

# PLACE AND GROWTH INTERNAL MEMORANDUM

**From:** Planning Policy, Conservation and Design Team

**To:** Senior Manager – Development Management (FAO Linda Griffiths)

**Our Ref:** Application Response

**Your Ref:** 23/00853/OUT

**Ask for:** Chris Cherry

**Ext:** 1851

**Date:** 11 May 2023

## APPLICATION FOR PLANNING PERMISSION PLANNING POLICY CONSULTATION RESPONSE

This response raises the key planning policy issues only.  
All material planning policies and associated considerations will need to be taken into account.

<b>Planning Application No.</b>	23/00853/OUT
<b>Address / Location</b>	Land East Of Warwick Road Drayton, Warwick Road, Banbury
<b>Proposal</b>	Outline application for up to 170 dwellings (Use Class C3) with associated open space and vehicular access off Warwick Road, Banbury; All matters reserved except for access
<b>Key Policies / Guidance</b>	<p><b>Adopted Cherwell Local Plan 2015</b>            Policy SLE 4: Improved Transport &amp; Connections            Policy BSC 1: District Wide Housing Distribution            Policy BSC 3: Affordable Housing            Policy BSC 4: Housing Mix            Policy BSC 10: Open space, Outdoor Sport &amp; Recreation Provision            Policy BSC 11: Local standards of Provision – Outdoor Recreation            Policy BSC 12: Indoor Sport, Recreation &amp; Community Facilities            Policies ESD 1 – 5 Mitigating &amp; Adapting to Climate Change            Policy ESD 6: Sustainable Flood Risk Management            Policy ESD 7: Sustainable Drainage Systems            Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment            Policy ESD 13: Local Landscape Protection &amp; Enhancement            Policy ESD 15: The Character of the Built and Historic Environment            Policy ESD 17: Green Infrastructure</p> <p><b>Saved Policies of the 1996 Cherwell Local Plan</b>            Policy H18: New dwellings in the countryside            Policy C8: Sporadic development in the open countryside            Policy C28: Layout, design and external appearance of new development            Policy C30: Design control</p>
<b>Key Policy Observations</b>	<ul style="list-style-type: none"> <li>• The site, which extends to some 12.63ha is located beyond the north western extent of Banbury, and to the east of Warwick Road.</li> <li>• Immediately to the north west is the village of Hanwell, which is a designated conservation area.</li> </ul>

- The site is bounded to the west by the B4100 Warwick Road), to the south by the Hanwell Chase development. Open countryside lies to the east.
- The site comprises two arable fields, separated by Gullicotte Lane, which runs north-south through the site. Further agricultural land lies to the north and east. The topography of the site is slightly undulating across a plateau at an altitude of around 145m above Ordnance Datum (AOD). Beyond the site boundary to the west and east, the landform slopes down into the Cherwell and Hanwell Brook valleys.
- An established tree belt runs along the length of the southern boundary of the site. The northern and eastern boundaries are defined by sparse hedgerows which do not obstruct open views eastwards.
- Two PROW cross the site, linking Banbury with Hanwell. (PROW 191 and PRW 239).
- The land is classified as grade 2 and 3a agricultural land. The land therefore consists of 'best and most versatile land' as defined in the NPPF.
- All matters are reserved except for access, which is proposed from the Warwick Road.

#### *Land Supply Position*

- In February 2023 Cherwell District Council approved a review of their adopted planning policies carried out under regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012. This review concluded that, due to the publication of more recent evidence on Housing Needs to support the preparation of the Cherwell Local Plan Review 2040, policies including Policy BSC1 need updating. Paragraph 74 and footnote 39 of the NPPF requires that in such circumstances the 5 Year supply of land should be calculated using the government's standard methodology.
- As set out in the Council's Housing Land Supply Statement (February 2023), the use of the standard method has the effect of reducing the annualised requirement from 1,142 dpa to 742 dpa for the purposes of calculating the land supply and consequently Cherwell District Council is able to demonstrate a 5.4 year supply. However, whilst it is for the Local Plan Review to set the revised requirement, the delivery of homes across the district remains an important material consideration in the planning balance.
- The merits of providing additional homes (including affordable homes) on this site is therefore noted and the proposal would assist in delivering new homes and meeting overall Policy BSC 1 housing requirements to 2031.

#### *Other Matters*

- The application site, if developed, will extend the current built up limits of Banbury into open countryside. The site is not allocated for development in the development plan. The proposals are therefore contrary to saved policies C8 and H18.

- Policy ESD 13 requires development to respect and enhance local landscape character. Proposals will not be permitted if they would, inter alia cause undue visual intrusion into open countryside, cause undue harm to important natural landscape features and topography, be inconsistent with local character, or harm the setting of settlements, buildings, structures or other landmark features.
- In support of this policy, paragraph B.252 of the Plan lists key landscape, and landform features of value around Banbury which includes ironstone ridges and valleys; the open and agricultural setting and identity of the outlying villages surrounding Banbury and Bicester; and the historic villages and parkland of Hanwell and Wroxton.
- The application site forms part of a larger area included within the Council's Housing and Economic Land Availability Assessment (HELAA) dated February 2018 (site HELAA030) – it concluded as follows: *Greenfield site outside the built-up limits. The site is considered to be unsuitable for development as the land rises from Hanwell Village towards the site and the gradient is steep. Similarly, the land falls steeply away from the site towards the cricket ground off Dukes Meadow Drive. There would be a direct risk of coalescence of Banbury and Hanwell village which development would lead to impacts on the Hanwell Conservation Area and the high landscape value and visual sensitivity of the site. The site is in a prominent position therefore unsuitable for development.*
- It is noted that annotations in the applicants own ES Fig 7.1 state the following: *'Mixed plantation tree belt along the northern extent of the Hanwell Chase development provides a robust green edge to the northern extent of Banbury and a clear separation from the wider agricultural landscape'.*
- It is further noted that another annotation within Fig 7.1 states *'The course of Gullicote Lane forms the changing point in the site's topography with land to the west of the route being generally flat atop the local ridgeline and land to the east sloping down into the valley associated with Hanwell Brook'.*
- Having regard to the above, the landscape impact of the application site is especially sensitive given its visual prominence, likely harm to the setting of Hanwell and the erosion of the gap between the village and Banbury, thereby creating a real risk of coalescence. Moreover, development will likely breach Banbury's contained environmental setting and erode landscape features which define Banbury as a compact historic market town. The views of the Council's Landscape Architect should therefore be sought for a detailed view of the landscape impacts of the proposals and their consistency with the requirements of Policy ESD 13.
- The proposals should be considered against Policy ESD 10, particularly in relation to the loss of best and most versatile agricultural land, and biodiversity.
- The proposals should also be considered against and informed by Policy ESD 15 and consider matters such as impact on the Hanwell Conservation Area and other designated and non-designated heritage

	<p>assets, public access, routes, views, light pollution, urban spaces, development frontage, and building heights. The impact on the Hanwell Observatory should also be considered.</p> <ul style="list-style-type: none"> <li>• It is noted that paragraph 9.1 of the Hanwell Conservation Area Appraisal (August 2007) states that the pressure on the village from the urban extension of Banbury is a threat to the integrity and independence of Hanwell. It continues by stating that it is important that the setting of the Conservation Area as well as that of the Castle and the Grade I listed Church is protected. The views of the Council’s Conservation Team should therefore be sought.</li> <li>• Policy BSC 3 states that sites of 11 or more dwellings will be required to provide affordable housing. In Banbury the policy requirement is that 30% of the developed units should be for affordable housing. Advice should be sought from the Housing Strategy and Development Team as to the mix of affordable unit types and Policy BSC 4 will apply.</li> <li>• The proposal exceeds the threshold which requires open space provision to be provided on site and due regard should be given to the requirements of Policy BSC 11.</li> <li>• Technical matters including access, traffic, drainage, biodiversity net gain and ecology will require detailed consideration. Advice should be sought from the County Council and relevant Council departments in this regard.</li> <li>• It is understood that primary care provision in the Banbury area is at or near capacity. The views of local GP practices and BOB ICB should therefore be sought on this matter.</li> <li>• The Council is currently undertaking a review of the adopted Cherwell Local Plan 2011-2031 (Part 1) which will cover the period to 2040. This plan is the appropriate context for identifying the quantum and location of future residential growth at Banbury. The application site has been submitted for consideration through the Cherwell Local Plan Review ‘Call for Sites’.</li> </ul>
<p><b>Policy Recommendation</b></p>	<p>Objection.</p>