

Ref: GA/AM/03222/L0006am

17<sup>th</sup> September 2024

Planning Department  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
OX15 4AA

Dear Sir / Madam,

**Outline Planning Application on behalf of Mr P M Donger, Mrs S M Donger and Manor Oak Homes  
Land at Hanwell Fields, Banbury  
PP Reference PP-13414918**

On behalf of our clients please find enclosed an updated planning application comprising the second phase of their proposed development at Hanwell Fields following firstly the recent grant of planning permission for the 78-dwelling first phase in May 2024 and the recent refusal of a similar 114-dwelling second phase in August 2024.

Following a review of the main reason for refusal for the previous application, allied with helpful further conversations with officers, the applicant has sought to undertake further consideration of the case for the proposals and return with a resubmission which provides updated evidence responding to the concerns of the Council. Accordingly, this application once again seeks permission for the following:

***"Outline planning application for up to 114 dwellings and associated open space with all matters reserved other than access"***

The application was submitted today via Planning Portal (Reference PP-13414918) and is supported by the documentation set out in the submitted document schedule.

As this submission follows the previous refusal of an application on the same site within the last 12 months this submission benefits from a 'free go' so no planning application fee is due.

Specifically, approval is sought for the following drawings (with all other plans appended to the various supporting reports provided as illustrative only at this outline stage):

- Drawing Reference SLP 03 Rev H: Site Location Plan
- Drawing Reference SHLUDPP 01 Rev C: Storey Heights, Land Use, and Density Parameter Plan
- Drawing Reference 802-TA10 Rev B: Proposed Access Phase 1 and 2 Without Layout

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## Background

The proposal subject of this application follows a positive recommendation by officers to the Council's planning committee for a similar scheme subject of application reference 23/03366/OUT which concluded that when taking all material considerations into account permission should be granted. This officer conclusion was primarily reached on the basis that the site lies immediately adjacent to Banbury, the district's largest and most sustainable settlement, and the development would give rise to no harm when assessed against the social, economic, and environmental objectives of the National Planning Policy Framework (NPPF).

Whilst it was concluded that there would be limited conflict with the development plan the robust assessment of the landscape effects of the scheme undertaken by the Council's own landscape consultants Lanpro recommended that the site is one which can acceptably accommodate a residential development of this scale. Accordingly, the overwhelming sustainability merits of the scheme, including the provision of much needed new homes in an accessible location, were concluded by officers to tip the planning balance in favour of the proposal resulting in the positive recommendation.

Despite the clear conclusions of Lanpro and the applicant's own landscape consultant, Aspect Landscape Planning, members disagreed with the officer recommendation and concluded on landscape and character harm on several counts. Allied with the alleged conflict with the spatial strategy of the development plan the application was refused on 12<sup>th</sup> August 2024 on these grounds along with the lack of a Section 106 agreement.

This application therefore seeks to rebut the recent refusal with the resubmission of a scheme identical to the 114-dwelling proposal dismissed by the Council, albeit supported by a suite of updated evidence that presents the following:

- A consolidated response to the landscape concerns which addresses each of the matters listed in the reason for refusal (principally impact on the setting of Banbury, coalescence of the town with Hanwell, visual intrusion into the countryside, and the prominence of the built form) through fresh analysis of the site and reference to the Lanpro review prepared on behalf of the Council;
- A comprehensive ecological appraisal that addresses the initial concerns raised by the Wildlife Trust at the outset to ensure this matter can be resolved at the outset;
- An updated assessment of the Council's housing land supply position that provides clear conclusions that the situation is critical and almost certainly less than 3-years (**our figure places the Council's supply at approximately 2.97-years**); and
- With this, a further review of the principle of development which reflects on the accordance of the site with the spatial strategy of the development plan and reflects on the implications of the Council's deficient housing land supply.

Specifically, the design, layout, and way in which the new development will link with both the first phase and the wider urban area of Banbury ensures that it will comprise a natural further phase of our client's overall proposals.

## The Application Site

The application site, extending to approximately 6.02ha including the land required for access and drainage, comprises the eastern extent of a larger field lying to the immediate north of Dukes Meadow Drive and the 3.4ha of land subject of the first phase of our client's proposed development. It represents an approximate 40% portion of the larger field which comprises rough grazing land.

The field is bound by a prominent established hedgerow and treeline along its northern and eastern edges and then by the Dukes Meadow Drive corridor to the south, a route which represents Banbury's northern distributor road and one of the town's principal locations for residential growth. The western boundary of the application site is currently undefined on the ground due to the site comprising the eastern portion of a larger field (it will

essentially split the field by a ratio of 3:2). The site is then separated from the main carriageway of Dukes Meadow Drive by a combination of the first phase land and a grassy embankment which comprises highways land.

The site lies immediately to the north of the built-up area of Banbury and opposite a substantial area of modern housing, community facilities and open space comprising the recent Hanwell Fields development at the town. The existing development is characterised by a range of contemporary housing styles featuring a mixture of terraces, townhouses and predominantly apartments, many of which comprise 'landmark' building fronting onto Dukes Meadow Drive including those opposite the site, themes which have been incorporated into the first phase proposal. To this end it sits in the context of existing recent residential development. Furthermore, it is then well related to two current and significant Local Plan allocations at the town – Banbury 2 to the east and Banbury 5 to the west – which clearly establish the northern approaches to the town as an established direction of both current and future growth.

The site is unburdened by any environmental designations. In addition, other than the site lying outside of but on the edge of the built-up area of Banbury, it is not burdened by any known policy constraints. There are no adjacent heritage assets. The site is located within Flood Zone 1 and thus at the lowest risk of flooding. There are no known surface water flooding issues either on the site or in the general locality.

It is also afforded immediate vehicular access from the existing highway network. Indeed, the site is in a highly accessible location in every respect, affording pedestrian and cycle linkages to a wide range of shops, services, and facilities as well as public transport services. Along with the site lying within an 800m walking distance of the nearest bus stop at Ferriston (which is adjacent to the nearest doctor's surgery) to the south it also lies immediately adjacent to a range of services at Hanwell Fields local centre.

In considering the location of the first phase land and its relationship with these local services and facilities the committee report concluded "*the proposed location of the site is immediately opposite an existing local centre containing a convenience store, food outlets, other retail premises, dentist, public house, community centre and primary school. These are ideally located and provide safe/convenient pedestrian access to these facilities from the site.*"

### **The Proposed Development**

The development subject of this application will be led by the following key principles:

- The delivery of up to 114 dwellings in total of a range of sizes, types and tenures;
- Development at an approximate density of 20dph (gross), 30dph (net) which is lower than that of nearby proposals at Sites Banbury 2 and Banbury 5 as well as the first phase of development immediately to the south;
- Consequently, a development that incorporates approximately 40% of the site as open space and public amenity land;
- The provision of just over 30% affordable housing on site (35 dwellings) with an overall mix in line with the general requirements of the Oxfordshire Strategic Housing Market Assessment 2014 (SHMA) and the more specific comments provided by the Council's Housing Strategy team towards the previous withdrawn application;
- A layout characterised by a combination of formal and informal planting representative of the settlement edge character of the site and reflective of the first phase of development to the immediate south;
- Vehicular access drawn from the adjacent Dukes Meadow Drive / Lapsley Drive roundabout via the first phase (as already approved);
- A secondary emergency access at the southeast corner of the site directly on to Duke's Meadow Drive;
- Then, opportunities for additional cycle and pedestrian links to and from the first phase of development along the southwestern boundary;

- A LAP is integrated as part of the open space which provides a buffer between the northern edge of the developable area and the open countryside to the north;
- A proposed perimeter block style layout in keeping with the existing development on the southern side of Dukes Meadow Drive and taking cues from the emerging developments at Sites Banbury 2, Banbury 5 and of course the first phase; and
- An integrated SUDS drainage system using a series of surface attenuation ponds to ensure discharge can be maintained at greenfield rates. This is designed to link in with the first phase of development.

A parameter plan showing both the proposed development parcels along with the maximum upper storey heights across the site is included as part of this submission. This plan is offered for approval to ensure that the key principles of the proposal will be adhered to at detailed reserved matters stage.

### **Planning merits of the proposal**

Upon the Council's consideration of the updated information provided in support of this application in respect of landscape and housing land supply in particular we consider the case put forward on behalf of the applicant to now be compelling. The proposal then offers the following range of benefits that allow us to conclude that it is sustainable in every respect:

- The site lies adjacent to the built-up area of Banbury and is within walking distance of the full range of services and facilities at the town;
- The site is approximately a 750m walk from the nearest bus stop which offers regular services to the town centre;
- The proposal will provide up to 79 market dwellings and up to 35 affordable dwellings of a mix which responds directly to the Oxfordshire SHMA 2014. This provision of these dwellings is particularly important considering the deficient housing land supply position across the district;
- Specifically, the affordable housing provision on the site, to be split 69:31 in favour of rented accommodation, comprises a range of dwelling and tenure types for which there is a need including social housing, discounted homes to buy and intermediate products;
- The proposed development would help support the local economy. The provision of new houses would provide construction jobs for local people. Along with this, there will be a longer-term economic benefit from the future occupants of the proposed dwellings through a combination of spend in the local economy and support for the ongoing viability of local businesses and employers more generally;
- The illustrative design of the proposal allied with the parameter plan offered for approval is the result of an opportunities and constraints led approach to development and demonstrates a form and layout of development which responds positively to both the relief of the site and its urban edge character; and
- The highways impact of the proposed development will be adequately accommodated by the existing road network. Otherwise, the sustainable location of the site will ensure that the use of sustainable forms of transport is maximised.

On this basis and allied with the Council's deficient housing land supply it is concluded that the application proposal must benefit overwhelmingly from the presumption in favour of sustainable development described by paragraph 11(d) of the NPPF. It should therefore be approved without delay.

We trust that the enclosed documents and drawings are sufficient to enable the validation and determination of this application. Indeed, we look forward to once again work in cooperation with Officers towards the approval of the enclosed scheme. Should you have any queries or require any further information please do not hesitate to contact me or my colleague Alex Munro.

Yours sincerely



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**Director**

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