

Date: 7 August 2015  
 Our ref: 161917  
 Your ref: 15/01326/OUT



Mr M Parry  
 Public Protection & Development Management  
 Cherwell District Council  
 Bodicote House  
 Bodicote  
 Banbury  
 Oxfordshire  
 OX15 4AA

Hornbeam House  
 Crewe Business Park  
 Electra Way  
 Crewe  
 Cheshire  
 CW1 6GJ

T 0300 060 3900

**BY EMAIL ONLY**

Dear Mr Parry

**Planning consultation:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 and 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

Thank you for your consultation on the above dated and received by Natural England on 31 July 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

**The Wildlife and Countryside Act 1981 (as amended)**  
**The Conservation of Habitats and Species Regulations 2010 (as amended)**

Natural England's comments in relation to this application are provided in the following sections.

**Statutory nature conservation sites – no objection**

Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites.

**Protected species**

We have not assessed this application and associated documents for impacts on protected species.

Natural England has published [Standing Advice](#) on protected species.

You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

The Standing Advice should not be treated as giving any indication or providing any assurance in respect of European Protected Species (EPS) that the proposed development is unlikely to affect



the EPS present on the site; nor should it be interpreted as meaning that Natural England has reached any views as to whether a licence is needed (which is the developer's responsibility) or may be granted.

If you have any specific questions on aspects that are not covered by our Standing Advice for European Protected Species or have difficulty in applying it to this application please contact us with details at [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

### Local sites

If the proposal site is on or adjacent to a local site, e.g. Local Wildlife Site, Regionally Important Geological/Geomorphological Site (RIGS) or Local Nature Reserve (LNR) the authority should ensure it has sufficient information to fully understand the impact of the proposal on the local site before it determines the application.

### Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the National Planning Policy Framework. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

### Landscape enhancements

This application may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green space provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider new development and ensure that it makes a positive contribution in terms of design, form and location, to the character and functions of the landscape and avoids any unacceptable impacts.

### Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015, which came into force on 15 April 2015, has removed the requirement to consult Natural England on notified consultation zones within 2 km of a Site of Special Scientific Interest (Schedule 5, v (ii) of the 2010 DMPO). The requirement to consult Natural England on *"Development in or likely to affect a Site of Special Scientific Interest"* remains in place (Schedule 4, w). Natural England's **SSSI Impact Risk Zones** are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments *likely to affect a SSSI*. The dataset and user guidance can be accessed from the [gov.uk](http://gov.uk) website.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

For any queries regarding this letter, for new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.



Yours sincerely

Joanne Widgery  
Consultations Team

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From: Kelman, Gordon - Environment & Economy [<mailto:Gordon.Kelman@Oxfordshire.gov.uk>] On Behalf Of Drainage - Environment & Economy  
Sent: 03 August 2015 13:27  
To: Planning  
Cc: [drainage@oxfordshire.gov.uk](mailto:drainage@oxfordshire.gov.uk)  
Subject: 15/01326/OUT - OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

Please see the response below from the Drainage Team.

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing

Kind regards,

Gordon Kelman  
Senior Engineer (Drainage)

Oxfordshire County Council  
Highways and Transport  
Speedwell House  
Speedwell Street  
Oxford  
OX1 1NE

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## DEVELOPMENT - INTERNAL MEMORANDUM

**From:** Head of Development Management and Major Developments

**To:** Recreation, Health And Communities  
**FAO** Rebecca Dyson  
Public Art/Community Halls/Community Dev./Indoor Sports/Outdoor Sports

**Our Ref:** 15/01326/OUT

**Ask for:** Matthew Parry                      **DDI:** 01295 221837                      **Date:** 31.07.2015

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**Subjects:** CONSULTATION - APPLICATION

REQUEST FOR INFORMATION RELATING TO A PLANNING OBLIGATION

**Application No.:** 15/01326/OUT

**Applicant's Name:** Gladman Developments Ltd

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

**Parish(es):** Bodicote

**UPRN :** 010011882381

I should be grateful if you would let me have your observations on the above application by submitting your comments via the Consultee Access online service within **14 days** from the date of this memorandum. Any observations received after this date may fail to be taken into account in the determination of the application.

[ConsulteeAccess](#) can be used to view details of this application. If you wish to submit your comments via this service, you must be logged in to do so.

If you have any problems using the service please contact Planning on extension 1882. Alternatively, you can log a call through the Council's IT Service Desk on extension 7080, or via the Intranet [self-service facility](#).

If you have any queries regarding the application, please contact **Matthew Parry** on extension number **01295 221837**.



Head of Public Protection  
& Development Management

# PLANNING OBLIGATION REQUEST - INTERNAL MEMORANDUM

**From:** Recreation, Health And Communities

**To:** Head of Development Management and Major Developments

**FAO:** Matthew Parry

**Your Reference:** 15/01326/OUT

**Our Reference:**

**Date of Consultation:** 31.07.2015

**Target Date for Response:** 14 days

<b>Application/Site Reference:</b>	15/01326/OUT
<b>Development Location:</b>	OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire
<b>Development Proposal:</b>	OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access
<b>Planning Obligation Requirement :</b>	
<p><b>HALLS:</b></p> <p>For the overall Salt Way development the Cherwell Local Plan 2011 – 2031 Part 1 - Policy Banbury 17: South of Salt Way – East, directs the provision of an on-site community facility. Therefore this application should reflect this policy when providing community facilities for the overall site and, in conjunction with other current or future developments on this site, ensure the provision, by developers, of an on-site community centre commensurate with the scale of the overall development. The floor space for this facility (Banbury 17) should therefore be in the region of 600m<sup>2</sup>, plus secure outdoor space. Such provision also needs to take account of the requirement for a community development worker as outlined below.</p> <p><b>COMMUNITY DEVELOPMENT WORKER:</b></p> <p>The overall development of the site should have provision of a Community Development Worker. A contribution of £35,952.91 based on figures @ April 2015 (plus any additional inflation as appropriate) is based on an community development worker for 15 hours per week for 30 months. The community development worker will work with the residents to support their establishment of a community association working towards the operation and management of the community centre. This application should reflect this requirement.</p> <p><b>COMMUNITY DEVELOPMENT – EVENTS AND PROJECTS:</b></p> <p>A contribution of £22,988.79 @ April 2015 (subject to further inflation as appropriate) towards community events and projects, such as information events, newsletters and welcome packs, to support the new residents to integrate into the community.</p>	
<b>Justification Policies:</b>	



Cherwell Local Plan 2011-2031 – Part 1 Policy Banbury 17:South of Salt Way – East

Planning Obligations SPD Appendix J

**Detail:**

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**Detail Specification:**

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**Trigger for works/Contribution:**

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**Commutated sum:**

<b>Capital:</b>		<b>Revenue:</b>		<b>Indexation:</b>	
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<b>Capital Management:</b>		<b>Revenue Management:</b>			
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<b>Standard Heads of Terms:</b>	
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**CDC Contact:** Vickie Zielinski

**Ext:** 1645

**Signed:**

**Date:** 5 August 2015

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-----Original Message-----

From: [BCTAdmin@thameswater.co.uk](mailto:BCTAdmin@thameswater.co.uk) [<mailto:BCTAdmin@thameswater.co.uk>]

Sent: 14 August 2015 13:40

To: Planning

Subject: 3rd Party Planning Application - 15/01326/OUT

Cherwell District Council  
Planning & Development Services  
Bodicote House  
Bodicote, Banbury  
Oxon  
OX15 4AA

Our DTS Ref: 44623  
Your Ref: 15/01326/OUT

14 August 2015

Dear Sir/Madam

Re: OS PARCELS 6741 & 5426 WEST OF CRICKET FIELD, NORTH OF WYKHAM LANE, BODICOTE, BANBURY, OXFORDSHIRE, OX15

#### Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### Water Comments

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be

imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

Yours faithfully  
Development Planning Department

Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ  
[Tel:020 3577 9998](tel:02035779998)  
Email: [devcon.team@thameswater.co.uk](mailto:devcon.team@thameswater.co.uk)

**From:** Tab Omar

**Sent:** 18 August 2015 12:49

**To:** Planning

**Subject:** F.A.O. Matthew Parry - Environmental Statement - "OS Parcels 6741 and 5426 West of Cricket Field North of Wykham Lane Bodicote" - 15/01326/OUT

Dear Mr Parry

I acknowledge receipt of your council's letter, dated 31 July, 2015.

We have no comments to make on this application.

Regards

Tab Omar

National Planning Casework Unit

Department for Communities and Local Government

5 St Philips Place

Colmore Row

Birmingham B3 2PW

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**From:** Public Access DC Comments  
**Sent:** 20 August 2015 11:45  
**To:** Public Access DC Comments  
**Subject:** Comments for Planning Application 15/01326/OUT

Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 11:44 AM on 20 Aug 2015 from Mr Ian Upstone.

### **Application Summary**

**Address:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Case Officer:** Matthew Parry

[Click for further information](#)

### **Customer Details**

**Name:** Mr Ian Upstone

**Address:** Bodicote House White Post Road, Bodicote, Oxfordshire OX15 4AA

### **Comments Details**

**Commenter Type:** Professional Bodies

**Stance:** Customer objects to the Planning Application

**Reasons for**

**comment:**

**Comments:** No mention of separate waste or recycling storage this needs to be address before permission is granted. If the developer needs any more advice please refer to: Waste and Recycling guidance which can be found on the Cherwell District Council website <http://www.cherwell.gov.uk/index.cfm?articleid=1735> Section 106 contribution of £106.00 per property will also be required. Thanks

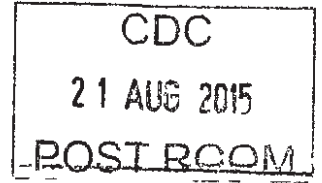


TOWN AND COUNTRY PLANNING ACT 1990  
CONSULTATION – PLANNING APPLICATION

CHERWELL DISTRICT COUNCIL

Case officer · Matthew Parry

Date 31 07 2015



Application No.: 15/01326/OUT

Applicant's Name Gladman Developments Ltd

Proposal. OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works All matters to be reserved with the exception of access

Location: OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

Parish(es). Bodicote

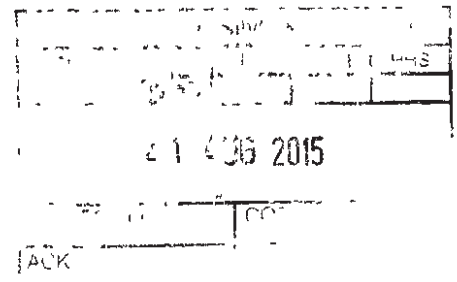
Expected Decision Level Committee

Please complete ONE of the following sections and return to Development Management, Cherwell District Council, Bodicote House, Bodicote, OX15 4AA within **21 days** of date of consultation letter

- 1 The Town/Parish Council wishes to raise no objections to the application and has no further observations
- 2 The Town/Parish Council wishes to raise no objections to the application and makes the following observations

3 The Town/Parish Council wishes to object to the application on the following planning grounds (Please quote relevant policies from Cherwell Local Plan or Structure Plan if possible)

PLEASE SEE ATTACHED



Signed



Clerk/Correspondent

On behalf of Bodicote Parish Council

Date 20/8/15

**APPLICATION NO. 15/01326/OUT  
OS PARCELS 6741 AND 5426 WEST OF CRICKET FIELD, NORTH OF  
WYKHAM LANE, BODICOTE**

**OBJECTIONS FROM BODICOTE PARISH COUNCIL**

**WE HAVE STRONG OBJECTIONS, AS FOLLOWS:-**

- *The last field of the site put forward by Gladman Developments (adjoining White Post Road) is not included in the Cherwell Local Plan and should be refused. If this is included in the permission, then ownership should be transferred to the Parish Council, so that we can ensure that it remains green, as a small buffer between all the development and Bodicote village. It is actually in our Parish already.*
- *White Post Road is not in Banbury but in Bodicote.*
- *We strongly object to the spine road coming out onto White Post Road. Page 226 of the approved Cherwell Local Plan states that this road will "provide a route for an east-west link for local traffic". It is obvious that traffic cannot be confined to vehicles accessing and entering the development, but will become a "rat-run" for traffic coming off the Oxford Road and wishing to access the Bloxham Road (and vice versa) without going into Banbury, providing an alternative to Wykham Lane, a totally unsuitable narrow, winding, country lane.*
- *It is totally inappropriate for the spine road to be accessed from White Post Road opposite the school. White Post Road is already almost gridlocked at school times and is often full of parked cars associated with the District Council offices, with parking on both sides of the road.*
- *The County Council must be asked for permission to cross that portion of their land by the mini-roundabout, so that the spine road can exit there rather than opposite the primary school.*
- *The spine road must be laid down in its entirety. There must be a comprehensive combined Masterplan – things must not be done piecemeal. If they are, this will lead to an unsatisfactory outcome and will also reduce the amount of infrastructure money available.*
- *The issue of a bottleneck at the flyover bridge must be addressed.*
- *P 226 of the Cherwell Local Plan states that "a transport assessment and travel plan will be required to assess the transportation implications of the proposed development and to identify appropriate mitigation measures". This **MUST** be done before approval for the spine road - and its exact location- is given.*
- *The Environmental Statement, page 173, para 10.1.5, states that "the cumulative effect of the proposed development in conjunction with the emerging allocations to the south of Banbury concluded that, subject to mitigation measures, the proposed development will have no significant adverse impacts on the local highway network". This statement is obviously ridiculous. The mitigation measures must be clearly identified **BEFORE** any permission is granted. Has an up-to-date traffic assessment been done? If so, when?*

- *Have all the issues in the Environmental Statement been properly assessed? These must be considered in conjunction with the other homes south of Salt Way and the other side of the Bloxham Road. How will the developments already approved and those awaiting approval work together?*
- *P 243, para C 247 states "We will cherish, protect and enhance the appearance and character of our villages" and "We will protect and enhance the beauty and natural diversity of the countryside for the enjoyment of all". Development all along the south of Salt Way is in direct contradiction to the stated policies of Cherwell District Council.*
- *P 251, para C 279 states that "The Council will work in partnership with Parish Councils in identifying suitable opportunities". Bodicote Parish Council has not been consulted about the developments south of Salt Way, these have simply been included in the Cherwell Local Plan.*
- *P 227 of the Cherwell Local Plan states that "Informal open space is to be located where the site adjoins Bodicote village in order to create a buffer to maintain separation between the two settlements and respect the setting of the Bodicote Conservation Area". However, this is immediately contradicted by the planned east-west spine road, to bring traffic into and from White Post Road.*
- *In a recent article in the "Banbury Guardian", Dist Cllr Michael Gibbard stated that a planning application in Banbury had been refused because it was "detrimental to the character and appearance of the area". Surely this applies equally to the proposed Gladman development in Bodicote?*
- *What is planned for primary and secondary schooling relating to the additional children from all the housing along Salt Way?*
- *There are considerable issues of harm to Bodicote from this proposed development – traffic and infrastructure as reported above, as well as the threatened change to the character of Bodicote, which is mentioned in the Domesday Book and around which Banbury is increasingly casting its grip.*
- *The District Council's own policies state that there should be no coalescence between a village and a town, but this is exactly what would be happening should this proposed development go ahead. This policy has been emphasised several times by the Prime Minister personally, but the Gladman development proposals would lead to Bodicote being almost joined up with Banbury.*
- *This is a Category 1 village, and, according to CDC's policy, as such there should only be minor development and infill. The whole of Gladman's proposed site is in Bodicote Parish.*
- *The site now includes an area down to Wykham Lane. Although it is intended that this area remains "green" and is not to be used for housing, this Council is concerned that in later years permission for development may be granted. Is all this "green" land required to be identified for outdoor leisure pursuits, etc? Why is it all in one area?*

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## **OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL**

**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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### **Purpose of document**

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic localities response and technical team response(s). Where local members have responded these have been attached by OCCs Major Planning Applications Team ([planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)).

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Strategic Comments**

### **Comments:**

This application forms the eastern part of the strategic site allocation Banbury 17 within the adopted Cherwell Local Plan. Oxfordshire County Council (OCC) object to this application for the following reasons:

- No master plan for the wider Banbury 17 site has been produced, this is contrary to the requirements of policy BAN 17. It is essential that this policy requirement is fulfilled prior to the determination of the applications on the site in order to ensure that the necessary infrastructure to mitigate the allocation is deliverable.
- The application does not contain a scaled layout plan that confirms the location of the spine road, running from this application site west to the Gallagher application area. The application site is dependent on delivery of the spine road between A361 (Bloxham Rd) and A4260 (Oxford Road), linking into a junction at White Post Road. Without a Masterplan in place, to which all parties are signed up to, delivery of the spine road is not established and therefore the application site is contrary to Banbury 17 Policy.
- We have identified a number of inadequacies with the Transport Assessment which lead us to the conclusion that it fails to demonstrate adequately the impact of the development on the local transport network.

**Officer's Name:** Lisa Michelson

**Officer's Title:** Locality Manager

**Date:** 04 September 2015

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## Transport

### Recommendation:

Objection

Objection is recommended on the basis that the proposal is contrary to Local Plan policy Banbury 17, and the application fails to demonstrate that the proposal would not cause a severe impact on the local transport network or offer any mitigation for its impact.

### Key issues:

- Absence of masterplan for Banbury 17
- Spine road
- Impact on junctions assessed
- Inadequacies in transport assessment

### Legal agreement required to secure:

Should the Local Planning Authority be minded to grant planning consent, the following will be required as a minimum, secured through a S106 agreement:

- Contribution towards Banbury Area Transport Strategy, calculated on the basis of housing mix once known
- A contribution in the order of £5000 to cover the consultation on any necessary TROs
- A contribution of £1,240 to enable the travel plan to be monitored for a period of five years
- A contribution to provide for new/upgraded bus stop infrastructure (shelters, flagpole, information case)
- Provision of spine road and pedestrian and cycle routes leading from the site to adjacent existing and future built up areas, including across Salt Way
- An undertaking to improve the public footpath within the site: Bodicote Footpath 13 (137/13)
- Provision of access arrangements from White Post Road – to be agreed (S278)
- Improvements to local walking and cycling routes (to be determined following walking/cycling audit).
- Section 106 agreement to provide financial contribution to procuring the new bus service.
- Section 278 arrangement to provide basic bus stop infrastructure at agreed bus stop locations (hard-standing areas, connecting footways, marked cages on roadway).

- Section 106 agreement to provide other bus stop infrastructure (Premium Route bus stop pole/flag/information case units, shelters and electronic real-time information signs.) Arrangements must be made for ongoing maintenance of this equipment.

## **Conditions:**

Should the Local Planning Authority be minded to grant planning consent, I would recommend the following conditions:

### **Access: Full Details**

Prior to the commencement of the development hereby approved, full details of the means of vehicular, cycle and pedestrian access between the land and the highway, including, position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

[Reason DR1](#)

### **Close Existing Accesses**

Prior to the first use of the access hereby approved, the existing accesses onto Wykham Lane shall be permanently stopped up by means of [insert] and shall not be used by any vehicular traffic whatsoever.

[Reason DR1](#)

### **Estate Accesses, Driveways and Turning Areas**

Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

[Reason DR2](#)

### **Cycle Parking Provision**

Prior to the first use or occupation of the development hereby permitted, secure cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the secure cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

[Reason DR4](#)

### **Travel Plan**

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4](#)

Prior to the 140<sup>th</sup> occupation of the development an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved updated Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4 \(to take into account the analysis of survey data from households\)](#)



## **Drainage**

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing

## **Protection of Existing Public Footpaths**

Prior to the commencement of any part of the development hereby approved within 10m of the existing public footpath(s), the affected footpath(s) shall be protected and fenced to accommodate a width of a minimum of 5m in accordance with details to be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the footpath(s) shall remain fenced and available for use throughout the construction phase in accordance with the approved details until a time that the diverted footpath(s) is/are available for use by the public in accordance with condition unless provision has been made for temporary closure under the Highways Act 1980.

[Reason DR10](#)

## **Public Transport**

The developer must identify locations for bus stops at the earliest possible opportunity, with these locations marked on all plans, so all stakeholders and future purchasers are absolutely clear about this. Indicative locations should be shown at Outline stage, with firm location agreed before Full or Reserved Matter applications. Probably, two pairs of stops will be required (4 in total).

The developer to engage with Banbury Town Council as early as possible, regarding future arrangements for bus shelter maintenance. The Town Council has a contract with Clear Channel Ltd for the supply of shelters (advertising and non-advertising).

## **Informatives:**

Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email [roadagreements@oxfordshire.gov.uk](mailto:roadagreements@oxfordshire.gov.uk)

## **Detailed comments:**

### **Banbury 17 Policy Area – Masterplan**

The Local Plan Banbury 17 Policy stipulates that there must be a site wide masterplan. The Banbury 17 policy area has come forward through three separate planning applications: it is a policy requirement that each provides and is accompanied by a joint Banbury 17 wide masterplan. As yet a Banbury 17 masterplan has not been submitted with any of the applications. Therefore the application is not compliant with Banbury 17 policy.

### **Provision of the Banbury 17 Spine Road**

The application does not contain a scaled layout plan that confirms the location of the spine road, running from this application site west to the Gallagher application area. The application site is dependent on delivery of the spine road between A361 (Bloxham Rd) and A4260 (Oxford Road), linking into a junction at White Post Road. Without a Masterplan in place, to which all parties are signed up to, delivery of the spine road is not established and therefore the application site is contrary to Banbury 17 Policy.

Moreover, the position of the spine road within the development is dependent on the location of various land uses within the overall Banbury 17 allocation, so the position indicated in this application may not connect with the adjacent site in a suitable location. Again, a masterplan is required to determine the position of the entire spine road.

Further, the position of bus stops needs to be fixed in the masterplan, optimising the walking distance aiming at no more than 400m from any dwelling.

The principle of the corridor width is accepted. However, this may need to be increased on bends and the route will need to be tracked for an E300 bus (2-way).

### **Access to the Saltway Path**

The Saltway is a restricted byway and the application needs to be clear about how access from the development to the Saltway will be achieved, including preventing any type of ransom strip from occurring, or highlighting where 3<sup>rd</sup> party land is required. Routes across Salt Way are critical to the pedestrian connectivity of the application site.

Three points of access from the application site to the Saltway restricted byway are proposed: it is not clear if these are deliverable, and if the onward routes to key off site destinations are suitable for both walking and cycling. No walking or cycling facilities audits have taken place to key off site destinations; these were requested in the pre-application advice.

### **Site Access at White Post Road**

It is noted that a priority junction, where by the development spine road is the minor arm, and a three armed roundabout have been assessed. A third option exists where by a priority junction is created, however the major priority is given to the development spine road and the north section of White Post Road (leading to Sycamore Drive roundabout), and the minor arm is White Post Road south. This arrangement has not been assessed. It is recommended this option is assessed, in order to confirm (with a full spine road in place) which of the three options is the optimum junction type.

It is agreed that the priority junction, where by the development spine road is the minor arm, is not suitable to serve the Banbury 17 policy area and should not be progressed. Whichever junction arrangement is confirmed as providing the optimum solution, this will be required from the 1<sup>st</sup> occupation of this application site, an interim solution will not be suitable.

Dimensions and intervisibility splays need to be provided for the roundabout general arrangement drawing, before this can be assessed.

The access arrangements should also be modified to provide improved facilities for cyclists heading south on White Post Road from Salt Way, allowing them to avoid using the roundabout, particularly as this is a strategic, national cycle route (NCN 5). The walking route from Salt Way is a well-used route to school and therefore suitable crossing facilities (other than tactiles at roundabout splitter islands) to assist in negotiating the site access junction should be provided in either option.

Visibility splays for the cricket club access should be shown and justified. This should be treated as a junction rather than a vehicle cross over.

Clarification is needed on whether the pedestrian access to the cricket club is through the middle of the car park. I would like to see it separated from the car park or alongside it rather than through the middle.

Parking restrictions are proposed as part of the access arrangements. It is agreed that this will be necessary (although will be difficult to enforce) but it is likely to displace the school parking further towards residential areas and along the spine road. The extent of the parking restrictions will need careful consideration.

If parking restrictions are not extended back for a significant distance along the spine road, it is likely to be used for school parking, which will need to be taken into account in the bus tracking. It will also affect the morning peak hour operation of the junction, with more traffic using the spine road.

**Traffic impact**

Notwithstanding inadequacies in the Transport Assessment (see below), the impact on some junctions could be considered severe. The predicted increase in queue lengths is significant especially at Hightown Road and Upper Windsor St (right turn) (SJ8 and SJ9) which show an increase in delay with the addition of development traffic of 13 and 25 secs respectively, which represents an increase in delay of around 25% in both cases.

**Transport assessment**

We have identified a number of inadequacies with the Transport Assessment which lead us to the conclusion that it fails to demonstrate adequately the impact of the development on the local transport network.

**Committed Development**

It is noted the following Committed Development sites have been omitted from the Transport Assessment. It is not clear why these have been omitted. In my view, these need to be included in the assessment.

Local Plan Allocation Site	Land Parcel	Planning Application	Planning Application Outcome	Date of Decision	App Heading
Banbury 2	Land Adjoining Foxhill And West Of Southam Road Banbury	13/00158/OUT	Application Permitted	18th December 2013	OUTLINE - Development of up to <b>90 residential</b> (Use Class 3/extra care housing), Class A uses, Class D1 use with associated access, landscaping/open space, parking and related works

Banbury 2	Hardwick Farm, East of Southam Road, Banbury	13/00159/OUT	Application Permitted	18th December 2013	OUTLINE - Demolition of existing structures; development of up to 510 residential units.
Banbury 5	Land Off Warwick Road North Of Hanwell Fields Banbury (Northern parcel)	12/01789/OUT	Application Permitted	2nd September 2014	Outline application for up to 350 dwellings, together with new vehicular access from Warwick Road and associated open space
Banbury 5	Land N Hanwell Fields Warwick Road, Banbury (Southern Parcel)	14/00066/OUT	Application Permitted	Thu 02 Apr 2015	OUTLINE - Planning Application for up to 160 dwellings together with associated infrastructure and open space with all matters reserved except access
Non Allocated Site	Land North East of Crouch Hill Farm and South Broughton Road, Banbury, Oxfordshire	13/01528/OUT	Application Permitted		Residential development including means of access from Broughton Road, Banbury (indication up to 40 dwellings)

### Local Plan Banbury 16 Policy Area

Paragraph 10.1.4.1 refers to Land to the West of Bloxham Road this site known in the Local Plan as Banbury 16 is committed development for 350 dwellings (14/01188/out). This site should have been included in the committed development as it is not part of Banbury 17 policy area.

### Background traffic growth assumptions

A technical note has been provided showing that TEMPRO growth has been adjusted to deduct committed development households. This is not entirely clear: workings have not been shown and the committed development appears to have been deducted in its entirety from two separate time periods. This requires further clarification.

### Trip generation

The Transport Assessment describes how the TRICS output has been filtered to remove sites near to neighbourhood centres, and multiple survey dates at the same site. I do not consider that this is justified – the more surveys are included, the more reliable the results, and there is a neighbourhood centre as part of the Banbury 17 policy area. The TRICS output has not been provided with the transport assessment.

### Traffic survey data

Traffic count data has not been provided to support the junction assessments, or establish the peak hour. Data from queue length surveys to validate LINSIG models has not been provided. Dates on which surveys were carried out have not been provided.

### Use of 2011 Census Travel to Work Data

The Transport Assessment has not used the Census area Cherwell 008 that covers most of the site. The reason is explained in the Travel Plan, why two neighbouring Census output

areas have been used, however, not what the difference would be if Cherwell 008 area was included in the assessment. The reason given is that the travel characteristics of residents would be more akin to those in Banbury than to the villages of Bodicote and Bloxham. In my view this is unlikely, as the nearby Banbury census area consists largely of older housing, where residents will probably have more established, local transport patterns and be less likely to commute longer distances.

### **Distribution of trips**

Trips to M40 southbound (10%) appear to have been assigned to junction 11 when in fact the route of choice is much more likely to be junction 10 via the B4100. This means the impact on junctions on the A4260 to the south will be more significant.

### **Transport Network Assessment**

It is noted that the following key junctions are omitted from the network assessment:

- A4260 Oxford Road/Farmfield Road signals
- Bankside / Swan Close Road/Hightown Road priority junctions, to be upgraded to signals through Longford Park s278
- Concord Avenue/Cherwell Drive roundabout.
- Springfield Ave/A361 and Queensway/A361
- High St/Weeping Cross

Additionally, the pre-application advice recommended assessment of these junctions which have been omitted:

- A4260 / Twyford Road (Adderbury)
- A4260 / B4100 Aynho Road (Adderbury)

Consequently we do not know the impact at these junctions.

### **Working with Other Sites with Banbury 17**

There is significant overlap in the strategic transport assessment between this application site, and the adjoin Gallagher land. Due to the scale of the combined development and the introduction of a new link (the spine road) my view is that the Banbury Highway Saturn Model should be used to assess the transport impact on the wider network. As both planning applications are live planning applications there is an opportunity for both developments to jointly commission an assessment using the model.

### **Junction Assessment**

Modelling software outputs have not been provided so parameters cannot be checked.

- **Signalised junctions**

LINSIG models have been created and tested against observed queues, which are said to validate the models. However, the match between observed and modelled queues is in some cases not convincing, therefore the outputs from the models are not considered reliable.

The following junctions have been assessed with NTM+Committed Development +Application site (i.e. not full Banbury 17 and excluding Banbury 16):

- SJ8: HIGHTOWN ROAD/OXFORD ROAD/HORTON VIEW.
  - This has been assessed as a standalone junction, whereas it operates as part of a signalised corridor, with Oxford Farmfield Road junction which is omitted from the assessment, and SJ9: UPPER WINDSOR STREET/OXFORD ROAD. This should have been taken into account in the modelling.

- TABLE 11 LINSIG ANALYSIS RESULTS for SJ8: OXFORD ROAD/HIGHTOWN ROAD/HORTON VIEW at 2025 BASE & WITH DEVELOPMENT shows the Degree of Saturation at 84% for a couple of movements. This is a concern as it is approaching capacity without the full Banbury 17 development area built out.
- SJ9: UPPER WINDSOR STREET/OXFORD ROAD
  - Table 15 - 2025 BASE & WITH DEVELOPMENT shows the Degree of Saturation exceeds 85% in several cases indicating the junction is approaching capacity. This is a concern as it is approaching capacity without the full Banbury 17 development area built out.
- SJ13: SWAN CLOSE ROAD/UPPER WINDSOR STREET
  - TABLE 15 2025 BASE & WITH DEVELOPMENT shows several movements with a Degree of Saturation exceeding 85% and in two cases over 90%. This is a concern as it is very close to capacity without the full Banbury 17 development area built out.

No mitigation is proposed in the TA for these junctions.

- **Banbury 17 Allocation / OCC Sensitivity Test**

The traffic assessment has assumed that only trips arising from the Banbury 17 area, and the committed developments included, will re-route via the spine road, and no assessment of the attractiveness of existing base traffic. Whilst the necessity of the spine road is to distribute trips arising from Banbury 17, the junction assessments at either end of the spine road need to be robust and include re-routing of baseline traffic as well as new trips from development. The most comprehensive way of analysing this is through the Banbury Highway Model.

- **OCC Sensitivity Test Junction Capacities**

There are at least three junctions of concern arising from the traffic impact assessment of the application site (as discussed above); these are:

- SJ8: HIGHTOWN ROAD/OXFORD ROAD/HORTON VIEW
- SJ9: UPPER WINDSOR STREET/OXFORD ROAD
- SJ13: SWAN CLOSE ROAD/UPPER WINDSOR STREET

These junctions are not re-assessed under the sensitivity test. This is of concern due to the three developments sites omitted from the initial tests (14/01188/OUT, 12/00080/OUT and 14/01932/OUT). The full impact at these three junctions of the spine road in place has not been shown.

Of the junction capacities that are assessed, there is concern about Bodicote flyover slip roads, SJ2A: Oxford Road/Northbound Slips and SJ3A Oxford Road/Southbound Slips, these show both the priority junctions to be approaching capacity at 2025.

### **Accident history**

A three year accident history only has been provided. It is normal practice to provide a five-year history – justification is not given for providing only three years. Given the scale of the development, and the proximity to schools, I feel that five years should be provided in order to ensure that no mitigation requirements are overlooked.

## Mitigation

It is noted that no off-site transport mitigation is proposed for highways, walking, or cycling. No off site audits for walking and cycling have been carried out, and there are some junctions of concern.

## Contribution to Banbury Area Transport Strategy

It is recognised that the all peak hour trips add to the Banbury transport network. A contribution toward the Banbury Area Transport Strategy is required to mitigate the cumulative impact of planned growth by funding transport infrastructure and services which cannot be attributed to a single development, but which will benefit trips from this proposed development.

The Cherwell Planning Obligations Draft Supplementary Planning Document (July 2011) provides a contribution rate towards general transport and access impacts.

Once a housing mix is provided the following will be used to calculate the contribution toward the Banbury Area Transport Strategy:

The Transport Infrastructure means the formula Matrix"  
 $\pounds(A \times 442) + (B \times 638) + (C \times 994) + (D \times 1,336)$

When

A means the number of 1 Bedroomed Units

B means the number of 2 Bedroomed Units

C means the number of 3 Bedroomed Units

D means the number of 4 Bedroomed Units

Direct mitigation schemes, including public transport, are additional to the contribution to the Banbury Area Transport Strategy.

Contributions will be specified towards a specific scheme/s within the Banbury Area Strategy of Connecting Oxfordshire: Local Transport Plan 2031.

## Public Rights of Way

Bodicote Footpath 13 (137/13) runs across the site and will need to be accommodated and integrated within the development.

The Salt Way which is recorded as Banbury Restricted Byway 43 (120/43) runs to the North of the site. This is a popular historic route used mainly by pedestrians and cyclists. The existing footpath connects with this as will the proposed greenways and cycleways. It is important that the boundary is maintained so that vehicles are not able to gain access to this route.

## Drainage

The drainage strategy proposal for the development is to discharge into existing sewer using SuDs components to attenuate with limiting rate of discharge. Capacity checks for existing sewer lines are recommended, and also CCTV survey to ascertain the fact that the existing system can cope with the additional discharge without impacting the highway.

Note drainage condition above.

## Travel Plan

A full residential travel plan will be required for this development. A draft has been submitted with this application but this will need to be updated to a full travel plan which meets OCC

criteria on occupation of the 140<sup>th</sup> house, when adequate survey data becomes available. More travel plan specific comments can be found below.

A residential travel information pack is required to ensure all residents are aware of the travel choices available to them from the outset.

Cycle parking within each residential boundary is welcomed. Visitor cycle parking is also required – adjacent to play areas is a suitable place.

The name and contact details of the site travel plan co-ordinator should be forwarded to the Travel Plans Team at Oxfordshire County Council prior to first occupation to enable an effective travel plan related dialogue to take place.

A travel plan monitoring fee of £1,240 is required to enable the travel plan to be monitored for a period of five years.

Reference to a framework travel plan should be removed. The travel plan, submitted to support this application should be a full travel plan, which at the moment is at a draft stage.

The travel plan target of 0.537 2-way peak hour vehicle trips after five years is not particularly ambitious but is below the trip generation used in the assessment.

The action plan should specify that the travel plan will be updated to a full travel plan on occupation of the 140<sup>th</sup> house, when survey data is available.

Measures we would recommend are considered within the travel plan:

- Storage for home deliveries
- Taster bus tickets
- Cycle maintenance vouchers
- Other incentives for sustainable travel

### **Layout**

No comment is provided on the indicative layout as this would be for a reserved matters application. However, note that tracking for a large refuse vehicle would be required with any application. We will also be looking for pedestrian connectivity to be maximised. If outline permission is granted the developer is recommended to seek pre-application advice on any proposed layout.

### **Public Transport**

The Spine Road should have a minimum width of 6.75 metres, without vertical deflection, to be suitable for bus operation, at least in line with Road Type 2 (Link Road) designation in the Council's Residential Road Design Guide.

Whilst there is a clear intention that the new bus service should operate along the entire length of the spine road, there will almost certainly be a requirement to operate an initial bus service to an intermediate turning point, before the full service can be initiated. This will be due to phasing issues, until the full route can be operated. The developer must therefore make provision to turn buses around, near to the western boundary of this application.

It's envisaged that a new bus route will be introduced along the new spine road, from the Bloxham Road along the new Spine Road, Bankside and a new link along Tramway Road to the Rail Station and thence to the Town Centre. It is possible that this route could be cross-linked with other bus services, to provide direct access to workplaces to the north or east of the Town Centre.



This new bus service would be procured on a pump-priming basis, to ensure that it became fully commercially viable after a few years. The cost of introducing the new service will be considerable, but will move towards commercial viability after 8 years of operation.

There are plans to make a significant improvement to local bus services in the Banbury area, including the implementation of new routes to residential developments. There is an ambition to connecting new residential areas with workplaces and interchange points for transfer for other services to work destinations, all with the aim of increasing the numbers of people travelling to work by bus, and thus mitigating the impact of new housing on the town's road network.

**Officer's Name: Joy White**

**Officer's Title: Principal Transport Planner**

**Date: 27 August 2015**

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## Archaeology

### Recommendation:

No objection subject to conditions

### Key issues:

The site has been the subject of an archaeological geophysical survey and trenched evaluation which recorded a range of deposits dating from the Bronze Age through to the Iron Age. A staged programme of archaeological investigation will be required ahead of any development of the site. This can be secured through an appropriately worded condition.

### Legal agreement required to secure:

None

### Conditions:

- F6** Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Policy BE6 of the South East Plan 2009 and Government guidance contained within the National Planning Policy Framework.

- F11** Prior to any demolition on the site (other than in accordance with the agreed Written Scheme of Investigation) and prior to the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [F6], a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Policy BE6 of the South East

**Informatives:**

If the applicant makes contact with us at the above address, we shall be pleased to outline the procedures involved, provide a brief upon which a costed specification can be based, and provide a list of archaeological contractors working in the area.

**Detailed comments:**

The site has been the subject of an archaeological geophysical survey and trenched evaluation which recorded a range of deposits dating from the Bronze Age through to the Iron Age. The evaluation phase recorded boundary ditches, enclosures pits and roundhouses dating to the Iron Age as well as a possible Bronze Age barrow. Further archaeological investigation will be required ahead of the development of the site and a condition requiring a staged programme of archaeological investigation will be required on and subsequent planning application.

We would, therefore, recommend that, should planning permission be granted, the applicant should be responsible for ensuring the implementation of a staged programme of archaeological investigation to be maintained during the period of construction. This can be ensured through the attachment of a suitable negative condition as suggested above.

**Officer's Name: Richard Oram**

**Officer's Title:** Planning Archaeologist

**Date:** 10 August 2015

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

## Education

### Recommendation:

No objection subject to conditions

### Key issues:

Based on the information currently available, this proposed development has been estimated to generate 107 primary pupils, 85 secondary pupils (including 11 sixth formers) and 2.1 pupils requiring education at an SEN school.

#### **Primary education**

- £2,055,470 Section 106 required towards the cost of the new primary school planned for the South of Salt Way development.

#### **Secondary education**

- £1,495,951 Section 106 required for the necessary expansion of permanent secondary school capacity serving the area, at Warriner School.

#### **Special Educational Needs (SEN) education**

- £64,378 Section 106 required for the necessary expansion of permanent SEN school capacity serving the area, at Frank Wise School.

### Legal agreement required to secure:

£2,055,470 Section 106 developer contributions towards the cost of the new primary school planned for the South of Salt way development, based on 107 pupil places directly related to this development. This is based on the pro rata cost of building a new 2 form entry primary school, which the county council's property consultants have calculated as £19,210 per pupil, or £8,068,000 in total. This is index linked to 3<sup>rd</sup> Quarter 2012 using PUBSEC Tender Price Index.

£1,495,951 Section 106 developer contributions towards the expansion of Warriner School by a total of 85 pupil places (including 11 sixth form places). This is based on Department for Education (DfE) advice for secondary school extension weighted for Oxfordshire and including an allowance for ICT and sprinklers at £17,455 per pupil place and £18,571 per Sixth Form pupil place. This is index linked to 1st Quarter 2012 using PUBSEC Tender Price Index.

£64,378 Section 106 developer contributions towards Frank Wise (SEN) School, based on projected pupil generation of 2.1 pupils. This is index linked to 1st Quarter 2012 using PUBSEC Tender Price Index. We are advised to allow £30,656 per pupil place to expand capacity in special educational needs schools.

### **Conditions:**

Planning permission to be dependent on a satisfactory agreement to secure the resources required for the necessary expansion of education provision. This is in order for Oxfordshire County Council to meet its statutory duty to ensure sufficient pupil places for all children of statutory school age.

### **Informatives:**

This site forms the eastern section of the strategic site allocation Banbury 17 within the emerging Cherwell Local Plan. The Local Plan policy BAN 17 requires a master plan for the wider Banbury 17 site to be produced.

A new primary school will be required to serve the Salt Way strategic development area. This proposed development should contribute towards the cost of the new school (including land) in a fair and reasonable manner. Also in accordance with Policy Banbury 17 of the Cherwell Local Plan 2011-31 land needs to be reserved within the allocation to meet town wide secondary school needs. The S106 agreement for this site will need to be in line with those for the other parcels of this development area that are yet to be permitted. Negotiations are ongoing, and the details provided in this response may therefore need to be amended.

### **Detailed comments:**

The scale of the proposed south of Salt Way developments, and the lack of surplus places in existing primary schools in the area, requires that south of Salt Way provides a new primary school of an appropriate size. Taking into account all of the parcels of this development area, the school will need to be 2 form entry. The school site is planned to form part of the separate application for the largest section of this development area.

This specific proposed development will need to contribute towards the new school in a fair and reasonable manner.

For secondary education, it has been identified that the existing schools in the Banbury/Bloxham area will need to expand to meet the rising pupil numbers already in the town's primary schools. The schools jointly offer 730 places per year group currently. The current combined admission numbers will be insufficient from 2016 onwards, as shown by the pupil census data below:

<b>Year group in 2014/15</b>	<b>Y6</b>	<b>Y5</b>	<b>Y4</b>	<b>Y3</b>	<b>Y2</b>	<b>Y1</b>	<b>R</b>
<b>Year of transfer to secondary school</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Cohort size in 2014/15</b>	715	785	792	852	897	878	877

For 2014 transfer, there was a shortage of places, and some children had to be offered places at schools outside the area. Expansion of secondary school places is therefore necessary to meet the needs of the existing population, and further additional capacity will be needed to meet the needs of housing development, and make it acceptable in planning terms.

Increased capacity is planned in the first instance through expansions of existing schools. Although the scale of housing growth in the town, including that proposed in the Cherwell Local Plan, is expected to require a new secondary education establishment in addition, there is not yet a confirmed project for the new school, and therefore contributions from this development are sought towards the programme of expansion of existing schools.

There is an insufficiency of capacity for SEN provision across Oxfordshire and within Banbury itself to meet the needs of the growing population. Demands arising from further residential development will need to be addressed. SEN contributions will be used on establishments serving, and thus directly related to, the area of the development. For Banbury developments, the nearest such establishment is Frank Wise School (in Banbury) where the council is delivering a £1.8m project to replace 24 places currently provided in temporary classrooms as well as provide 8 additional places for growth. Grant funding of £963k has been secured towards this project, leaving a balance of £837k for the county council to fund from S106 and other sources. Given the scale of growth proposed in the revised Cherwell Local Plan, options are being assessed for further expansion of the school, or provision of additional SEN provision elsewhere in Banbury.

Section 106 developer contributions towards the expansion of permanent Special Educational Needs school capacity are calculated in line with the expected increase in SEN pupil numbers, based on 1.11% of school pupils attending SEN schools. The figure of 1.11% is derived from pupil census data on pupils attending Oxfordshire mainstream and SEN schools. We are advised by the county council's property consultants Turner & Townsend to allow £30,656 per pupil place to expand capacity in special educational needs schools. This is index linked to 1st Quarter 2012 using PUBSEC Tender Price Index.

**Officer's Name: Barbara Chillman**

**Officer's Title: Pupil Place Planning Manager**

**Date: 10 August 2015**

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

## Property

### Recommendation:

No objection subject to conditions

### Key issues:

- The County Council considers that the impacts of the development proposal (if permitted) will place additional strain on its existing community infrastructure.
- The following housing development mix has been used:

22 x One Bed Dwellings  
42 x Two Bed Dwellings  
40 x Three Bed Dwellings  
176 x Four Bed Dwellings

- It is calculated that this development would generate a net increase of:

#### **802 additional residents including:**

44 resident/s aged 65+  
531 residents aged 20+  
63 resident/s ages 13-19  
69 resident/s ages 0-4

### Legal Agreement required to secure:

- |                  |            |
|------------------|------------|
| • Library        | £68,170.00 |
| • Adult Day Care | £48,400.00 |

<b>Total</b>	<b><u>£116,570.00</u></b>
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<b>Admin and monitoring fee</b>	<b>£11,000</b>
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Admin and monitoring fee - Oxfordshire County Council requires an administrative payment of £11,000 for the purposes of administration and monitoring of the proposed S106 agreement, including elements relating to Education. The admin fee may increase depending on the value of any Transport related contributions.

OCC is not seeking property contributions to mitigate the impact of this development on all infrastructure. This is solely due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended).

The County Councils legal fees in drawing up and/or completing a legal agreement will need to be secured.

### **Conditions:**

- The County Council as Fire Authority has a duty to ensure that an adequate supply of water is available for fire-fighting purposes. There will probably be a requirement to affix fire hydrants within the development site. Exact numbers and locations cannot be given until detailed consultation plans are provided showing highway, water main layout and size. We would therefore ask you to add the requirement for provision of hydrants in accordance with the requirements of the Fire & Rescue Service as a condition to the grant of any planning permission.

### **Informatives:**

- Fire & Rescue Service recommends that all new building including all new dwellings are constructed with fire suppression systems.

### **Detailed Comments:**

#### **Local Library**

This development is served by Banbury Library.

This provision is significantly under-size in relation to its catchment population and this development will therefore place additional pressures on the library service.

Costs for improvements are based upon the costs of extending a library.

The costs of extending a library is £2,370 per m<sup>2</sup> at 1st Quarter 2012 price base; this equates to £65 (£2,370 x 27.5 / 1,000) per resident.

This calculation is based on Oxfordshire County Council adopted standard for publicly available library floor space of 23 m<sup>2</sup> per 1,000 head of population, and a further 19.5% space is required for support areas (staff workroom, etc.), totalling 27.5 m<sup>2</sup> per 1,000 head of population.

The development proposal would also generate the need to increase the core book stock held by 2 volumes per additional resident. The price per volume is £10.00 at 1st Quarter 2012 price base; this equates to £20 per resident.

- The contribution for the provision of library infrastructure and supplementary core book stock in respect of this application would therefore be based on the following formula:

$$\mathbf{\pounds 85 \times 802 \text{ (the forecast number of new residents)} = \pounds 68,170.00}$$



## Social & Health Care - Day Care Facilities

This development is served by Banbury Day Centre and this development will place additional pressures on this adult day care facility. To meet the additional pressures on day care provision the County Council is looking to expand and improve the adult day care facility in Banbury Day Centre

Contributions are based upon a new Day Care centre offering 40 places per day (optimum) and open 5 days per week; leading to an equivalent costing of £11,000 per place at 1<sup>st</sup> Quarter 2012 price base (this in non-revenue). Based on current and predicted usage figures we estimate that 10% of the over 65 population use day care facilities. Therefore the cost per person aged 65 years or older is £1,100.

- The contribution for the provision of adult day care infrastructure in respect of this application would therefore be based on the following formula:

$$\text{£1,100} \times 44 \text{ (the forecast number of new residents aged 65+)} = \text{£48,400.00}$$

### Indexation

Financial contributions have to be indexed-linked to maintain the real values of the contributions (so that they can in future years deliver the same level of infrastructure provision currently envisaged). The price bases of the various contributions are covered in the relevant sections above.

### General

The contributions outlined towards sustainable community infrastructure and its capital development have been calculated where possible using details of the development mix from the application submitted or if no details are available then the County Council has used the best information available. Should the application be amended or the development mixed changed at a later date, the Council reserves the right to seek a higher contribution according to the nature of the amendment.

The contributions which are being sought are necessary to protect the existing levels of infrastructure for local residents. They are relevant to planning the incorporation of this major development within the local community, if it is implemented. They are directly related to this proposed development and to the scale and kind of the proposal.

### **Contributions required to mitigate the impact of the development on infrastructure but which due to Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) OCC cannot require a s106 obligation in respect of:**

• Central Library	£13,754.30
• Waste Management	£51,328.00
• Museum Resource Centre	£4,010.00
<b>Total</b>	<b>£69,092.3</b>

Oxfordshire County Council is **not** seeking a contribution towards central library, waste management or museum resource centre infrastructure from this application due to the pooling restrictions contained within Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) which took effect from the 6<sup>th</sup> April 2015. The property response '*No objection subject to conditions*' relies upon funding for infrastructure as critical mitigation being delivered through CIL where there is no opportunity to gain contributions through Section 106 due to current legislation. OCC hold a statutory obligation to deliver services such as education through schools.

Details of these contribution rates for sustainable capital development are set out below.

### **Detailed comments for contributions not sought solely due to S106 pooling restrictions**

#### **Central Library**

Central Library in Oxford serves the whole county and requires remodelling to support service delivery that includes provision of library resources across the county.

Remodelling of the library at 3rd Quarter 2013 base prices leaves a funding requirement still to be secured is £4,100,000. 60% of this funding is collected from development in the Oxford area. The remainder 40% is spread across the four other Districts. 40% of 4.1M = £1,604,000.

Population across Oxfordshire outside of Oxford City District is forecast to grow by 93,529 to year 2026. £1,604,000 ÷ 93,529 people = £17.15 per person

- The contribution for the provision of central library infrastructure in respect of this application would therefore be based on the following formula:

$$\mathbf{£17.15 \times 802 \text{ (the forecast number of new residents)} = \mathbf{£13,754.30}}$$

#### **County Museum Resource Centre**

Oxfordshire County Council's museum service provides a central Museum Resource Centre (MRC). The MRC is the principal store for the Oxfordshire Museum, Cogges Manor Farm Museum, Abingdon Museum, Banbury Museum, the Museum of Oxford and the Vale and Downland Museum. It provides support to these museums and schools throughout the county for educational, research and leisure activities.

The MRC is operating at capacity and needs an extension to meet the demands arising from further development throughout the county. An extended facility will provide additional storage space and allow for increased public access to the facility.

An extension to the MRC to mitigate the impact of new development up to 2026 has been costed at £460,000 at 1st Quarter 2012 price base; this equates to £5 per person

- The contribution for the extension of the Museum Resource Centre in respect of this application would therefore be based on the following formula:

$$\mathbf{£5 \times 802 \text{ (the forecast number of new residents)} = \mathbf{£4,010.00}}$$

#### **Strategic Waste Management**

Under Section 51 of the Environmental Protection Act 1990, County Councils, as waste disposal authorities, have a duty to arrange for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of that waste. Sites in Oxfordshire are operating at capacity.

**Officer's Name: Oliver Spratley**

**Officer's Title: Corporate Landlord Officer**

**Date: 21 August 2015**

---

**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Minerals & Waste**

### **Recommendation:**

No objection

### **Key issues:**

The application site is shown on published geological mapping to be underlain by deposits of ironstone. The site is allocated for housing development in the adopted Cherwell Local Plan 2011 – 2031 (policy Banbury 17). This allocation over-rides policy for safeguarding mineral resources.

### **Legal agreement required to secure:**

None

### **Conditions:**

None

### **Informatives:**

None

### **Detailed comments:**

The application site is shown on published geological mapping to be underlain by deposits of ironstone. The site is allocated for housing development in the adopted Cherwell Local Plan 2011 – 2031 (policy Banbury 17). This allocation over-rides policy for safeguarding mineral resources.

**Officer's Name:** Peter Day

**Officer's Title:** Minerals & Waste Policy Team Leader

**Date:** 03 August 2015

---

**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Ecology**

### **Recommendation:**

Comments

### **Key issues:**

The District Council should be seeking the advice of their in-house ecologist who can advise them on this application.

In addition, the following guidance document on Biodiversity & Planning in Oxfordshire combines planning policy with information about wildlife sites, habitats and species to help identify where biodiversity should be protected. The guidance also gives advice on opportunities for enhancing biodiversity:

<https://www.oxfordshire.gov.uk/cms/content/planning-and-biodiversity>

### **Legal agreement required to secure:**

N/A - For the District Council to comment

### **Conditions:**

N/A - For the District Council to comment

### **Informatives:**

N/A - For the District Council to comment

### **Detailed comments:**

**Officer's Name:** Tamsin Atley

**Officer's Title:** Ecologist Planner

**Date:** 25 August 2015

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## LOCAL MEMBER VIEWS

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**Cllr:** George Reynolds

**Division:** Wroxton & Hook Norton

**Comments:**

This application is not in my division nor is the adjacent one for 1100 houses. However it would appear that while there is an essential condition for a link road from the A361 to Bodicote there does not appear to be any pressure to continue it onto the Oxford Road. I am also concerned that it would appear that the main exit for both these developments would be the A361 Bloxham Road. This road is already overloaded especially where it joins the main Oxford road.

This overload is already causing cars to either go through my division on the Broughton Road into Banbury or use Wykham Lane either through Bodicote or Broughton as a rat run

In my view it is essential that a through and extensive traffic survey is done but actions need to be taken by OCC on the back of these applications to ensure traffic from the west of Banbury does not snarl up in town nor overload the surrounding villages.

**Date:** 08 August 2013

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creating a better place



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

Date: 8 September 2015

Dear Sir/ Madam

**Re:** 15/01326/OUT  
15/01128/OUT  
15/01365/F

These applications do not fall within any of the categories of development in our External Consultation List. The list includes types of development for which we are a statutory consultee, as well as those we wish to be consulted on because of their potential impact on the environment.

Using the list when deciding whether to consult us on applications will ensure that we are only consulted on the correct types of proposed development, and save time and resources for both you and us. I have attached a copy of the list with this email.

Please note that while we are not providing comments on these planning applications, this letter does not indicate that permission will be given by the Environment Agency as a regulatory body. We have a regulatory role in issuing legally required consents, permits or licences for various activities.

Since 15 April, we are no longer statutory consultees for surface water for sites over one hectare. Responsibility for assessing surface water drainage proposals for major applications is passed to the relevant Lead Local Flood Authority (LLFA) from this date which in this case is Oxfordshire County Council. We may still comment on surface water drainage concerning contamination or pollution prevention.

The applicant should contact 08708 506 506 or consult our website to establish if consent will be required for the works they are proposing. Please see <https://www.gov.uk/environmental-permit-how-to-apply/overview>.

Any works in, over, under, or within 8 metres of the top of the bank of a designated Main River will also require our formal consent. Please contact 08708 506 506 to find out more information about Flood Defence Consents.

If you have any specific queries relating to a planning application, please contact [planning-wallingford@environment-agency.gov.uk](mailto:planning-wallingford@environment-agency.gov.uk).

Yours faithfully,

Environment Agency  
Red Kite House, Howbery Park, Crowmarsh Gifford, Wallingford, Oxfordshire.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)



**Cathy Harrison**  
West Thames Sustainable Places  
Environment Agency

Environment Agency  
30-34 Albert Embankment, London, SE1 7TL.  
Customer services line: 08708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)



From: [BCTAdmin@thameswater.co.uk](mailto:BCTAdmin@thameswater.co.uk) [<mailto:BCTAdmin@thameswater.co.uk>]  
Sent: 28 September 2015 16:25  
To: Planning  
Subject: 3rd Party Planning Application - 15/01326/OUT (FURTHER INFORMATION)

Cherwell District Council  
Planning & Development Services  
INFORMATION)  
Bodicote House  
Bodicote, Banbury  
Oxon  
OX15 4AA

Our DTS Ref: 44623  
Your Ref: 15/01326/OUT (FURTHER

28 September 2015

Dear Sir/Madam

Re: OS PARCELS 6741 & 5426 WEST OF CRICKET FIELD, NORTH OF WYKHAM LANE, BODICOTE, BANBURY, OXFORDSHIRE, OX15

#### Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed. "Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed". Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to the Planning Application approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

#### Water Comments

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend the following condition be

imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point. Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

#### Supplementary Comments

Detailed discussions about the design and funding of the offsite drainage infrastructure to serve this development are still ongoing with the developer and Thames Water. Additional foul flows arising from this development are likely to lead to sewer flooding of properties without an off-site drainage solution being put in place. We consider that the Foul Drainage Analysis dated August 2015 submitted as part of the reserved matters application does not address this issue. The drainage report needs to include the details of the offsite drainage measures to avoid the risk of sewer flooding to existing residents caused by the additional flows from the development.

The Applicant is requested to contact Thames Water Developer Services Department on 0800 009 3921 at the earliest opportunity to agree a drainage strategy for this site.

Yours faithfully  
Development Planning Department

Development Planning,  
Thames Water,  
Maple Lodge STW,  
Denham Way,  
Rickmansworth,  
WD3 9SQ

Matt,

I've reviewed the GRM Phase 1 Site Appraisal (Desk Study), reference GRM/P6194/DS.2, dated July 2013. I can confirm the findings of this report are acceptable. The recommendations for further works to investigate and clarify the potential risk from land contamination are acceptable. As such, I recommend the following conditions are applied to ensure these works are submitted to the LPA:

#### **Land contamination: Intrusive Investigation**

Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

[Reason JR6](#)

#### **J14 Land Contamination: Remediation Scheme**

If contamination is found by undertaking the work carried out under condition [J13], prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's *'Model Procedures for the Management of Land Contamination, CLR 11'* and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

[Reason JR6](#)

#### **J15 Land Contamination: Carry out Remediation**

If remedial works have been identified in condition [J14], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition [J14]. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

[Reason JR6](#)

**J16 Land Contamination not Previously Found**

If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

[Reason JR6](#)

**JR6 Reason - To ensure that risks from land contamination to the future users of**

the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Best regards,

Sean

**Sean Gregory**

Environmental Protection Officer

Cherwell District Council

Cherwell District Council Planning & Development Services Bodicote House Bodicote, Banbury Oxon OX15 4AA Our D  
2 October 2015

Dear Sir/Madam

**Re: OS PARCELS 6741 & 5426 WEST OF CRICKET FIELD, NORTH OF WYKHAM LANE, BODICOTE, BANBURY,**

### **Waste Comments**

Thames Water welcomes the conclusion of the ULS drainage strategy that a technical solution is possible to address the technical specification of the drainage infrastructure, its phasing and delivery route are key matters which will need to be agreed between the council and applicant. There are a number of routes for the delivery of the foul drainage infrastructure and this will need to be agreed between the council and applicant. We would be happy to work with the council and applicant on the wording of the drainage planning condition. Our typical proposed foul drainage condition is: Following initial investigation, Thames Water has identified a technical solution to the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to an approved sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until a drainage strategy is approved. Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the impact upon the community. Should the Local Planning Authority consider the above recommendation is inappropriate, the Local Planning Authority liaises with Thames Water Development Control Department (telephone 0203 577 9998) prior to approval.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the point of connection for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water is required. Contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the environment.

### **Water Comments**

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. A condition should be imposed: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been completed and approved by the water authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required. To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

### **Supplementary Comments**

Detailed discussions about the design and funding of the offsite drainage infrastructure to serve this development are ongoing. The storm flows arising from this development are likely to lead to sewer flooding of properties without an off-site drainage solution. A drainage strategy dated August 2015 submitted as part of the reserved matters application does not address this issue. The drainage strategy should avoid the risk of sewer flooding to existing residents caused by the additional flows from the development.

The Applicant is requested to contact Thames Water Developer Services Department on 0800 009 3921 at the earliest opportunity.

Yours faithfully

Development Planning Department

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Matt,

I recommend conditions are applied to ensure air quality impacts from construction are mitigated and a low emission strategy is provided. The Peter Brett air quality assessment report (reference: 29541/001, dated July 2015) refers to construction impacts being adequately mitigated through condition. These fugitive emission controls should be included in a construction management plan, which should be required by condition.

The report has concluded there is an insignificant impact from road traffic generated from the operational site. The report refers to the inherent uncertainties in this prediction and has used predicted vehicle emission factors for the operational stage of the development. These emission factors assume a level of uptake of new vehicles and the associated improvements in vehicle emission technology which significantly improve over time. This is in line with a good practise approach but it is acknowledged that predicted improvements in air quality with vehicle technology haven't been realised so far. I'd like to see a scheme proposed that identifies and facilitates opportunities to encourage the adoption of new vehicle emission technologies as part of this development and its traffic generation. This could be in the form of a low emission strategy.

Best regards,

Sean

**Sean Gregory**  
Environmental Protection Officer  
Cherwell District Council

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From: Patrick Prendergast  
Sent: 16 October 2015 14:42  
To: Matthew Parry  
Subject: FW: OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire [15/01326/OUT]

Matthew,

With respect to the above application please note:

The arboricultural assessment has evaluated the site well has is protecting high quality species.

A tree constraints plan will be required to ensure that the retained tree are well protected.

A detailed landscape plan is required to ensure that adequate and appropriate species are planted. This should include for tree pits details and maintenance regime to ensure establishment.

Regards

Patrick

Patrick Prendergast  
Arboricultural Officer  
Environmental Services  
Cherwell District and South Northamptonshire Council  
01295 221804  
Email: [Patrick.prendergast@cherwellandsouthnorthants.gov.uk](mailto:Patrick.prendergast@cherwellandsouthnorthants.gov.uk)  
Please note I only work Thursdays and Fridays and alternate Wednesdays

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**From:** Charlotte Watkins  
**Sent:** 10 December 2015 23:28  
**To:** Matthew Parry  
**Subject:** 15/01326/OUT Land West of White Post Road, Bodicote

15/01326/OUT Land West of White Post Road, Bodicote

Matthew

The submitted ecological appraisal for the application is fine with the appropriate aspects surveyed in appropriate depth. The field to the East bordering the road is not used for parking and recreation as stated however – it is currently used for sheep grazing, sometimes for horses and is probably more accurately described as pasture.

There are no major ecological issues on site. The most valuable features are the hedgerows, however breeding birds, badgers, herptiles and bats also need consideration. There doesn't seem to be an assessment of the cumulative impact on ecology of this development and neighbouring developments - unless I missed this. Some of the species of open arable landscape (brown hare and farmland birds), which is also being lost adjacent, are largely dismissed as being necessarily displaced or mitigated through sub-optimal habitat provision. When considered in the context of neighbouring developments I would like to see greater effort to mitigate for the effects on these species, or where not possible, to compensate off site. Brown hares in particular are a Priority Species and as such we need to have regard for to their conservation.

In general the recommendations in the ecological report are appropriate. To retain the value of the hedgerows however I would hope for a wider buffer than the 2m suggested (this is anyway inconsistent with the 3m recommended later for retaining the hedgerow's value to and mitigating for reptiles). In hedgerows where there are trees a 5m buffer would be better to avoid root damage and in general more generous buffers to hedgerows would be better for wildlife. There are other indirect effects on wildlife using the hedgerows not assessed, such as an increase in domestic pets and dog walking, which a wider buffer would help ameliorate.

A scheme of biodiversity enhancements both within the proposed open space and the built environment (the ecological appraisal makes some appropriate suggestions for the built areas including green roofs and incorporation of bird and bat boxes into dwellings) should be conditioned. It should aim to show how a net gain will be achieved on site in line with National and Local policy. A CEMP should include measures for removal of any trees with bat potential, protection of the hedgerows and The Saltway and restrictions on lighting during construction. A lighting design scheme should be submitted which is in line with the Bat Conservation Trust guidelines and shows in terms of light spill how dark corridors will be maintained.

I would suggest the following conditions to any permission:

**K12 Nesting Birds: No Works Between March and August Unless Agreed**

No removal of hedgerows, trees or shrubs, shall take place between the 1<sup>st</sup> March and 31<sup>st</sup> August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on

health and safety reasons in the case of a dangerous tree, or the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

[Reason KR1](#)

#### **K14 Badgers: Mitigation Strategy**

Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a mitigation strategy for badgers, which shall include details of a recent survey (no older than six months), whether a development licence is required and the location and timing of the provision of any mitigation or protective fencing around setts/commuting routes, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

[Reason KR1](#)

#### **K17 Biodiversity Enhancement**

Prior to the commencement of the development hereby approved, including any demolition, and any works of site clearance, a method statement for enhancing biodiversity on site which includes assessment of net gain shall be submitted to

and approved in writing by the Local Planning Authority. Thereafter, the biodiversity enhancement measures shall be carried out and retained in accordance with the approved details.

[Reason KR3](#)

#### **K20 Landscape and Ecological Management Plan (LEMP)**

Prior to the commencement of the development hereby approved, a full Landscape and Ecology Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.

[Reason KR2](#)

#### **K21 Construction Environmental Management Plans (CEMP) for Biodiversity**

Prior to the commencement of the development hereby approved, including any demolition and any works of site clearance, a Construction Environmental Management Plan (CEMP), which shall include details of the measures to be taken to ensure that construction works do not adversely affect biodiversity, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved CEMP.

[Reason KR2](#)

#### **K23 Use of Native Species**

All species used in the planting proposals associated with the development shall be native species of UK provenance.

## Reason KR3

### **Lighting**

Prior to the commencement of the development hereby approved, alighting design scheme shall

be submitted to and approved in writing by the Local Planning Authority.

Thereafter, lighting shall be installed and operated in accordance with the approved details.

## Reason KR2

Regards

Charlotte

Dr Charlotte Watkins

Ecology Officer

Cherwell District Council

Direct Dial 01295 227912

[Charlotte.Watkins@Cherwell-DC.gov.uk](mailto:Charlotte.Watkins@Cherwell-DC.gov.uk)

[www.cherwell.gov.uk](http://www.cherwell.gov.uk)

*Office hours: Monday, Tuesday and Thursday mornings.*

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**From:** Planning South [<mailto:Planning.South@sportengland.org>]  
**Sent:** 02 March 2016 09:55  
**To:** Planning  
**Subject:** RE: Planning Application Consultation

Mr M Parry  
Cherwell District Council  
Bodicote House  
White Post Road Bodicote  
BANBURY  
OX15 4AA

02 March 2016

Our Ref: SE/CL/2016/42115/S

Dear Mr M Parry,

**App Ref:** 15/01326/OUT  
**Site:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote  
**Proposal:** **OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access.**

Thank you for consulting Sport England on the above application. I can confirm that the consultation has been received and was accepted on 01 March 2016.

In accordance with Paragraph 011 of NPPG (Article 22 of the Development Management Procedure (England) Order 2015), Sport England will respond to this consultation within 21 days of the date of acceptance.

However, if insufficient information is received in order to allow us to make a substantive response to the consultation, Sport England will contact you to request further information. The 21 day deadline will not commence until receipt of the additional information.

If you would like any further information or advice please contact the undersigned at the address below.

Yours sincerely,



Planning Administration Team

T: 020 7273 1777

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Sport Park, 3 Oakwood Drive, Loughborough, Leicester, LE11 3QF

-----Original Message-----

From: [planning@cherwell-dc.gov.uk](mailto:planning@cherwell-dc.gov.uk) [<mailto:planning@cherwell-dc.gov.uk>]

Sent: 01 March 2016 16:06

To: Planning South

Subject: Planning Application Consultation

Please see attached consultation document.

Regards

Development Management

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From: Ian Upstone  
Sent: 02 March 2016 08:05  
To: Planning; Matthew Parry  
Subject: FW: Planning Application Consultation

Hello Matthew, I can't see on the new documents any information which addresses the issue of no Waste or Recycling provision. This needs to be addressed before permission is granted. I'm sorry if it's there and I've missed it.

Thanks

Ian Upstone  
Waste Resource Manager  
Environmental services  
Cherwell District and South Northamptonshire Councils Ext 1920 Direct Dial 01295 221920  
Mob: 07974326895  
<mailto:ian.upstone@cherwellandsouthnorthants.gov.uk>  
[www.cherwell-dc.gov.uk](http://www.cherwell-dc.gov.uk)

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Book online [www.cherwell.gov.uk/motbookings](http://www.cherwell.gov.uk/motbookings) or call us on 01295 221916

-----Original Message-----

From: Planning  
Sent: 01 March 2016 16:06  
To: Ian Upstone  
Subject: Planning Application Consultation

Please see attached consultation document.

Regards  
Development Management

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Creating a sporting habit for life

M Parry Esq.  
Cherwell District Council  
Bodicote House,  
Bodicote,  
Banbury OX15 4AA

3 March 2016

Our Ref: SW/CL/2016/42115/S

Dear Mr Parry,

**App Ref: 15/01326/OUT**  
**Site: OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire**  
**Proposal: Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access**

Thank you for consulting Sport England on the above application.

There are 2 distinct elements to this outline application: the impact on the recreation ground and the creation of the housing.

### **The Impact on the Recreational Ground**

It is understood that the site forms part of, or constitutes a playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2010 (Statutory Instrument 2010 No. 2184). The consultation is therefore statutory and Sport England has considered the application in the light of the National Planning Policy Framework (in particular Par 74) and its policy to protect playing fields, 'A Sporting Future for the Playing Fields of England (see link below).

<http://www.sportengland.org/facilities-planning/planning-for-sport/development-management/planning-applications/playing-field-land/>



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Essentially Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one of 5 exceptions applies:

Sport England Policy	
Summary of Exceptions	
E1	An assessment has demonstrated that there is an excess of playing fields in the catchment and the site has no special significance for sport
E2	The Development is ancillary to the principal use of the playing field and does not affect the quantity/quality of pitches
E3	The Development only affects land incapable of forming part of a playing pitch and would lead to no loss of ability to use/size of playing pitch
E4	Playing field lost would be replaced with equivalent or better playing field in terms of quantity, quality and accessibility
E5	The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field

Looking at the illustrative plan within the Design and Access statement and drawing 5731/ASP03 rev H, it appears there is to be a youth games court and possible realignment of the access road to the cricket club.

While there is no detail of the youth games court, it does sit outside the main playing field area of the recreational ground and therefore I consider this part of the development to meet our planning policy exception E3.

The realignment of the road I consider to meet our planning policy exception E2.

### Conclusion of proposal impacting on playing fields

In light of the above, Sport England raises **no objections** to the part of the outline proposal which affects the playing fields which form part of the land identified as the recreational ground.

### The Housing

It is understood that the application proposes up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, and other infrastructure elements.

Sport England has assessed the application against its adopted planning policy objectives. The focus of these objectives is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to meet the needs of local communities. The occupiers of any new development, especially residential, will generate demand for sporting provision. The existing provision within an area may not be able to accommodate this increased demand without exacerbating existing



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and/or predicted future deficiencies. Therefore, Sport England considers that new developments should be required to contribute towards meeting the demand they generate through the provision of on-site facilities and/or providing additional capacity off-site. The level and nature of any provision should be informed by a robust evidence base such as an up to date Sports Facility Strategy, Playing Pitch Strategy or other relevant needs assessment.

This requirement is supported by the Governments National Planning Policy Framework, which states:

“Within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. (Principle 12 is) that planning should:

Take account of and support local strategies to improve health, social, and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.” [Paragraph 17]

“To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses, and places of worship) and other local services to enhance the sustainability of communities and residential environments...
- Ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.” [Paragraph 70]

I have estimated the population generated by the proposed housing (230 dwellings), to be between 575 and 805 persons. (I have calculated this by allowing 2.5 persons per dwelling and 3.5 persons per dwelling and multiplying it by the proposed number of dwellings. There will be a mix of housing hence the variation of 2.5/3.5 persons per dwelling.) If this demand is not adequately met, then it may place additional pressure on existing sports facilities, thereby creating deficiencies in facility provision. In accordance with Circular 05/05, Sport England seeks to ensure that the development meets any new sports facility needs arising as a result of the development.

### **Built Facilities**

You may be aware that Sport England’s Sports Facilities Calculator (SFC) can help to provide an indication of the likely demand that will be generated by a development for certain facility types; swimming pools, sports halls, artificial Grass pitches and indoor bowling rinks..



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Sport England accepts that the population figures may not be correct, but it is the principle and method of calculating the contribution which is important here.

The SFC indicates that a population of 575 will generate a demand for following facilities:

*The SFC results presented below are based on the following criteria:*

<b>Area of Interest:</b>	<b>Cherwell</b>	<b>Population:</b>	<b>575</b>
<b>Population Profile:</b>	<b>Cherwell</b>	<b>Date generated:</b>	<b>03/03/2016</b>
<b>Build Costs:</b>	<b>Q1 2015</b>	<b>BCIS:</b>	<b>November 2014</b>
<b>Population:</b>	<b>2011 Census data, modified by interim 2012-based subnational population projections for 2015. London Boroughs modified by © GLA 2013 Round Demographic Projections.</b>		

*Facility Requirements:*

Sports Halls	
Demand adjusted by	0%
Courts	0.18
Halls	0.04
vpwpp	39
Cost	£127,702

Swimming Pools	
Demand adjusted by	0%
Square meters	6.10
Lanes	0.11
Pools	0.03
vpwpp	37
Cost	£98,755

Artificial Grass Pitches	
Demand adjusted by	0%
Pitches	0.02
vpwpp	13
Cost if 3G	£16,636
Cost if Sand	£14,568

Indoor Bowls	
Demand adjusted by	0%
Rinks	0.04
Centres	0.01
vpwpp	6
Cost	£12,242

The SFC indicates that a population of 805 will generate a demand for following facilities:





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The SFC results presented below are based on the following criteria:

<b>Area of Interest:</b>	<b>Cherwell</b>	<b>Population:</b>	<b>805</b>
<b>Population Profile:</b>	<b>Cherwell</b>	<b>Date generated:</b>	<b>03/03/2016</b>
<b>Build Costs:</b>	<b>Q1 2015</b>	<b>BCIS:</b>	<b>November 2014</b>
<b>Population:</b>	<b>2011 Census data, modified by interim 2012-based subnational population projections for 2015. London Boroughs modified by © GLA 2013 Round Demographic Projections.</b>		

#### Facility Requirements:

Sports Halls	
Demand adjusted by	0%
Courts	0.25
Halls	0.06
vpwpp	54
Cost	£178,783

Swimming Pools	
Demand adjusted by	0%
Square meters	8.55
Lanes	0.16
Pools	0.04
vpwpp	51
Cost	£138,257

Artificial Grass Pitches	
Demand adjusted by	0%
Pitches	0.02
vpwpp	18
Cost if 3G	£23,291
Cost if Sand	£20,395

Indoor Bowls	
Demand adjusted by	0%
Rinks	0.05
Centres	0.01
vpwpp	8
Cost	£17,139

NB it may not be appropriate to provide funding/provide facilities for each facility type identified above. This decision is up to Cherwell District Council.

#### Playing Pitches

Just as the increased population will have an impact on built facilities, there will also be an impact on playing pitches. It is therefore important that this is addressed in an appropriate way. Normally a local authority would rely on its playing pitch strategy, however the current strategy which was prepared in 2008 is not considered to be robust. I understand the authority is considering preparing a new strategy, in the meantime I have no robust solution to offer.

#### Conclusion on Housing

I note in Appendix 2 of the planning statement, section 5 of the Heads of Terms allow for other contributions to be sought. I would strongly advise the planning committee to seek a suitable level of contributions to both built sports facilities and towards playing fields for the reasons set out above.



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The absence of an objection to this application in the context of the Town and Country Planning Acts, does not in any way commit Sport England's or any National Governing Body of Sport's support for any related application for grant funding.

If this application is to be presented to a Planning Committee, we would like to be notified in advance of the publication of any committee agendas, report(s) and committee date(s). We would be grateful if you would advise us of the outcome of the application by sending us a copy of the decision notice.

If you would like any further information or advice, please contact the undersigned at the address below.

Yours sincerely,



Bob Sharples MRTPI RIBA  
Planning Manager



**From:** Consultations (NE)  
**Sent:** 08 March 2016 15:53  
**To:** Planning  
**Subject:** Consultation response - 15/01326/OUT

Dear Sir,

Your Ref:- 15/01326/OUT

Our Ref:- 180276

Thank you for your consultation.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England has previously commented on this proposal and made comments to the authority in our letter dated 07 August 2015.

The advice provided in our previous response applies equally to this application although we made no objection to the original proposal (15/01326/OUT).

Should the proposal be amended in a way which **significantly** affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

Yours faithfully

Beth Seale  
Technical Services Consultation Team  
Natural England, County Hall, Spetchley Road, Worcester WR5 2NP

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**From:** Judith Ward  
**Sent:** 14 March 2016 15:08  
**To:** Matthew Parry  
**Subject:** OS Parcel 6741 & 5426 W of Cricket Field, Bodicote Changes to road layout on White Post Road

Hi Matt

The layout of the car park is very regular and unsympathetic. I can see conflicts between cars and pedestrians as the only place to walk once you've parked is down the middle of the parking circulation.

While there is an entrance to the school grounds where the new zebra crossing is proposed. There doesn't appear to be an entrance to the school grounds at the existing puffin crossing point. I can see people trying to cross White Post Road where the footpath emerges opposite the vehicular entrance to the school which is unsafe. It could be safer to take the footpath from the car park to the south onto the line of the current access to Banbury Cricket Club so that it emerges onto White Post road near to the puffin crossing.

A hedgerow and trees will be lost. There should be a landscaping scheme with replacement tree and hedge planting

Judith

Judith Ward  
Landscape Planning Officer  
Environmental Services  
Cherwell and South Northants Councils'  
Direct dial 01295 221711 Extension 1711  
[Mailto:judith.ward@cherwellandsouthnorthants.gov.uk](mailto:judith.ward@cherwellandsouthnorthants.gov.uk)

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**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including up to 30% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicle access point from White Post Road, creation of car park and associated ancillary works. All matters to be reserved with the exception of access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## Education

### Recommendation:

No objection subject to conditions

### Key issues:

Based on the information currently available, this proposed development has been estimated to generate 107 primary pupils, 85 secondary pupils (including 11 sixth formers) and 2.1 pupils requiring education at an SEN school.

#### **Primary education**

- £2,272,466 Section 106 required towards the cost of the new primary school planned for the South of Salt Way development.

#### **Secondary education**

- £1,642,609 Section 106 required for the necessary expansion of permanent secondary school capacity serving the area, at Blessed George Napier School.

#### **Special Educational Needs (SEN) education**

- £73,781 Section 106 required for the necessary expansion of permanent SEN school capacity serving the area, at Frank Wise School.

### Legal agreement required to secure:

£2,272,466 Section 106 developer contributions towards the cost of the new primary school planned for the South of Salt way development, based on 107 pupil places directly related to this development. This is based on the pro rata cost of building a new 2.5 form entry primary school, which the county council's property consultants have calculated as £21,238 per pupil, or £11,150,000 in total. This is to be index linked from 4<sup>th</sup> Quarter 2014 using PUBSEC Tender Price Index.

Contribution towards the additional primary school land required to enable the planned South of Salt Way Primary School to accommodate the pupils generated by this development.

£1,642,609 Section 106 developer contributions towards the expansion of Blessed George Napier School by a total of 85 pupil places (including 11 sixth form places). This is based on

Department for Education (DfE) advice for secondary school extension weighted for Oxfordshire and including an allowance for ICT and sprinklers at £19,158 per pupil place and £20,447 per Sixth Form pupil place. This is to be index linked from 4<sup>th</sup> Quarter 2014 using PUBSEC Tender Price Index.

Contribution towards the secondary school land required to enable Blessed George Napier Secondary School to expand.

£73,781 Section 106 developer contributions towards Frank Wise (SEN) School, based on projected pupil generation of 2.1 pupils. This is to be index linked from 4<sup>th</sup> Quarter 2014 using PUBSEC Tender Price Index. The cost of expanding SEN schools has been assessed as £35,134 per pupil place.

### **Conditions:**

Planning permission to be dependent on a satisfactory agreement to secure the resources required for the necessary expansion of education provision. This is in order for Oxfordshire County Council to meet its statutory duty to ensure sufficient pupil places for all children of statutory school age.

### **Informatives:**

This site forms the eastern section of the strategic site allocation Banbury 17 within the Cherwell Local Plan. The Local Plan policy BAN 17 requires a master plan for the wider Banbury 17 site to be produced.

### **General**

The contributions requested have been calculated using details of the expected development mix. As the planning application is an outline proposal and in recognition that the delivered scheme may differ from that so far assumed and assessed the council provides & requires a matrix mechanism for inclusion within the S106 agreement. The matrix sets out the contributions payable per 1, 2, 3 & 4+ bedroomed dwelling built.

### **Indexation**

Financial contributions have to be indexed-linked to maintain the real values of the contributions (so that they can in future years deliver the same level of infrastructure provision currently envisaged). The price bases of the various contributions are covered in the relevant sections above.

### **Detailed comments:**

#### **Primary Education**

The scale of the proposed south of Salt Way developments (Ban 16 & Ban 17), and the lack of surplus places in existing primary schools in the area, requires that south of Salt Way (Ban 16 & Ban 17) provides a new primary school of an appropriate size. The school site is planned to form part of the separate application for the largest section (14/01932/OUT) of this development area (Ban 17). The expected pupil generation from the school site host development and the permitted application for up to 350 dwellings on the Banbury 16 strategic site allocation (planning application ref 14/01188/OUT) would create the need for a



2FE primary school, the land requirement for which is 2.22ha. To mitigate the impact of the additional pupils expected to be generated from this development (15/01326/OUT) would require an increased capacity school of 2.5FE size, which in turn would require a larger site of 3.01ha. The Primary Education Infrastructure Contribution has been calculated based on the expected pupil generation from this development and the cost per pupil place of delivering a 2.5FE school.

This development is also required to contribute towards the cost of securing the additional land required to mitigate the impact of this development. This equates to 0.79 hectares. Further discussion is needed with the host developer as to the value of this land. The County Council considers £375,000 per hectare to be appropriate.

## Secondary Education

For secondary education, it has been identified that the existing schools in Banbury will need to expand to meet the rising pupil numbers already in the town's primary schools. The schools jointly offer 502 places per year group currently. For 2014 transfer, there was a shortage of places, and some children had to be offered places at schools outside the area. Expansion of secondary school places is therefore necessary to meet the needs of the existing population, and further additional capacity will be needed to meet the needs of housing development, and make it acceptable in planning terms.

The current combined admission numbers will be insufficient to meet demand from 2016 onwards, as shown by the pupil census data below:

<b>Year group in 2014/15</b>	<b>Y6</b>	<b>Y5</b>	<b>Y4</b>	<b>Y3</b>	<b>Y2</b>	<b>Y1</b>	<b>R</b>
<b>Year of transfer of the year group to secondary school</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>
<b>Cohort size in 2014/15</b>	502	565	575	630	682	665	653

Increased capacity is planned in the first instance through expansions of existing schools. Although the scale of housing growth in the town, including that proposed in the Adopted Cherwell Local Plan, is expected to require a new secondary education establishment in addition, there is not yet a confirmed project for the new school, and therefore contributions from this development are sought towards the programme of expansion of existing schools.

This proposed development will be required to contribute towards this increase in secondary education capacity in two ways:

- £1,642,609 Section 106 developer contributions towards the expansion of Blessed George Napier Secondary School capacity by a total of 85 pupil places (including 11 6<sup>th</sup>-form places). This is based on Department for Education (DfE) advice for secondary school extension weighted for Oxfordshire and including an allowance for ICT and sprinklers at £19,158 per pupil place and £20,447 per Sixth Form pupil place. This is to be index linked from 4<sup>th</sup> Quarter 2014 using PUBSEC Tender Price Index.
- As referenced in the Adopted Cherwell Local Plan Policy Banbury 17 land for secondary education purposes need to be reserved from this allocation. To allow Blessed George Napier to expand to a capacity of 1,200 places (an additional 353 places) a total of 1.855 ha of playing field land is required to be reserved on the

14/01932/OUT application area. This development (15/01326/OUT) is required to contribute towards the secondary school land required to enable Blessed George Napier Secondary School to expand in line with its pupil generation. This equates to 0.45 ha  $((1.855/353) \times 85)$ . Further discussion is needed with the secondary school expansion land host developer as to the value of this land. The County Council considers £375,000 per hectare to be appropriate.

### **Special Educational Needs**

There is an insufficiency of capacity for SEN provision across Oxfordshire and within Banbury itself to meet the needs of the growing population. Demands arising from further residential development will need to be addressed. SEN contributions will be used on establishments serving, and thus directly related to, the area of the development. For Banbury developments, the nearest such establishment is Frank Wise School (in Banbury) where the council is delivering a £1.8m project to replace 24 places currently provided in temporary classrooms as well as provide 8 additional places for growth. Grant funding of £963k has been secured towards this project, leaving a balance of £837k for the county council to fund from S106 and other sources. Given the scale of growth proposed in the Adopted Cherwell Local Plan, further expansion of the school beyond that currently planned is expected in the longer term.

Section 106 developer contributions towards the expansion of permanent Special Educational Needs school capacity are calculated in line with the expected increase in SEN pupil numbers, based on 1.11% of school pupils attending SEN schools. The figure of 1.11% is derived from pupil census data on pupils attending Oxfordshire mainstream and SEN schools. This is to be index linked from 4<sup>th</sup> Quarter 2014 using PUBSEC Tender Price Index. The cost of expanding SEN schools has been assessed as £35,134 per pupil place.

**Officer's Name: Barbara Chillman**

**Officer's Title: Pupil Place Planning Manager**

**Date: 02 March 2016**

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## OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

**District:** Cherwell

**Application no:** 15/01326/OUT-2

**Proposal:** OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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### Purpose of document

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic localities response and technical team response(s). Where local members have responded these have been attached by OCCs Major Planning Applications Team ([planningconsultations@oxfordshire.gov.uk](mailto:planningconsultations@oxfordshire.gov.uk)).

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**District:** Cherwell

**Application no:** 15/01326/OUT-2

**Proposal:** OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Strategic Comments**

### **Comments:**

This response relates to the submission received 02 March 2016. All points raised in OCC's initial response to the application dated 04 September 2015 still apply, other than those addressed below.

OCC maintain an objection on the basis that no masterplan for the wider Banbury 17 site has been produced, contrary to the requirements of policy BAN 17. It is essential that this policy requirement is fulfilled prior to the determination of the applications on the site in order to ensure that the necessary infrastructure to mitigate the allocation is deliverable.

**Officer's Name:** David Flavin

**Officer's Title:** Senior Planning Officer

**Date:** 22 March 2016

---

**District:** Cherwell

**Application no:** 15/01326/OUT-2

**Proposal:** OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Transport**

### **Recommendation:**

Objection

On the grounds that there is still no masterplan for the Banbury 17 Policy area, which means there is a risk of not being able to secure the spine road and adequate pedestrian/cycle links to the adjacent Gallaghers site.

### **Key issues:**

- Banbury 17 Policy Area – Masterplan
- Contribution to Banbury Area Transport Strategy
- Public Transport / Access to bus stops
- Highways Specification Table
- Pedestrian connectivity
- Travel plan

### **Legal agreement required to secure:**

#### **Transport Strategy: cumulative impact of growth**

- Contribution towards Banbury Area Transport Strategy, calculated on the basis of housing mix once known, towards improvements to the A4260 Upper Windsor Street/ A4260 Cherwell Street /Swan Close Road junction.

#### **Banbury 17 Policy Infrastructure provision:**

- Provision of spine road with appropriate triggers
- Provision of pedestrian and cycle routes leading from the site to adjacent existing and future built up areas, including across Salt Way

**Off-site highway infrastructure:** site access junction and associated pedestrian and cycle improvements in White Post Road.

### **Public Transport:**

- a) A contribution to provide for new bus stop infrastructure (shelters, flagpole, information case) on **Oxford Road** for two bus stops £20,000.
- b) A contribution to provide for upgraded bus stop infrastructure (shelters, flagpole, information case) on **White Post Road** for two bus stops £20,000.
- c) Section 106 agreement to provide financial contribution to procuring the new bus service. Contribution towards public transport services of £1000 per dwelling, in line with contributions from adjacent developments, to pump prime bus services serving the site totalling £280,000.
- d) Arrangement to provide bus stop infrastructure within the site.

### **Conditions:**

#### **Design Code**

A design code must be secured, in conjunction with a site Masterplan for Banbury 17. This will be needed to assist in assessing reserved matters for spine road and parcels. Exact wording to be agreed.

#### **Spine road details**

Suitable conditions are required to ensure the approval of the layout of the spine road prior to the approval of layout of adjacent development parcels, and to ensure its connection with the spine road through the rest of Banbury 17. To include bus stop positions. Wording to be agreed.

#### **Pedestrian connections**

Details of the pedestrian connection directly between the site and Salt Way to include improvement of a section of the existing public right of way to be submitted and approved, and thereafter delivered prior to an appropriate trigger. Wording to be agreed.

#### **Footpath improvements**

Details of improvements to existing Public Right of Way through the site to be approved and delivered. Wording to be agreed.

#### **Access: Full Details**

Prior to the commencement of the development hereby approved, full details of the means of vehicular, cycle and pedestrian access between the land and the highway, including, position, layout, construction, drainage and vision splays, and associated pedestrian and cycle improvements on White Post Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

[Reason DR1](#)

#### **Close Existing Accesses**

Prior to the first use of the access hereby approved, the existing accesses onto Wykham Lane shall be permanently stopped up and shall not be used by any vehicular traffic whatsoever.

[Reason DR1](#)

### **Estate Accesses, Driveways and Turning Areas**

Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

[Reason DR2](#)

### **Cycle Parking Provision**

Prior to the first use or occupation of the development hereby permitted, secure cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the secure cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

[Reason DR4](#)

### **Travel Plan**

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4](#)

Prior to the 140<sup>th</sup> occupation of the development an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved updated Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4 \(to take into account the analysis of survey data from households\)](#)

### **Drainage**

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)

- Network drainage calculations
- Phasing

### **Protection of Existing Public Footpaths**

Prior to the commencement of any part of the development hereby approved within 10m of the existing public footpath(s), the affected footpath(s) shall be protected and fenced to accommodate a width of a minimum of 5m in accordance with details to be firstly submitted to and approved in writing by the Local Planning Authority.

Thereafter, the footpath(s) shall remain fenced and available for use throughout the construction phase in accordance with the approved details until a time that the diverted footpath(s) is/are available for use by the public in accordance with condition unless provision has been made for temporary closure under the Highways Act 1980.

[Reason DR10](#)

### **Informatives:**

Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email [roadagreements@oxfordshire.gov.uk](mailto:roadagreements@oxfordshire.gov.uk)

### **Detailed comments:**

**Revised site access junction arrangements:** These are considered broadly acceptable in line with the indicative drawing supplied 1361/22 Rev C. However, there are minor improvements recommended in the Safety Audit, which will need to be taken into account in the detailed design. Some small amendments to the cycle infrastructure proposals will be needed to ensure the safety of pedestrians, particularly around the school access. I have some concerns about the convenience of use of the car park and consider that further thought needs to be given to the layout, especially given that there will be a high turnover of spaces and lots of manoeuvring – I am concerned that parents dropping off children will not want to use it, and that there is a possibility of traffic backing up onto the access road as a result of drivers being unable to enter the car park.

### **Highways Specification Table**

With regard to document "24 2 16 Highways Specification Table.pdf" this document states Traffic Calming at 60m intervals – please confirm the type and style of proposed traffic calming.

The specification will need further detail added to it as part of developing the design code for the site, including radius of curvature, further detail regarding the amount and type of parking, and traffic calming.



For the carriageway surfacing, OCC would require asphaltic concrete, not SMA. (This is our normal requirement).

### **Banbury 17 Policy Area – Masterplan**

The Local Plan Banbury 17 Policy stipulates that there must be a site wide masterplan. The Banbury 17 policy area has come forward through three separate planning applications: it is a policy requirement that each provides and is accompanied by a joint Banbury 17 wide masterplan. As yet a Banbury 17 masterplan has not been submitted with any of the applications. Therefore the application is not compliant with Banbury 17 policy.

I note that the TA still refers to the Cherwell Local Plan as 'emerging'. Now that it is adopted I would have expected reference to this, as well as more detailed reference to Banbury 17 Policy requirements.

### **Congestion on the network and contribution to Banbury Area Transport Strategy**

It is recognised that the all peak hour trips add to the Banbury transport network. I am still concerned about a significant impact in terms of the increase in queue lengths and delay at some junctions. At OCC's request the revised TA additionally includes assessment of the junction of Oxford Road/Farmfield Road, and Swan Close Road/Bankside/Hightown Road. (Concorde Ave/Cherwell Drive was also requested but the increase in traffic at the junction caused by the development has been shown to be low enough for the junction not to require assessment.)

I disagree with the TA's assertion that the proposed development does not lead to a material traffic impact at Junction 16. Although the junction is at a high Degree of Saturation in the 2025 base scenario, the addition of the development traffic takes it close to 100% saturation (98.5%) and adds 12 vehicles (almost doubling) to the queue on Oxford Road north Left/Ahead.

A contribution toward the Banbury Area Transport Strategy is required to mitigate the cumulative impact of planned growth by funding transport infrastructure and services which cannot be attributed to a single development, but which will benefit trips from this proposed development.

The Cherwell Planning Obligations Draft Supplementary Planning Document (July 2011) provides a contribution rate towards general transport and access impacts.

Once a housing mix is provided the following will be used to calculate the contribution toward the Banbury Area Transport Strategy:

The Transport Infrastructure means the formula Matrix"  
 $\pounds(A \times 442) + (B \times 638) + (C \times 994) + (D \times 1,336)$

When

A means the number of 1 Bedroomed Units

B means the number of 2 Bedroomed Units

C means the number of 3 Bedroomed Units

D means the number of 4 Bedroomed Units

Direct mitigation schemes, including public transport, are additional to the contribution to the Banbury Area Transport Strategy.

Contributions will be specified towards a specific scheme/s within the Banbury Area Strategy of Connecting Oxfordshire: Local Transport Plan 2031.

A contribution toward the Banbury Area Transport Strategy is required to mitigate the cumulative impact of planned growth by funding transport infrastructure which cannot be attributed to a single development, but which will benefit trips from this proposed development. Using the CDC Planning Obligations matrix funds are sought towards improvements to the A4260 Upper Windsor Street/ A4260 Cherwell Street /Swan Close Road junction. This junction is shown to be worsening in the Transport Assessment provided with the application, and has been identified within LTP4 within policy BAN1 as part of the Bridge Street/ Cherwell Street eastern corridor improvements.

### **Access to bus routes – bus stops**

Over the next 10 years there will be significant changes and opportunities to the existing bus network in the area to the south of Banbury. To realise the NPPF guidance “to make the fullest possible use of public transport,” it is essential the development delivers access to the range of routes:

1. **Strategic Inter-urban route from Banbury to Oxford** runs along the Oxford Road within walking distance of the site. This is a commercially operated bus route, however there are no bus stops located close to the development site, both northbound and southbound bus stops are required for trips arising from the development site to access the bus service. A contribution is sought of £10,000 per bus stop, totalling £20,000k, towards bus stop pole and flag, shelter and a commuted sum for maintenance.
2. **Local town service.** Cuts to subsidised bus services (February 2016) will alter the existing bus services in Banbury. However, there is significant opportunity arising from the Longford Park development to serve Bodicote village and potentially White Post Road fronting the site with a local bus service. This is particularly important in the period from dwellings being occupied on site but before the Saltway spine road is open. It is noted that drawing 1361/22/C “Proposed Access Arrangement” does not show any bus stop locations. It is proposed the existing bus stops on White Post Road are upgraded to include bus stop pole and flag, shelter and a commuted sum for

maintenance, contribution is sought of £10,000 per bus stop, totalling £20,000k.

- 3. Bus Service serving the Saltway Spine Road** – bus stops will need to be provided within the development to access the new bus route that will travel through the Saltway development site when the spine road is open. Bus stops locations should be identified at the earliest opportunity and included in the reserve matters applications for the spine road. Based on the length of spine road within the development site two pairs of bus stops (and associated infrastructure) will be required.

### **Pedestrian links across Salt Way**

Pedestrian linkage across Salt Way must be secured in order for this development to be acceptable. I note that the links have been reduced to one, at the Public Right of Way. The walking isochrones in Figure 3 must assume that this connection is provided – without this connection walking distances would be significantly increased. However, clarification on the assumed connections should be provided since it is unclear how the revised isochrones have been produced.

It should be noted that the B1 route is unlikely to continue after July 2016 – therefore this reduces the number of stops within suitable walking distance.

### **Revised Travel Plan**

A revised travel plan has been submitted but it does not seem to take into account our previous comments which included a commitment to survey and update the travel plan once the 140<sup>th</sup> dwelling had been occupied and a number of other suggestions.

**Officer's Name: Joy White**

**Officer's Title: Principal Transport Planner**

**Date: 22 March 2016**

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TOWN AND COUNTRY PLANNING ACT 1990  
CONSULTATION – AMENDED/ADDITIONAL  
PLANS/INFORMATION

CHERWELL DISTRICT COUNCIL

Case officer: Matthew Parry

Date: 01.03.2016

CDC  
22 MAR 2016  
POST ROOM

Application No.: 15/01326/OUT

Applicant's Name: Gladman Developments Ltd

Proposal: OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access.

Location: OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

Parish(es): Bodicote

Expected Decision Level: Committee


Please complete ONE of the following sections and return to Development Management, Cherwell District Council, Bodicote House, Bodicote, OX15 4AA within **21 days** of date of consultation letter :

1. The Town/Parish Council wishes to raise no objections to the application and has no further observations.
2. The Town/Parish Council wishes to raise no objections to the application and makes the following observations:

3. The Town/Parish Council wishes to object to the application on the following planning grounds.  
(Please quote relevant policies from Cherwell Local Plan or Structure Plan if possible):

PLEASE SEE ATTACHED

PLANNING HOUSING & ECONOMY				
PLANNING	HOUSING	ECONOMY	FILED	FILE
22 MAR 2016				
PAID	RECEIVED			
ACK	FILE			

Signed:  Clerk/Correspondent.

On behalf of: Bodicote Parish Council

Date: 21/3/16

**RESPONSE FROM BODICOTE PARISH COUNCIL TO  
APPLICATION 15/01326/OUT**

**OS Parcels 6741 & 5426 west of Cricket Field,  
north of Wykham Lane, Bodicote**

**Gladman Developments Ltd**

**We OBJECT to this development**, as there is no Masterplan yet in place. This is contrary to the requirements of policy BAN 17. It is essential that this policy requirement is fulfilled prior to the determination of the applications on the site in order to ensure that the necessary infrastructure to mitigate the allocation is deliverable.

We know the existing problems on White Post Road, so our concerns below should be given considerable weight when considering this development. Also, the future of Bodicote as a village is very bleak; it is in great danger of becoming part of Banbury, which is against Cherwell District Council's policy of avoiding coalescence.

If Cherwell District Council is minded to grant permission for this development, we have the following comments, concerns and objections:-

There needs to be a safety audit and a transport assessment showing the impact of the development on the local transport network.

We are concerned at the volume of traffic coming on to the roundabout from the new spine road/White Post Road and then travelling along the slip road to the Oxford Road. There must be some road widening on the approach to the roundabout and the slip road. There will also be problems for traffic wishing to use the flyover road.

We request a full air quality assessment of the impact of the additional traffic travelling both ways on the proposed new spine road. This is very close to the school and could have an impact on the health of the children.

If this development and spine road proceed, the developers should provide for a bus service along the spine road to alleviate some of the traffic problems.

At an early stage, the developers will need to provide an access road to the site for the contractors and their materials. This must not cause problems for the already-congested White Post Road.

Provision must be made for existing footpaths to remain accessible during the period of development, as well as thereafter. There must also be provision for the protection of Salt Way - it is important that its boundary is maintained so that vehicles are not able to gain access to this route.

The green space is in Bodicote Parish and **must** stay as part of our Parish. We must be involved from the outset in its design, what it will include, and plans for its later adoption, as well as associated funding necessary for future maintenance, for which we will be responsible. A proper commuted sum must therefore be secured for this purpose from the s.106 agreement. We cannot see the benefit of some of the pitches proposed and would prefer standard adult pitches – please consult us regarding the pitches and play areas.

We are extremely concerned that there must be **NO ACCESS** to Wykham Lane from the housing or green space of this development, now or at any time in the future. Please ensure that this is enshrined in the permission and strong green barriers are put in place around the edges of the whole development, to prevent this. There must be no repeat of the Canal Lane set-up, where people were breaking through the hedge to exit the development, before the northern exit was provided.

We are concerned about the points where the cycle lane crosses the exit from the school. These need to be carefully thought-through, so that cyclists do not hit any young children who come running out of school before an adult can stop them.

We are concerned at the proposed crossing for the spine road. If a puffing crossing with traffic lights was considered necessary for White Post Road, how much more necessary it will be to provide a signalised puffin or toucan crossing on the northern part of the combined spine road/White Post Road, not just a zebra crossing as currently proposed.

We are concerned at the point where White Post Road (south) will join the new spine road. Will there be some provision to ensure that vehicles on White Post Road do not have to wait a long time to get onto the spine road?

However, **we welcome** the new car parking area. Can you confirm that this will be available for school dropping off and picking up and not for all day parking for the District Council, please. This must be properly organised. We would also suggest the parking area is slightly widened or an in and out system is introduced, to avoid chaos at school times. Who will be responsible for future maintenance of the parking area? Will this be secured with a s.106 agreement? The Parish Council cannot be responsible for this without extra funding. Perhaps this funding could be provided by the Education Authority?

**We welcome** the MUGA, which is something the Parish Council has been wanting for some years, but has been unable to find a suitable location.

**If this development goes ahead – which will cause a great deal of disruption and will be to the disadvantage of Bodicote – then please ensure that the new car parking area and MUGA are enshrined in the permission, as these are the only things of benefit to the village.**

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**From:** 9313351 headteacher.3351  
**Sent:** 04 May 2016 14:26  
**To:** Matthew Parry  
**Cc:**  
**Subject:**

Dear Matthew

Thank you for listening to my concerns regarding the proposed development on White Post Road. As discussed during our phonecall, my primary concerns are the safety of the children (both during the development building and afterwards if there is no safe parking for parents) and the provision for parents to park and then get their children into school for the start of the day. As mentioned, there is a short window of opportunity during morning drop off.

I have attached the letter from my parent governor - this letter represents the views of all governors.

Kind regards

Jane

Mrs Jane Ridley  
Headteacher and School Intervention Leader  
Bishop-Loveday CE Primary School

Headteacher:  
**Mrs J Ridley**

Tel: **01295 263157**

Fax: **01295 275907**

Email: [office.3351@bishop-loveday.oxon.sch.uk](mailto:office.3351@bishop-loveday.oxon.sch.uk)

Web: [www.bishop-loveday.oxon.sch.uk](http://www.bishop-loveday.oxon.sch.uk)



**Bishop Loveday C of E Primary School**  
**White Post Road**  
**Bodicote**  
**Banbury**  
**Oxon**  
**OX15 4BN**

Friday 6<sup>th</sup> May 2016

Dear Parents and Carers

The Governors have met to discuss the planning application on White Post Road, as we have a number of concerns.

The School's main priority is the safety of the children; we are constantly reminding parents and visitors to the school to park sensibly and safely whenever visiting the school.

Already exceptionally busy, especially at commute, drop off and pick up times, White Post Road is used as a rat run from Bodicote village through to the Timms Estate and on to Springfield Avenue to get to the Bloxham Road and on into other parts of Banbury.

A main concern is that adding a further 280 houses in the vicinity will add at least 280 additional cars with the potential of many more to the roads in the area. A further concern is that the road will become a bypass for cars coming from the south of Banbury through to Bloxham cutting out the traffic jams that occur on the Oxford Road down to the Bloxham Road junction.

The school is seeking reassurance from the Highways agency that they can guarantee that adding the new estate and the spine road directly outside the school will not add further risks to our children, parents, staff and visitors to the school.

We would like the highways agency comments on the following:

1. With White post road meeting the new spine road, is this an additional risk to pedestrians? Is there adequate pedestrian crossings being provided?
2. The positioning of the proposed car park – is this a safe place to have a car park and will this create further safety concerns for the school?
3. If the current main pedestrian entrance of the school remains as is, it will sit directly onto an even busier main road. Can the main road be moved further away from the pedestrian entrance?



Silver Quality  
Mark 2014/15



Further questions for the developer if the proposed plan is granted would be:

1. The school would have serious concerns over the safety of our children, parents, staff and visitors from construction traffic whilst the development is being built and would seek assurances that strict controls of traffic movement at specific times around pick up and drop off time.
2. If we were to acquire the car park, with up to 34 spaces for the school to use, will this adequately compensate for the car parking along the road that will be lost?

We hope that we have covered all the major concerns that our parents, staff and visitors have regarding the proposed development, but would welcome any additional comments from parents and staff relating to the proposed development and its effects on our school.

With Thanks

James Hall  
Parent Governor



Silver Quality  
Mark 2014/15





# DEVELOPMENT INTERNAL MEMORANDUM

**From:** Head of Strategic Planning and the Economy

**To:** Head of Development Management (FAO Matthew Parry)

**Our Ref:** 3.2

**Your Ref:** 15/01326/OUT

**Ask for:** Sharon Whiting

**Ext:** 1848

**Date:** 5<sup>th</sup> May 2016

## APPLICATION FOR PLANNING PERMISSION PLANNING POLICY CONSULTATION RESPONSE

<b>Planning Application No.</b>	15/01326/OUT
<b>Address / Location</b>	OS Parcels 6741 and 5426 West of Cricket Field, North of Wykham Lane, Bodicote
<b>Proposal</b>	OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access.
<b>General Comments</b>	<p>The site forms the eastern section of proposed strategic site allocation Banbury 17 as contained in the Adopted Cherwell Local Plan 2011-2031. Land immediately to the west of the pre-application site is the subject of application 14/01932/OUT for 1000 dwellings and associated facilities (application currently pending).</p> <p>The original application has been amended comprising changes to the vehicular, pedestrian and cycle access arrangements with new junction system proposed for White Post Road. Creation of a section of spine road to ultimately link Bloxham Road with White Post Road as well as a section of linked footpath between the allocated Banbury 17 sites. New enlarged 34 space car park proposed off White Post Road. Updated landscape and transport chapters within the Environmental Statement as well as updated Transport Assessment and Travel Plan documents. These comments refer to the application as amended.</p>
<b>Main Local Plan Policies</b>	<p><b>Adopted Cherwell Local Plan 2011-2031</b></p> <p>Policy Banbury 17: South of Salt Way-East  Policy PSD 1: Presumption in Favour of Sustainable Development  Policy BSC 3: Affordable Housing  Policy BSC 4: Housing Mix  Policy BSC7: Meeting education needs  Policy BSC 10: Open Space, Outdoor Sport and Recreation Provision  Policy BSC 11: Local Standards of Provision – Outdoor Recreation  Policy BSC 12: Indoor Sport, Recreation and Community Facilities  Policy ESD 13: Local Landscape Protection and Enhancement  Policy ESD 1: Mitigating and Adapting to Climate Change</p>

	<p>Policy ESD 2: Energy Hierarchy and Allowable Solutions  Policy ESD 3: Sustainable Construction  Policy ESD 7: Sustainable Drainage Systems (SuDS)  Policy ESD10: Protection and Enhancement of Biodiversity  Policy ESD13: Local Landscape Protection and Enhancement  Policy ESD 15: The Character of the Built and Historic Environment  Policy ESD 17: Green Infrastructure  Policy INF 1: Infrastructure</p> <p><b>Saved Policies of the Adopted Cherwell Local Plan 1996</b>  Policy TR1: Transportation funding  Policy C5: Protection of ecological value and rural character of particular areas, including Salt Way  Policy C28: Layout, design and external appearance of development  Policy C30: Design of new residential development</p> <p><b>Relevant Policies of the Non-Statutory Cherwell Local Plan 2011</b>  Policy R4: Rights of Way and access to the countryside  Policy EN28: Protection and enhancement of the ecological value and rural character of particular areas, including Salt Way</p>
<p><b>Main Policy Observations</b></p>	<p>The Planning Policy Team's main observations are:</p> <ul style="list-style-type: none"> <li>-The application site forms the eastern section of strategic allocation Banbury 17 as contained in the adopted Cherwell Local Plan. The eastern and western parts of the allocation are in separate ownerships.</li> <li>-Policy Banbury 17 requires an integrated, co-ordinated and comprehensive planning approach to be taken, with a link road between the sites in separate ownership, and a masterplan to be prepared in consultation with the Council, Oxfordshire County Council, the Local Nature Partnership and local communities, to ensure that this is delivered.</li> <li>-An Illustrative Framework Plan has been submitted as part of the application. It is understood that this has been prepared in consultation with the adjacent site promoters, and the same framework plan also now forms part of the pending outline application on the adjacent site. However it is not clear to what extent the current Indicative Framework Plan has been the subject of wider consultation.</li> <li>- The Illustrative Framework Plan indicates a spine road through the strategic allocation with the spine road connection between the two land ownerships to be made between specified coordinates.</li> <li>- In terms of the framework plan as it applies to the application site, a number of elements are broadly in accordance with the requirements of Policy Banbury17. Built development is focussed in the northern part of the site and does not intrude into the easternmost parcel indicated as public open space, the proposals include SUDs and an indicative route for a proposed bridleway along the southern boundary of the site and linking to Salt Way. The southern portion of the application site is also kept free from built development.</li> <li>-The area of informal open space immediately to the north of the Bodicote Recreation Ground, intended to create a buffer between the development and Bodicote village, has been reduced by the indicative link road and junction arrangement with White Post Road and the proposed car park to serve Bishop Loveday Primary School. This will need careful consideration at the detailed stage and it should be ensured that the remaining area of open space is secured for such use. Policy Banbury 17 requires a route for an east-west link road for local traffic and it is understood that the arrangements now indicated as part of the application are the County Council's (as Highways Authority), preferred arrangements.</li> <li>-The southern portion of the application site is indicated as a combination of an</li> </ul>

	<p>extension to the existing allotments, playing fields and amenity open space. This differs from Policy Banbury 17 which indicates this area as pitch provision to serve the allocation as a whole.</p> <p>-It is noted that the Indicative Framework Plan indicates additional pitch provision in the western part of the allocation site outside of the application area. The spread of pitch provision may be less beneficial in operational and maintenance terms although the proposed location of playing fields in the adjoining site forming part of the allocation site are linked to the playing fields in this application by open space. The make-up of provision should be informed by the outcome of the Playing Pitch Strategy about to be undertaken.</p> <p>-The framework plan alternative proposals for a combination of open space use in the southern part of the application site for the most part avoids built development in this most sensitive part of the site in terms of landscape impact. It is important to ensure that sufficient open space and recreation space in accordance with Policy BSC11 is secured, as at this stage the Illustrative Framework Plan indicates key components only.</p> <p>-It should be ensured that an adequate buffer is provided between the development and Salt Way, in accordance with the requirements of Policy Banbury 17 (which suggests the buffer should be at least 20m wide).</p> <p>- In view of the impact the development is likely to have on the character and setting of Salt Way, Policy Banbury 17 requires the provision of a new footpath bridleway running from east to west along the southern boundary of the development area, incorporating links with existing footpaths to form a new circular route linking back to Salt Way. The Indicative Framework Plan includes an indicative location for a proposed bridleway in accordance with this requirement. Strategic landscaping could be provided along the route of the new bridleway as it passes along the southern boundary of the site which would help to reduce the visual impact of the development from the south.</p>
<p><b>Policy Recommendation</b></p>	<p>The site forms part of a strategic allocation in the adopted Cherwell Local Plan Part 1 and the indicative quantum and distribution of development, provision of an integrated spine road and new bridleway and pedestrian cycle link linking with land in separate ownership to the west of the application site, general provision of open space and the avoidance of direct coalescence with Bodicote are broadly supported, being generally in accordance with Policy Banbury 17. However the issues raised under the observations above should be taken into account as the proposals are progressed.</p> <p>Key components of the Illustrative Framework Plan and requirements of Policy Banbury 17 should be conditioned or secured through legal agreement as appropriate.</p>

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**Date:** 17 May 2016

**Your ref:** 15/01326/OUT

Jon Westerman  
 Development Services Manager  
 Cherwell District Council  
 Bodicote House  
 Bodicote  
 Banbury  
 OX15 4AA

**Environment & Economy**  
**Speedwell House**  
**Speedwell Street**  
**Oxford OX1 1NE**

**Sue Scane**  
**Director for Environment & Economy**

Sent by e-mail to

[jon.westerman@cherwell-dc.gov.uk](mailto:jon.westerman@cherwell-dc.gov.uk)

Dear Jon,

### **Objection to Salt Way Application Ref 15/01326/OUT**

I understand you intend to take the above application to Planning Committee on 19<sup>th</sup> May 2016. I am writing to reiterate the County's position on this application and request that you share this letter in full with your Planning Committee. OCC consider that in isolation and without a masterplan agreed between all parties, it is premature to determine this planning application.

OCC maintain an objection to the application on the basis that, contrary to the requirements of policy Banbury 17, no masterplan for the wider allocation site has been produced. Policy Banbury 17 recognises that the allocated development area is in separate ownership, but emphasises that it forms "a coherent whole" and requires that "an integrated, co-ordinated and comprehensive planning approach will be taken with a link road between the sites in separate ownership". The policy clearly stipulates that the site allocation "will require a masterplan to ensure this is delivered". As stressed at the meeting between Gladman, Gallagher, CDC, OCC, landowners, other stakeholders and chaired by Cllr Mallon on 12<sup>th</sup> January 2016, this policy requirement should be fulfilled prior to the determination of the applications within the allocation site in order to ensure that the necessary infrastructure to mitigate the allocation is deliverable.

It would be logical for both the live Banbury 17 applications (15/01326/OUT and 14/01932/OUT) to be determined at the same Planning Committee once a masterplan is in place. The risks of approving this application in isolation and without an agreed masterplan that includes triggers for the phasing and delivery of infrastructure across the Banbury 17 site include:

- 1) Uncertainty in securing the spine road across the wider Banbury 17 site, as required by the Cherwell Local Plan as well as OCC's Local Transport Plan 4. The spine road is essential for:
  - a. access to the proposed primary school on the adjacent application site
  - b. access to the local centre on the adjacent application site
  - c. provision of a bus service through the site

To date there has been a failure to negotiate the western section of the spine road through the Gallagher site and there is no evidence (e.g. a legal agreement between the parties of the two sites) that both developers will work together to deliver it. The submitted "Illustrative Framework Plan" provides insufficient detail on delivery and is not binding.

- 2) Mitigation of this application's education impact is dependent on the delivery of the primary school proposed on the adjacent application site, which is outside of the applicant's control;
- 3) Uncertainty in securing adequate pedestrian/cycle links across the wider Banbury 17 site, as required by the Cherwell Local Plan;
- 4) Setting a precedent for contravening masterplan policy requirements on allocations with multiple application sites.

Whilst it is appreciated that proposed condition 7 requires the details of the spine road to be in place prior to the submission of Reserved Matters applications and that condition 49 aims to ensure its delivery within the Gladman site, there is no certainty that the road can be delivered across the Gallagher site. This is an essential infrastructure requirement for the mitigation of Banbury 17, as is the primary school.

In summary, OCC consider that in isolation and without a masterplan for the whole of Banbury 17, it is premature to determine this planning application, particularly as its mitigation is dependent on infrastructure to be delivered by the adjacent application site. In order to inform an integrated, co-ordinated and comprehensive planning decision, OCC recommend the application is deferred until such time as the masterplan requirement of policy Banbury 17 is complied with and, preferably, when the other live application for the remainder of Banbury 17 (14/01932/OUT) can be taken to the same planning committee.

Yours sincerely



Bev Hindle  
Deputy Director – Strategy and Infrastructure Planning

Direct line: 01865 815113  
Email: [bev.hindle@Oxfordshire.gov.uk](mailto:bev.hindle@Oxfordshire.gov.uk)  
[www.oxfordshire.gov.uk](http://www.oxfordshire.gov.uk)

Cc Cllr Kieron Mallon  
Cllr George Reynolds  
Matthew Parry

**From:** Councillor Chris Heath  
**Sent:** 18 May 2016 22:55  
**To:** Planning  
**Subject:** Planning application 15/01326/OUT

I am sorry that I am unable to attend the planning meeting on Thursday 19th May but I would just like to make a few comments if that is allowed with regard to this application.

Having read very carefully through the agenda notes I feel that this application should be deferred until the Gallagher application is also ready to come to committee as there seems to be so many “unknowns” relating to this other application and it would seem to make more sense to bring the two applications to the same committee meeting. I also note that Oxfordshire County Council are of the same mind, especially relating to the spine road and refer to a Banbury 17 Masterplan which has not been submitted, meaning the application is not compliant with Banbury 17 policy.

I also feel that the new car parking area to be provided has not been sufficiently investigated and that it will not be big enough to accommodate the huge number of cars which currently park in Whitepost Road. This would not be so bad in the mornings when parents are just dropping off their children at various times, but at the close of school when all children leave at the same time, some parents actually arrive 20 minutes beforehand (or even more) to be able to park near to the school – this would not just be quick drop off but probably up to half an hour of parking.

Thank you for your attention

Cllr Chris Heath

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## **OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL**

**District:** Cherwell

**Application no:** 15/01326/OUT

**Proposal:** OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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### **Recommendation**

**No objection subject to agreement (to be secured within a planning obligation) of a mechanism to ensure the timely delivery of the proposed link road through whole of the Banbury 17 allocation site (between A361 & A4260).**

- The mechanism should take account of the need to facilitate the sustainable delivery and functioning of the composite Banbury 17 allocation site by means of including appropriate covenants to facilitate such timely delivery of the link road in the event of slow implementation and housing delivery by part of the allocation site.
- Appropriate pro rata funding towards the full costs of provision of the link road would be required.

The County Council would wish to inform the planning committee that it has concerns about its ability to reach agreement with all appropriate applicants at the allocation site to deliver such a mechanism to facilitate timely delivery of the link road through the entirety of the allocation site. If the principles of an early agreement over the mechanism are not progressed within a short timeframe this could lead to delays potentially frustrating the ability to deliver sustainable planning permissions and subsequent development.

The transport response below updates that of 22<sup>nd</sup> March 2016. All other points raised in OCC's responses of 22<sup>nd</sup> March 2016 and 4<sup>th</sup> September 2015 still apply, other than those addressed below.

**Officer's Name:** David Flavin

**Officer's Title:** Senior Planning Officer

**Date:** 26 July 2016

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**District:** Cherwell

**Application no:** 15/01326/OUT-2

**Proposal:** OUTLINE - Up to 280 dwellings (including 30% affordable housing), introduction of structural planting and landscaping, formal and informal public open space and play areas, surface water flood mitigation and attenuation, new priority junction arrangements to White Post Road, creation of section of spine road to link Bloxham Road with White Post Road as well as creation of 34 space car park and other associated ancillary works. All matters reserved except for access

**Location:** OS Parcels 6741 And 5426 West Of Cricket Field North Of Wykham Lane Bodicote Oxfordshire

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## **Transport**

### **Recommendation:**

**No objection subject to conditions, S106 and agreement (to be secured within a planning obligation) of a mechanism to ensure the timely delivery of the proposed link road through whole of the Banbury 17 allocation site (between A361 & A4260).**

### **Key issues:**

- Link Road<sup>1</sup>
- Banbury 17 Policy Area – Masterplan
- Contribution to Banbury Area Transport Strategy
- Public Transport / Access to bus stops
- Highways Specification Table
- Pedestrian connectivity
- Travel plan

### **Legal agreement required to secure:**

#### **Transport Strategy: cumulative impact of growth**

- Contribution towards Banbury Area Transport Strategy, calculated on the basis of housing mix once known, towards improvements to the A4260 Upper Windsor Street/ A4260 Cherwell Street /Swan Close Road junction.

#### **Banbury 17 Policy Infrastructure provision:**

- Provision of spine road to an agreed specification. Full spine road details to be submitted and approved prior to receipt of reserved matters application(s). Spine road to be completed to agreed point on western boundary prior to occupation of 200 dwellings or within four years of commencement of development, whichever occurs earliest.

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<sup>1</sup> NB the spine roads through application sites 14/01932/OUT and 15/01326/OUT will form the link road between White Post Rd and Bloxham Rd

- Mechanism to ensure the timely delivery of the proposed link road through whole of the Banbury 17 allocation site (between A361 & A4260). The mechanism for link road delivery should take account of the need to facilitate the sustainable delivery and functioning of the composite Banbury 17 allocation site by means of including appropriate covenants to facilitate such timely delivery of the link road in the event of slow implementation and housing delivery by part of the allocation site. Appropriate pro rata funding towards the full costs of provision of the link road would be required.
- Provision of pedestrian and cycle routes leading from the site to adjacent existing and future built up areas, including across Salt Way
- Provision of part of new footpath/bridleway around the site as set out in Banbury 17 Policy.

**Off-site highway infrastructure:** site access junction and associated pedestrian and cycle improvements in White Post Road, to be delivered prior to first occupation

**Public rights of way:**

Contribution towards improvement of Salt Way and requirement to enhance Bodicote 13 footpath through the site.

**Public Transport:**

- a) A contribution to provide for new bus stop infrastructure (shelters, flagpole, information case) on **Oxford Road** for two bus stops £20,000.
- b) A contribution to provide for upgraded bus stop infrastructure (shelters, flagpole, information case) on **White Post Road** for two bus stops £20,000.
- c) Section 106 agreement to provide financial contribution to procuring the new bus service. Contribution towards public transport services of £1000 per dwelling, in line with contributions from adjacent developments, to pump prime bus services serving the site totalling £280,000.
- d) Arrangement to provide bus stop infrastructure within the site.

**Travel Plan monitoring fee**

**Conditions:**

**Design Code**

A design code must be secured, in conjunction with a site Masterplan for Banbury 17. This will be needed to assist in assessing reserved matters for spine road and parcels. Exact wording to be agreed.

**Spine road details**

Suitable conditions are required to ensure the approval of the layout of the spine road prior to the approval of layout of adjacent development parcels, and to ensure its connection with the spine road through the rest of Banbury 17. To include bus stop positions. Wording to be agreed.

### **Pedestrian connections**

Details of the pedestrian connection directly between the site and Salt Way to include improvement of a section of the existing public right of way to be submitted and approved, and thereafter delivered prior to an appropriate trigger. Wording to be agreed.

### **Footpath improvements**

Details of improvements to existing Public Right of Way through the site to be approved and delivered. Wording to be agreed.

### **Access: Full Details**

Prior to the commencement of the development hereby approved, full details of the means of vehicular, cycle and pedestrian access between the land and the highway, including, position, layout, construction, drainage and vision splays, and associated pedestrian and cycle improvements on White Post Road shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

[Reason DR1](#)

### **Close Existing Accesses**

A condition will be required to ensure that there are no connecting vehicular routes into the site from existing accesses on Wykham Lane

### **Estate Accesses, Driveways and Turning Areas**

Prior to the commencement of the development hereby approved, full specification details of the vehicular accesses, driveways and turning areas to serve the dwellings, which shall include construction, layout, surfacing and drainage, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the dwellings, the access, driveways and turning areas shall be constructed in accordance with the approved details.

[Reason DR2](#)

### **Further detail of the proposed car park**

A suitable condition will be required because of concerns with the layout proposed on the access arrangements drawing (see below).

### **Cycle Parking Provision**

Prior to the first use or occupation of the development hereby permitted, secure cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the secure cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

[Reason DR4](#)

### **Travel Plan**

Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning



Authority. The approved Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4](#)

Prior to the 140<sup>th</sup> occupation of the development an updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved updated Travel Plan shall be implemented and operated in accordance with the approved details.

[Reason DR4 \(to take into account the analysis of survey data from households\)](#)

## **Drainage**

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- Discharge Rates
- Discharge Volumes
- Maintenance and management of SUDS features (this maybe secured by a Section 106 Agreement)
- Sizing of features – attenuation volume
- Infiltration in accordance with BRE365
- Detailed drainage layout with pipe numbers
- SUDS (list the suds features mentioned within the FRA to ensure they are carried forward into the detailed drainage strategy)
- Network drainage calculations
- Phasing

## **Protection of Existing Public Footpaths**

Prior to the commencement of any part of the development hereby approved within 10m of the existing public footpath(s), the affected footpath(s) shall be protected and fenced to accommodate a width of a minimum of 5m in accordance with details to be firstly submitted to and approved in writing by the Local Planning Authority.

Thereafter, the footpath(s) shall remain fenced and available for use throughout the construction phase in accordance with the approved details until a time that the diverted footpath(s) is/are available for use by the public in accordance with condition unless provision has been made for temporary closure under the Highways Act 1980.

[Reason DR10](#)

## **Informatives:**

Please note the Advance Payments Code (APC), Sections 219 -225 of the Highways Act, is in force in the county to ensure financial security from the developer to off-set the frontage owners' liability for private street works, typically in the form of a cash deposit or bond. Should a developer wish for a street or estate to remain private then to secure exemption from the APC procedure a 'Private Road Agreement' must be

entered into with the County Council to protect the interests of prospective frontage owners. For guidance and information on road adoptions etc. please contact the County's Road Agreements Team on 01865 815700 or email [roadagreements@oxfordshire.gov.uk](mailto:roadagreements@oxfordshire.gov.uk)

### **Detailed comments:**

**Revised site access junction arrangements:** These are considered broadly acceptable in line with the indicative drawing supplied 1361/22 Rev C. However, there are minor improvements recommended in the Safety Audit, which will need to be taken into account in the detailed design. Some small amendments to the cycle infrastructure proposals will be needed to ensure the safety of pedestrians, particularly around the school access. I have some concerns about the convenience of use of the car park and consider that further thought needs to be given to the layout, especially given that there will be a high turnover of spaces and lots of manoeuvring – I am concerned that parents dropping off children will not want to use it, and that there is a possibility of traffic backing up onto the access road as a result of drivers being unable to enter the car park.

### **Highways Specification Table**

With regard to document "24 2 16 Highways Specification Table.pdf" this document states Traffic Calming at 60m intervals – please confirm the type and style of proposed traffic calming.

The specification will need further detail added to it as part of developing the design code for the site, including radius of curvature, further detail regarding the amount and type of parking, and traffic calming. Key parameters including the carriageway width of 6.75m, as well as footway/cycle way and footway, would need to be included within the S106 agreement.

For the carriageway surfacing, OCC would require asphaltic concrete, not SMA. (This is our normal requirement).

### **Congestion on the network and contribution to Banbury Area Transport Strategy**

It is recognised that the all peak hour trips add to the Banbury transport network. I am still concerned about a significant impact in terms of the increase in queue lengths and delay at some junctions. At OCC's request the revised TA additionally includes assessment of the junction of Oxford Road/Farmfield Road, and Swan Close Road/Bankside/Hightown Road. (Concorde Ave/Cherwell Drive was also requested but the increase in traffic at the junction caused by the development has been shown to be low enough for the junction not to require assessment.)

I disagree with the TA's assertion that the proposed development does not lead to a material traffic impact at Junction 16. Although the junction is at a high Degree of Saturation in the 2025 base scenario, the addition of the development traffic takes it close to 100% saturation (98.5%) and adds 12 vehicles (almost doubling) to the queue on Oxford Road north Left/Ahead.

A contribution toward the Banbury Area Transport Strategy is required to mitigate the cumulative impact of planned growth by funding transport infrastructure and services which cannot be attributed to a single development, but which will benefit trips from this proposed development.

The Cherwell Planning Obligations Draft Supplementary Planning Document (July 2011) provides a contribution rate towards general transport and access impacts.

Once a housing mix is provided the following will be used to calculate the contribution toward the Banbury Area Transport Strategy:

The Transport Infrastructure means the formula Matrix"  
 $\pounds(A \times 442) + (B \times 638) + (C \times 994) + (D \times 1,336)$

When

A means the number of 1 Bedroomed Units

B means the number of 2 Bedroomed Units

C means the number of 3 Bedroomed Units

D means the number of 4 Bedroomed Units

Direct mitigation schemes, including public transport, are additional to the contribution to the Banbury Area Transport Strategy.

Contributions will be specified towards a specific scheme/s within the Banbury Area Strategy of Connecting Oxfordshire: Local Transport Plan 2031.

A contribution toward the Banbury Area Transport Strategy is required to mitigate the cumulative impact of planned growth by funding transport infrastructure which cannot be attributed to a single development, but which will benefit trips from this proposed development. Using the CDC Planning Obligations matrix funds are sought towards improvements to the A4260 Upper Windsor Street/ A4260 Cherwell Street /Swan Close Road junction. This junction is shown to be worsening in the Transport Assessment provided with the application, and has been identified within LTP4 within policy BAN1 as part of the Bridge Street/ Cherwell Street eastern corridor improvements.

### **Access to bus routes – bus stops**

Over the next 10 years there will be significant changes and opportunities to the existing bus network in the area to the south of Banbury. To realise the NPPF guidance “to make the fullest possible use of public transport,” it is essential the development delivers access to the range of routes:

1. **Strategic Inter-urban route from Banbury to Oxford** runs along the Oxford Road within walking distance of the site. This is a commercially operated bus route, however there are no bus stops located close to the development site, both northbound and southbound bus stops are required for trips arising from the development site to access the bus service. A contribution is sought of £10,000 per bus stop, totalling £20,000k, towards bus stop pole and flag, shelter and a commuted sum for maintenance.

2. **Local town service.** Cuts to subsidised bus services (February 2016) will alter the existing bus services in Banbury. However, there is significant opportunity arising from the Longford Park development to serve Bodicote village and potentially White Post Road fronting the site with a local bus service. This is particularly important in the period from dwellings being occupied on site but before the Saltway link road is open. It is noted that drawing 1361/22/C “Proposed Access Arrangement” does not show any bus stop locations. It is proposed the existing bus stops on White Post Road are upgraded to include bus stop pole and flag, shelter and a commuted sum for maintenance, contribution is sought of £10,000 per bus stop, totalling £20,000k.
3. **Bus Service serving the Salt Way Link Road** – bus stops will need to be provided within the development to access the new bus route that will travel through the Saltway development site when the link road is open. Bus stops locations should be identified at the earliest opportunity and included in the reserve matters applications for the spine road. Based on the length of spine road within the development site two pairs of bus stops (and associated infrastructure) will be required.

### **Pedestrian links across Salt Way**

The applicant is now proposing a single access onto Salt Way via the adjacent public right of way, and a parallel walking route inside the development. This increases walking distances for some residents to some local facilities but is considered acceptable. It should be noted that the B1 route is unlikely to continue after July 2016 – therefore this reduces the number of stops within suitable walking distance.

A contribution will be required towards enhancing Bodicote footpath 13 and Salt Way to ensure that it is suitable for the increased pedestrian use.

### **Pedestrian connection to the school**

The primary school is to be provided by the adjacent proposed development. If the link road is not provided before the school opens, a suitable temporary pedestrian/cycle route must be provided. This must be lit, to cater for after school activities.

### **Revised Travel Plan**

A revised travel plan has been submitted but it does not seem to take into account our previous comments which included a commitment to survey and update the travel plan once the 140<sup>th</sup> dwelling had been occupied and a number of other suggestions.

**Officer's Name: Joy White**

**Officer's Title: Principal Transport Planner**

**Date: 26 July 2016**

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