical pieces of infrastructure for the delivery and occupation of the wider Wykham Park Farm allocation.
- 1.8 This Statement is structured as follows:
 1. Introduction
 2. Site and its Surroundings
 3. Proposed Development
 4. Compliance with approved Documents
 5. Development Plan and Other Material Considerations
 6. Conclusions

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2.0 THE SITE AND SURROUNDINGS

2.1 The application site comprises the areas of land just off the Spine Road (the 'proposed development'), which was approved under Local Planning Authority reference 20/03702/REM The red-lined site location plan is included in **Figure 1** below. The site is 0.03 hectares.



Figure 1 – Site Location

2.2 The parcels in which the substations will be located are within residential parcels, A, C, E & G as indicated on the approved phasing plan, under condition 2. (See Figure 2).

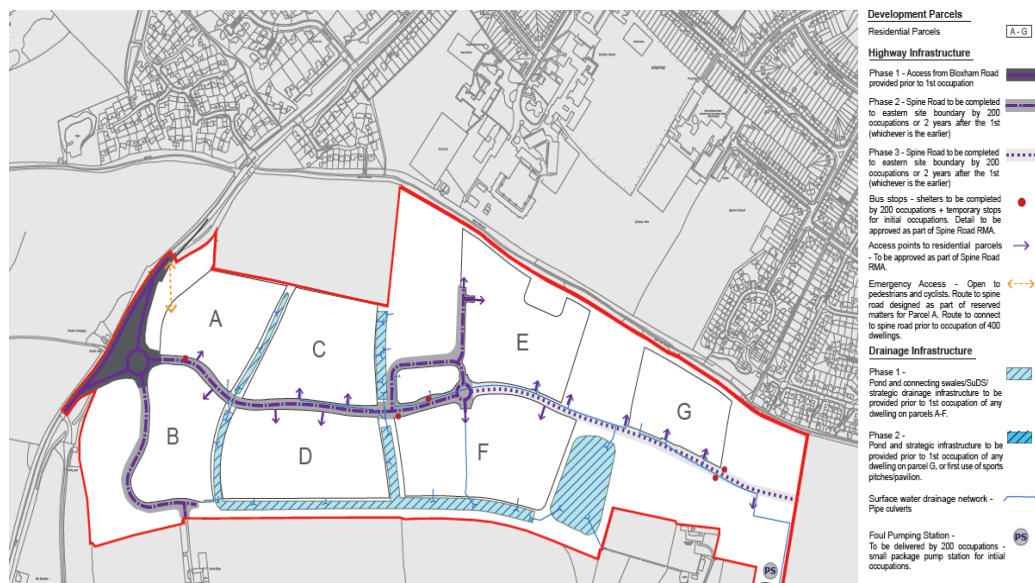


Figure 2 – Phasing

2.6 Section 3.0 of the Statement will now describe the proposed development.

3.0 PROPOSED DEVELOPMENT

Proposals

3.1 The proposed development is described as:

'Approval of Reserved Matters: 4 No. Electricity Substations located within parcels, off the approved Spine Road'

3.2 The reserve matters submission involves the construction of the 4 x electricity substations each measuring 4 metres x 4 metres square with an overall height of approximately 3 metres. These would all be constructed from a brick and tile housing, with materials to match the proposed residential development, to be delivered by others. As such, full details of the specific brick and tile type, is expected to be controlled through a suitably worded pre-construction condition.

3.3 The siting, layout and design of each of the substations, aims to minimise their visual impact with integration within the residential parcels to which they are proposed to be located.

Environmental Impact Assessment (EIA)

3.4 An Environmental Statement and other supporting information were submitted with the original outline application 14/01932/OUT, as the proposals constituted EIA development. Consequently, "subsequent" applications are also regarded as EIA applications. Under the *Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended)* subsequent EIA applications include reserved matters and matters requiring approval before development can commence (e.g. discharge of conditions).

3.5 It should be noted that the original Environmental Statement (dated October 2014) and supplemented by the Regulation 22 Further Information (dated March 2016) did not raise issues of overriding significance, and mitigation. Enhancement of existing habitats, features and services were built into the outline design approved with conditions governing further detailed information required prior to commencement of development or prior to occupation.

3.6 This RMA follows the approval of outline permission and been satisfactorily addressed by the original ES (as amended) in considering any significant environmental effects arising from the proposals. Therefore, no further ES is required. There are no new, additional or significant likely environmental effects arising from this proposal.

- 3.7 For the reasons set out later in this Statement, the proposals are consistent with the outline planning permission, other reserved matters approvals adjacent/adjoining to the site, and documents approved pursuant to the planning conditions discharged as referred to in this Statement.

Application Submission

- 3.8 The application seeks the approval of Reserved Matters pursuant to Condition no. 1 of the outline planning permission 14/01932/OUT, which states:

"No development shall commence on a phase identified within an approved phasing plan (see condition 2), with the exception of works undertaken in accordance with condition 50, until full details of the layout, scale, appearance and landscaping (hereafter referred to as reserved matters) of the development proposed to take place within that phase have been submitted to and approved in writing by the Local Planning Authority.

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)."

- 3.8 The proposed development will provide essential infrastructure that will be vital for the delivery of the Wykham Park Farm development and its future residents. The Substations will provide power for the homes, schools and services that are and will be located within development.

- 3.10 The application comprises:

- Covering letter (DLA);
- Application form (DLA);
- Application Plans, Drawings and reports:
 - 8686-086 - WPF Banbury - Proposed Substation 1 location Plan - Rev B;
 - 8686-087 - WPF Banbury - Proposed Substation 2 location Plan - Rev B;
 - 8686-088 - WPF Banbury - Proposed Substation 3 location Plan - Rev B;
 - 8686-089 - WPF Banbury - Proposed Substation 4 location Plan - Rev B;

- GTC-E-SS-0012_R2-1_1_of_1 – Full scale floor and elevation plans of each of the Substations;
- GTC-E-EA-0003_R1-3_1_of_1 – Utilities connection Plan;
- GTC-E-EA-0001_R7-8_1_of_1 – Earthing Layout Plan;
- 21-08-10 CMP - Part B - On-Site Infrastructure (Construction Management Plan); and
- Planning, Design and Access Statement (DLA).

3.11 The following paragraphs consider the technical assessments supporting the application and how these assessments have informed the design of the proposal.

Arboricultural Impact Assessment

3.12 An Arboricultural Impact Assessment has been undertaken to inform the spine road application which was previously approved under LPA reference 20/03702/REM. Any tree/hedgerow loss, replacement and indeed protection was considered as part of that submission and its associated condition discharge under condition 42 of the outline. No additional trees nor any proposed replacement planting, would be impacted as a result of this proposal.

Ecology

3.13 The site currently comprises agricultural fields. In accordance with Condition 17 of the outline planning permission, a site wide Badger Mitigation Strategy was required to be submitted and has been informed by up to date surveying of habitat. The survey information has informed the design of the scheme as whole, by ensuring appropriate buffers are maintained around any habitation. This strategy was approved under Condition 17 under LPA reference 20/03674/DISC.

Archaeology

3.14 A site wide Archaeological Written Scheme of Investigation (October 2019) was submitted subsequent to the approval of the outline application and approved under Condition Nos 43, and 45. A detailed method statement for the preservation and protection of any heritage assets was also supplied in support of those conditions. This submission has no direct impact on any heritage assets.

Drainage

3.15 An overarching site wide drainage strategy is required by Condition 10 of the outline permission. The proposed drainage plans supplied in support of this submission, demonstrate that both the surface water and foul water drainage

designs are in accordance with the drainage proposals/strategies submitted to the Council pursuant to condition 10, Local Authority Reference 20/01164/DISC. The proposal has no direct impact or conflicts to the drainage strategy nor is any drainage required to support these utilities.

Appearance, Layout, Scale & Landscape

- 3.16 The siting, layout and design of each of the substations, aims to minimise their visual impact with integration within the residential parcels to which they are proposed to be located. The substations are surrounded by a brick and tile housing which is intended to match with the relatable residential scheme and for this reason, we recommend that the specifics of the brick and tile be controlled through condition, to be agreed prior to construction of the each of the substations such that they can align appropriately with their setting.
- 3.17 No soft landscaping is directly proposed around the substation housing however the spine road itself is street lined and the residential parcels which will be built around the substation which include landscape proposals which will seek to minimise the substations appearance in the streetscene further albeit the proposals are of a design similar to that of a garage which would be anticipated within a residential parcel and therefore significant mitigation through landscaping is not considered to be justified.

Access and Highway Safety

- 3.18 No individual access is required to each of the substations as they are located off the spine road, where a maintenance vehicle can pull up along side the utility as and when required on a short-term basis.

Noise and Amenity Impact

- 3.19 The substations are contained within a structure and would not represent a noise disturbance that requires any formal mitigation. In relation to implementation of the development, the contractor has a moral and legal duty to ensure activities on site are adequately controlled to prevent any disruption. These matters can be addressed and suitably controlled by the imposition of an appropriate planning condition on the reserved matters approval for the proposed development, if indeed this is necessary.

4.0 COMPLIANCE WITH APPROVED DOCUMENTS

4.1 This application must be seen in the context of the outline permission, the related Environmental Statement (and supplements and reports), the supporting technical documents, the Design Code, other reserved matters approvals and the numerous other relevant strategies that have been approved, following the discharge of conditions on the outline planning permission.

Outline Permission and Regulatory Plan

4.2 The Statement has set out the application's compliance with the outline planning permission, planning conditions and other approved documents related to the conditions along with other reserved matter approvals. This includes the approved Regulatory Plan for the entire site, which shows the development broken down into parcels of land, each with an allotted use.

Design Code

4.3 The Design Code, which was approved by the Council in October 2021, indicates the proposed development as 'Residential Parcel' on the Regulatory Plan (extract in **Figure 3**).

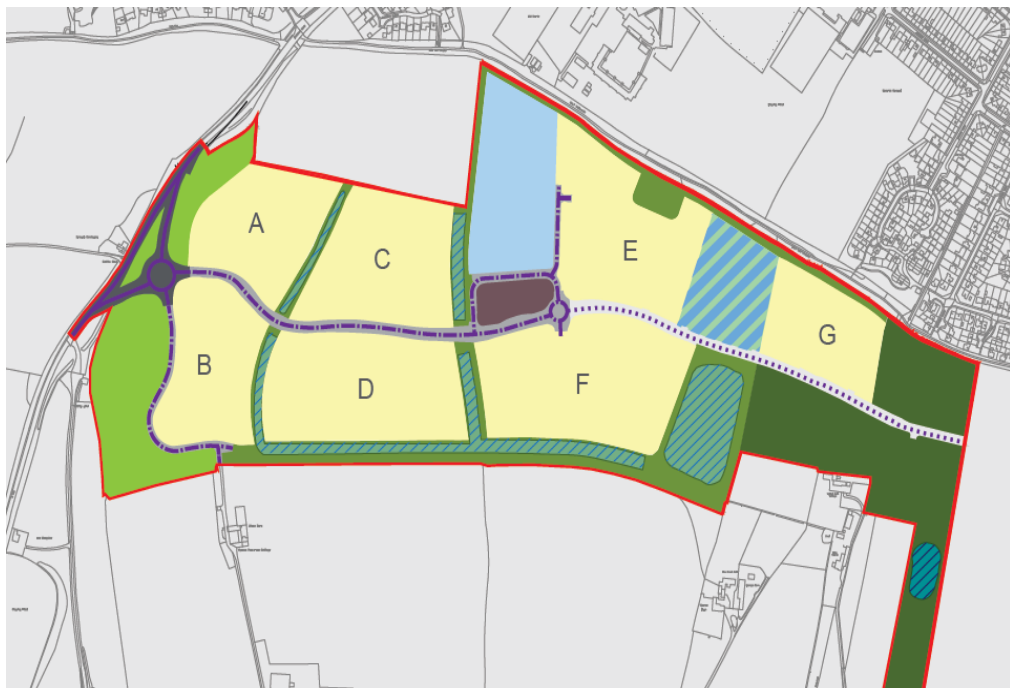


Figure 3 | Regulatory Plan Rev H

- 4.4 Each substation would be located within the Spine Road Frontage Core Character areas albeit as described within this statement already, they are located primarily with the residential parcels such that they can integrate with other planned built development and would not be a prominent feature along the spine road frontage.
- 4.4 The siting of each substation respects the access arrangements agreed as part of the regulatory plan and does not conflict with any aspirations for key gateway nodes or other key components of the regulatory plan.
- 4.5 There are no specific requirements in relation to utilities in terms of siting, design and any other parameters however having regard to the built form parameters to which this most suitably relates, each unit confirms with the building heights parameters, responds appropriately having regards to its function with the use of materials that would integrate it within its setting. As such the proposal is considered to be consistent with the approved Design Code.

5.0 DEVELOPMENT PLAN & OTHER MATERIAL CONSIDERATIONS

5.1 In determining planning applications, the Council must follow the decision-making process indicated in section 70(2) of the *Town and Country Planning Act, 1990* (as amended by section 143 of the *Localism Act 2011*), which provides that the authority shall have regard to:

- (a) the provisions of the development plan, so far as material to the application;
- (b) any local finance considerations, so far as material to the application; and
- (c) any other material considerations.

5.2 Section 38(6) of the *Planning and Compulsory Purchase Act 2004 (as amended)* provides as follows:

If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.3 Thus, the starting point for consideration of any application must be the development plan before going on to consider other material considerations. Such considerations can be wide-ranging as long as they relate to the use and development of land. In this case, the principal 'material considerations', other than those mentioned in Section 3.0 and elsewhere in this Statement, include the National Planning Policy Framework ('NPPF') and Planning Practice Guidance at the national level and the Council's Adopted Cherwell Local Plan 2011-2031 and Supplementary Planning Documents, at the local policy level.

Development Plan

5.4 The Development Plan principally comprises the Cherwell Local Plan 2011 -2031 adopted 20 July 2015 and relevant "saved" policies from the Local Plan 1996 for Cherwell, where policies were saved in 27 September 2007.

5.5 The site is as a Committed Strategic Development at South West Banbury (Banbury Policy 17) whereby this site the subject of this pursuant reserve matters submission, is read in conjunction with an adjoining counterpart to provide development of up to 1,345 dwellings with associated facilities and infrastructure as part of South West Banbury.

5.6 In relation to other policies in the adopted Joint Core Strategy, the principle of the proposed development has already been established by the granting of outline

permission and approval of other documents (see Section 4 of this Statement). There is little specific guidance or policy on highways. However, the proposal, which sits within a framework of approved planning documents specific to Wykham Park Farm is considered to be consistent with the principles included within the Development Plan and therefore in accordance with:

- Policy PSD1: Presumption in Favour of Sustainable Development.
- Policy ESD 15: The Character of the Built and Historic Environment

Other Material Considerations

NPPF

5.7 The proposal has been designed in accordance with the aims of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) in creating well-designed places and promoting sustainable transport, particularly Section 12 of the NPPF. This recognises that good design is a key aspect of sustainable development, creates better places in which to live and helps make developments acceptable to communities.

5.8 Paragraph 130 of the NPPF is particularly relevant, as it states:

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

- 5.9 Item a) is particularly relevant to this proposal which seeks to ensure that this development is future proofed to deliver the appropriate utilities and services to the site for its lifetime without placing pressure on existing services.

6.0 CONCLUSION

- 6.1 In conclusion, it is considered that this reserved matter submission is in accordance with the outline permission, phasing plans, NPPF and recently approved design code for Wkyham Park Farm.
- 6.2 The proposal will provide approval for essential services to the development. The forward delivery of infrastructure will enable the residential parcels and associated infrastructure parcels to be serviced such that the parcels can begin to be developed.
- 6.3 For all of the reasons set out in this Statement and supporting documentation, L & Q respectfully requests that the Council approves the reserved matters application in accordance with Section 38 (6) of the *Planning and Compulsory Purchase Act 2004* as soon as possible so the proposals can be constructed, and the benefits delivered.