

Land West of White Post Road, Banbury
Confirmation of Scoping Exercise Completed



January 2016

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1 INTRODUCTION

1.1.1 This note sets out the scoping exercise undertaken by Gladman Developments Limited as part of the completion of an Environmental Statement which has been reviewed in the light of consultation responses. An outline planning application for residential development at Land south of Salt Way, Banbury has been submitted for development of up to 280 dwellings on land to the south of the Salt Way. This forms part of the Banbury 17 allocation within the recently adopted Local Plan. The remaining part of Banbury 17 already has the benefit of planning permission (145 dwellings, 14/01225/REM), or is part of a separate planning application (14/01932/OUT) submitted by Gallagher Estates, submitted on the 17th November 2014.

Context

- 1.1.2 The site lies to the south of Banbury town centre and to the north west of Bodicote. The application site itself comprises three parcels of land, a large rectangular arable field to the west, a medium sized rectangular arable field located centrally and an irregular shaped small tract of land to the eastern most interface with White Post Road. The land cover in this tract of land is pasture with scattered parkland trees. Its irregular shaped northern perimeter is defined by the boundary with two large detached properties, one being Salt Way Day Nursery the other being a private residence.
- 1.1.3 Immediately south of the application site eastern land parcel lies a large recreational ground with Bodicote Village Hall occupying its south eastern corner.
- 1.1.4 Immediately south of the application site central land parcel is Banbury Cricket ground whose access is off White Post Road via a curvilinear driveway lined with avenues of purple leafed specimen trees, this driveway is included within the application site.
- 1.1.5 Wykham Lane bounds the cricket ground to the south with residential properties aligning its northern carriageway segregating the lane from the recreational and cricket grounds.
- 1.1.6 The largest westernmost field within the site has a rectangular plot of allotment gardens to the south western corner with informal access off Wykham Lane. It should be noted that the application site does not include these allotments. The northern boundary is defined by the Salt Way, with existing residential units beyond.
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2 ENVIRONMENTAL ISSUES AND SCOPE OF ASSESSMENT

2.1 Scope of Studies

2.1.1 The following topic areas are covered within the ES:

- Development Proposals
- Planning Policy Context
- Consideration of Alternatives
- Landscape and Visual
- Archaeology, Built Heritage and Bodicote Conservation Area.
- Traffic and Transport
- Socio-Economics
- Cumulative effects.

2.1.2 Matters of ecology, flooding and air quality and noise are not considered to give rise to a likelihood (either singularly or cumulatively) of significant environmental effects. Accordingly, these have not been included within the ES. The matters are addressed in separate reports which have been prepared to accompany the Outline Planning Application (OPA).

2.1.3 An indication of possible environmental effects and methodologies for each of the respective environmental issues is outlined below. The Description of Development chapter will provide a comprehensive statement covering the nature of the Project and will collectively address all component parts of the proposal, including sustainability and design quality. It will relate directly to the companion Design and Access Statement which supports the Outline Planning Application. Consideration will be given, with the relevant ES Chapters, to the effects of the proposals on green infrastructure.

Planning Policy Context

2.1.4 This chapter details the overall planning policy context for the Project ranging from national to local levels. The socio-economic implications of the Project will be assessed with reference to this policy framework. Policy relative to specific topics will be outlined within the relevant ES Chapter.

Consideration of Alternatives

2.1.5 This outlines the main options considered, with details of the main reasons for the chosen solution, taking into account the environmental effects and has regard to the allocation of the site as part of Banbury 17 for residential development within the recently Adopted Local Plan.

3 THE REQUIREMENT FOR ENVIRONMENTAL IMPACT ASSESSMENT

- 3.1.1 The procedure to establish the requirement for an EIA is established by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011, [The EIA Regulations].
- 3.1.2 The EIA Regulations require that any proposed development falling within the description of a “Schedule 2 development” within the meaning of the Regulations will be required to be subject to an EIA where such development is likely to have “significant” effects on the environment, by virtue of factors such as its nature, size or location (as screened under Schedule 3).
- 3.1.3 As established by the Screening Opinion (Appendix 1.1), the proposed development is deemed to be EIA development under Schedule 2, Section 10(b) of the EIA regulations and falls within the ‘urban development projects’ category and requires an Environmental Statement. An EIA to consider the likely significant effects of the Project has therefore been undertaken.
- 3.1.4 The ES has been prepared in accordance with the requirements of the Regulations and in particular Schedule 4, which sets out the information for inclusion within an ES. The PPG¹ advises that:

There is no statutory provision as to the form of an Environmental Statement. However, it must contain the information specified in Part II of Schedule 4, and such of the relevant information in Part I of the Schedule 4 as is reasonably required to assess the effects of the project and which the applicant can reasonably be required to compile. It may consist of one or more documents, but it must constitute a single and accessible compilation of the relevant environmental information and the summary in non-technical language’

- 3.1.5 In conformity to the EIA Regulations this ES reports on the findings of a systematic assessment of any likely “significant environmental effects” of the proposed development. To this end, and as required by the EIA Regulations, the ES includes the information referred to in Part II of Schedule 4, as presented below:

- (1) A description of the development comprising information on the site, design and size of the development.
- (2) A description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects.
- (3) The data required to identify and assess the main effects which the development is likely to have on the environment.
- (4) An outline of the main alternatives studied by the applicant or appellant and an indication of the main reasons for the choice made, taking into account the environmental effects.

¹ PPG, Paragraph: 033 Reference ID: 4-033-20140306

- (5) A non-technical summary of the information provided under paragraphs 1 to 4 of this Part.

3.1.6 In addition the ES includes such information as outlined in Part I of Schedule 4 of the EIA Regulations; that which is reasonably required to assess the environmental effects of the development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile.

3.1.7 Each environmental issue will be considered in the following way:-

- A description of baseline conditions;
- A description of the project proposals;
- A description of the likely significant effects of the project resulting from:-
 - (a) The existence of the Project;
 - (b) The use of natural resources;
 - (c) The emission of pollutants, the creation of nuisances and the elimination of waste;
- A description of cumulative effects;
- Mitigation envisaged to address any significant adverse effects is listed.

3.1.8 The ES describes the likely significant effects of the proposed development in accordance with the requirements of the EIA Regulations. The effects resulting from the proposed development have been assessed, and the results of any likely significant effects reported. If particular effects receive no express mention within individual chapters, this is because they have been judged as having no significance.

3.2 EIA Screening Request

3.2.1 Gladman submitted an EIA Screening Request on the 14th May 2015. The Council confirmed in their screening response that the site did constitute EIA development, due to the cumulative impact of the development, and the scheme directly adjacent to the west (for up to 1000 dwellings), on the wider and local landscape character, the special character and appearance of the Bodicote Conservation Area, community infrastructure and particularly local traffic flows, and these determined likely to be significant, have a high probability of occurring and would be of a permanent nature. These significant effects have been addressed in the Environmental Statement.

4 LANDSCAPE AND VISUAL

4.1 Revised Landscape and Visual Impact Assessment Chapter

4.1.1 Gladman received correspondence from Matthew Parry on the 14th October 2015 regarding the adequacy of the ES in its assessment of the likely significant environmental effects of the proposals (including its cumulative impact) having regard to the provisions of paragraph 3, Part 1 of Schedule 4 of the EIA Regulations 2011 (as amended).

4.1.2 In the email (attached at Appendix 1), Mr. Parry stated:

"In this case, the landscape is not just of value as a feature of the natural environment but also as a setting to existing settlements and therefore the interrelationship between their populations and the surrounding landscape. In this respect the landscape chapter of the ES does not satisfactorily appraise the effect of the proposals on the wider landscape that includes both its built and natural features including the village of Bodicote together with its setting within the landscape as a separate settlement distinct in character to Banbury. The environmental effect of the proposed development in this respect has not been addressed in the ES and officers are of the view that such an effect could be significant whether actual or perceived. As a result the Council considers the ES to be inadequate and in accordance with regulation 22 of the EIA Regulations 2011 (as amended) is making this formal request for 'further information' to ensure that the environmental information provided is sufficient to address all likely significant effects of the proposals. In accordance with regulation 22(7) of the EIA Regulations 2011, determination of the application will be suspended until this information is provided (including in hard copy) which will then need further consultation and publicity."

4.1.3 In response the comments received from Mr Parry, Gladman's Environmental Consultants FPCR have produced a revised Landscape Chapter which has assessed the wider landscape that includes both its built and natural features including the village of Bodicote together with its setting within the landscape as a separate settlement distinct in character to Banbury.

5 BANBURY 17 ALLOCATION

5.1 Policy Wording

- 5.1.1 It should be noted that the site at Land West of White Post Road makes up part of the Banbury 17 allocation, as part of the Adopted Local Plan (2011-2031). The Policy, as worded, seeks an integrated and coordinated, comprehensive planning approach to be undertaken in the delivery of the allocation. It is clear from the drafting of the policy, that concerns over highways, the interaction of the site with the Salt Way, existing natural features, infrastructure needs and landscape have been considered by Officer's at the Council, and included in the policy to ensure that the applications respond to the identified concerns.
- 5.1.2 The Policy has been through an extensive process, including examination in public, and public consultation prior to being adopted, and the issues identified by the public and the Inspector (if any), will have been addressed prior to adoption of the Local Plan. The issues raised at the Screening Stage, and in further correspondence with the Council, would have been considered as part of the Strategic Environmental Impact Assessment upon consideration of the reasonable alternatives available to the Council and applied within the drafting of the policy.
- 5.1.3 The delivery of this allocation is important to ensure that Cherwell District Council deliver their full market and affordable housing needs, as identified in the Oxfordshire SHMA, for the period 2011-2031.
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6 CONCLUSION

- 6.1.1 It is considered that save for the revised chapters for Landscape and Visual Impact and Transport, there are no other matters that have not already been considered within the ED that need to be included because they were likely to give rise to significant environmental effects in themselves/cumulatively.
- 6.1.2 It should be noted that in addition to the ES, the application has been supported by a number of other technical reports.
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