

Development Planning
Cherwell District Council
Bodicote House
Bodicote
OX15 4AA

06 December 2022

Dear Sir/Madam

OS Parcel 5616 South West of Huscote Farm and East of Daventry Road, Banbury

Outline Planning Application – 22/01488/OUT – Construction of up to 140,000 sqm of employment floorspace (use class B8 with ancillary offices and facilities) and servicing and infrastructure including new site access, internal roads and footpaths, landscaping including earthworks to create development platforms and bunds, drainage features and other associate works including demolition of the existing farmhouse

Chacombe Parish Council writes in respect of the recently submitted additional supporting information relating to the outline planning application by Pegasus Group on behalf of Greystoke CB, to object to the principle of the proposed development.

We enclose our initial comments for ease of reference and our representations issued in June 2022 still stand.

We wish to make the following additional comments.

- 1) The proposed development composition and development parameters have not been changed.
Therefore, all of the previous comments made in respect of the principle of the development still stand.
Namely:-
 - The site is not located within the built limit of Banbury,
 - Is not an allocated or an existing employment site,

- The site is not previously developed land,
- The site is not easily accessible or supported by more sustainable transport modes
- Buildings of the scale proposed, given the separation from Banbury, would be out of character with the surrounding rural context, would appear incongruous and sporadic, and would be incompatible with the local area.

Therefore, the principle of providing employment development on this site fails to comply with SLE1 of the Cherwell Local Plan and therefore, would not be supported.

- 2) In relation to additional mitigation measures relating to transport. The applicant suggests the following measures:-

Table 8.14: Mitigation

Ref	Measure to avoid, reduce or manage any adverse effects and/or to deliver beneficial effects	How measure would be secured		
		By Design	By S.106	By Condition
1	A contribution to OCC to fund wider capacity enhancements on the Hennef Way Corridor.		X	
2	Public Transport Enhancements – a contribution increasing the frequency of Service 200		X	
3	Further improvements to bus stop infrastructure		X	
4	Provision of EV Charging	X		
5	Routeing and Signage Strategy			X

These mitigation measures will not be sufficient to accommodate development of this scale.

It is widely acknowledged that the existing junction and road network is not of sufficient capacity to accommodate further development of this significant scale.

The only mitigation measure that would enable the development to be carried out in transport terms would be the provision of a new south east relief road through the town which it is widely acknowledged cannot be viably and practically delivered.

Without the provision of a new relief road through the town, the development remains unacceptable in transport terms.

We fully endorse the strategic comments in relation to Transport by Jonathan Wellstead (extract provided below):-

Application no: 22/01488/OUT

Location: OS Parcel 5616 South West Of Huscote Farm And East Of, Daventry Road, Banbury OX17 2BH

Strategic Comments

This outline planning application seeks permission for the construction of up to 140,000 sqm of B8 employment floorspace with ancillary offices and facilities.

The application site is located on unallocated land to the east of Junction 11 on the M40, on the eastern edge of Banbury. It is also adjacent to Banbury 15 allocated in the Cherwell Local Plan 2011-2031 for Employment Land West of the M40.

The Planning Inspector's Report on the Examination into the Cherwell Local Plan commented on Banbury 15, which originally extended from the boundary with the M40 and across the A361 to the fields east of the A361. The Inspector concluded that only the smaller portion of the site bound by the M40 to the west and the A361 to the east (now known as "Frontier Park") would be appropriate for development in this Plan period. The Inspector also highlighted the severe congestion and air quality issues at Junction 11, along Hennef Way in particular.

The County is raising Transport Development Control and Lead Local Flood Authority objections. Also attached are detailed Archaeology comments.

Officer's Name: Jonathan Wellstead

Officer's Title: Principal Planner

Date: 15/07/2022

It is not considered that the mitigation measures proposed by Graystoke within their addendum information resolve any of the following strategic objections by OCC:-

Transport Schedule

Recommendation:

Objection for the following reasons:

- The site is in an unsustainable location for walking and cycling
- The primary access roundabout is too close to the M40 Junction 11 as it will cause occasional severe congestion
- Any further development around Junction 11 of the M40 will add to the severe congestion and air quality problems on the A422, particularly along Hennef Way – this development does not demonstrate how it would reduce its impact on these issues through adequate sustainable travel connections or by highway improvements
- Safe and suitable operation of affected highway junctions has not been demonstrated by the use of a suitable analysis tool.

Chacombe Parish Council considers that the proposals are unacceptable in highways and transport terms. It is agreed that the proposals would cause severe harm to highway safety and should not be supported.

Summary

None of the additional information that has been submitted alters the primary considerations which are that:-

- 1) The site is specifically excluded from the Cherwell Local Plan and a detailed assessment has been undertaken by the Planning Inspectorate confirming that the development of this site would result in a **“significantly detrimental impact on the local landscape”** and lead to a **“harmful erosion of its rural setting on this side of the town”**. (Paragraph 201, Inspector’s Report).
- 2) The landscape and visual impact of the proposal would be significant and lead to a total erosion of the rural setting. Overall, the proposed development would be out of scale and character with the open rural character of the site and its surrounding context. Development would cause unacceptable harm to the visual amenity of the area and the local landscape. As such, the proposed development would fail to accord with policy ESD13 and ESD15 of the Local Plan, and saved Policy C8 of the 1996 Local Plan”

It remains evident that the outline application for development of the site to the east of the A361 is inappropriate and represents a significant departure from the development plan. The conclusions by Pegasus Group that the proposals are in general accordance with the development plan is clearly flawed and ill considered.

Focusing employment development at Banbury is not consistent with the spatial strategy which clearly seeks to focus development at Bicester.

There are no substantial benefits that can outweigh the significant harm arising from this development.

It is evident that the development of the site to the east of the A361 is unacceptable in principle given the significant and harmful landscape and visual impacts that would be result from such a development, creating irreversible erosion of the rural landscape character. The assertion in the planning statement that the impact on character and appearance of the area is moderate, represents a flawed assessment of the existing landscape character.

The highways and infrastructure impacts would also be significant and cannot be mitigated given deliverability barriers to a south east link road through the town.

Whilst the development of the site to the west of the A361 (Frontier Park Site) is disappointing and created a breach to the established built up boundary of Banbury created by the M40, the release of this site (the Frontier Park Site) by the Inspector for development can potentially be considered logical given the somewhat limited landscape value and contribution of those fields - limited by its location between the M40 and the A361 and its largely flat topography.

The same cannot be said for the land to the east and this is fully supported by the Inspectors report in 2015 which clearly stated that development to the east of the A361 would have significant negative visual impact given the rising ground and its higher landscape sensitivity to built development.

Chacombe Parish Council urges the Council to reject any form of built development to the east of the A361 for the reasons stated above and to refuse outline planning permission for the proposals submitted under planning application 22/01488/OUT.