

- 6.2.4 Banbury provides good public transport links connecting surrounding areas with Banbury town centre. The nearest bus stop lies approximately 637m from the centre of the site, on Sycamore Drive, which provides a half hourly service to Banbury town centre. No bus shelter is provided at this location. The number B2 services travels along White Post Road on its route from Bodicote to Banbury. The first bus service arrives at 0634 in the morning. Whilst the final bus arrives at 1850 in the evening. It is anticipated that additional bus services will be routed through the site and across the spine road.
- 6.2.5 The nearest railway station is north of the site in the centre of Banbury, which is approximately 2km from the site. Trains from here operate directly to London Marylebone around twice an hour. The journey takes approximately 1 hour. There are also services to Oxford, Birmingham, Manchester, Stratford-upon-Avon, and Bournemouth.
- 6.2.6 The site is accessible by public transport. For more detailed information relating to public transport, please see the Transport Assessment and the sustainability matrix which accompanies this Planning Statement, enclosed at Appendix 8.

### **6.3 A Sustainable Site**

- 6.3.1 The following is relevant in terms of the site's suitability and locational sustainability for development:
- 6.3.2 The site is well related to the existing built form, in a sustainable location with good access to local services and facilities (see Transport Assessment and Sustainability Matrix for further detail). The site is well contained within the landscape and important trees and other landscape features are retained where possible. The local highway network has capacity to accommodate the additional traffic associated with the development without adverse impact
- 6.3.3 None of the trees on site are the subject of Tree Preservation Orders and the site is located within Flood Zone 1. Therefore the probability of flooding is less than 1 in 1000 (<0.1%).
- 6.3.4 The site itself is not the subject of any formal historic or environmental designations and it is not situated within a conservation area. The Planning Officer in his pre-application advice (attached at Appendix 5) stated:
- "Given the generous distance between the site and the boundaries of the Bodicote Conservation Area as well as listed buildings, it is unlikely that the development would have a substantial impact on their setting. A case could therefore be made that any harm caused would be outweighed by the significant benefits to the local community as a result of the proposed new development."*
- 6.3.5 The Landscape and Visual Impact Appraisal (LVIA) submitted with this application demonstrates that the overall landscape and visual effects are considered to be predominantly localised. The most notable landscape effects arise from changes to the landscape character of the Site. In visual terms, there would be some notable yet short term adverse effects upon the adjacent residential area, roads and footpaths. However, in conclusion, it is assessed that the Site has the ability to absorb

development of the scale and type proposed without causing any unacceptable landscape and visual harm. It is considered that a high quality urban design solution can be delivered on the Site which is in keeping with best practice and current Government Guidance and which can make a positive contribution to the local landscape and townscape.

- 6.3.6 The technical information submitted in support of the application confirms that there are no technical constraints to the development of the site. The site is not in an area where specific policies in the Framework indicate that development should be restricted.

## **6.4 Interim Conclusion**

- 6.4.1 Banbury is socially and economically sustainable when judged against the Framework within its spatial context. Further, the application site is situated within a demonstrably suitable and appropriate location to host new housing development.
- 6.4.2 The following section examines all three dimensions of sustainable development in greater detail.

## **7 PLANNING BENEFITS**

### **7.1 Introduction**

7.1.1 The purpose of this section is to set out the benefits of the development proposals in relation to the three dimensions of sustainability: social, economic and environmental.

### **7.2 Social Benefits**

#### **Provision of Market Housing**

- Boosting the supply of land for housing, providing for high quality market family housing within a sustainable location. The development proposals will make a valuable contribution to the 5 year supply of Cherwell and the housing needs 2011-2031.
- The proposed development of up to 280 dwellings will provide a balanced mix of dwellings providing a choice of type and size in response to the identified housing demand and market assessment for Cherwell. New homes in Banbury will enable people to access the housing market locally rather than being forced to move away due to lack of available housing.
- The proposals will assist in helping to maintain and enhance the vitality of the community.

#### **Provision of Affordable Housing**

- There is a substantial need for affordable homes across Oxfordshire, this has been confirmed by the SHMA (2014) which concludes that to meet the affordable housing need in full, Cherwell District Council will need to deliver 1,233 dwellings per annum. The application proposals would deliver 30% affordable homes and provide the full range of affordable housing at a time when other schemes might have been unable to deliver policy compliant level of affordable housing. This should be regarded as a significant material benefit of the application proposals.

#### **Public Open Space Provision**

- The development proposals provide 45.7% new public open space and a high quality landscape setting, along with an equipped children's play area. This will be provided in close proximity to the proposed housing, along with more informal recreation space and landscaping to meet the needs of the new residents.
- Create a housing site with pedestrian links, retaining public footpaths and creating new pedestrian links through the site, linking it to Banbury and the surrounding area.
- The proposal includes enhanced connectivity with the wider footpath network, including with the Salt Way, providing pedestrian and cycle access from the proposed site. The number of access points to the Salt Way have been limited to three locations where existing informal openings currently exist, so as not to unduly affect the informal character of the Salt Way.



### 7.3 Economic Benefits

7.3.1 The application is accompanied by a Socio-Economic Statement which sets out the economic context and the economic benefits, including construction and operational impacts of the proposed development. This is summarised in Figure 3 below.



Figure 3: Economic Infographic

## **7.4 Environmental Benefits**

### **Ecological Biodiversity**

- 7.4.1 The NPPF states that development should seek to ensure biodiversity on site is maintained and enhanced where possible. The development offers the opportunity to enhance the biodiversity through:
- Significant areas of planting to provide green infrastructure, ecology and wildlife benefits. Habitat creation measures to ensure biodiversity is retained with enhanced hedgerows and green corridors. These measures will ensure a net biodiversity gain in accordance with requirements of Paragraphs 9 and 118 of the Framework.
  - Provision of domestic gardens which provide an opportunity to improve biodiversity over and above agricultural use.
  - A green corridor and enhancement along the southern edge of Salt Way.
  - Significant provision of Green Infrastructure

## **7.5 Interim Conclusion**

- 7.5.1 The benefits of the development proposals are considerable. The proposals will make a significant contribution towards meeting the social elements of sustainability through: providing homes to meet the objectively assessed housing needs of Oxfordshire and making a valuable contribution towards five year housing land supply. Further the application proposals will provide 30% affordable housing in circumstances where there is a shortage throughout the district, this should be regarded as a significant material benefit.
- 7.5.2 In addition to the delivery of housing the proposals will also deliver an number of economic benefits which include New Homes Bonus totalling £2.1m, 130 FTE jobs in construction, up to 40 jobs supported by demand for public services across Cherwell and total gross expenditure of £2.59m annually in the Cherwell District.
- 7.5.3 There are also a number of environmental benefits associated with the development proposals which include the provision of green infrastructure, the protection and enhancement of existing wildlife corridors and connectivity to The Saltway with an additional buffer adding to the width of this non-designated heritage asset.
- 7.5.4 These benefits are considered to weigh heavily in favour of the development proposals and in meeting the three dimensions of sustainability and compliance with Banbury 17 the benefits significantly outweigh the impacts and the proposals constitute sustainable development.

## 8 POTENTIAL IMPACTS

### 8.1 Overview

8.1.1 The potential impacts of the development proposals have been considered in the Environmental Statement and the technical reports submitted in support of the application; these are considered below.

#### Landscape

8.1.2 The application site, although currently arable land, is already influenced by the urban edge of Banbury to the north of the site. Development will result in an obvious and permanent change to the character of the application site however the proposals will aim to retain notable existing landscape features where evident such as boundary hedgerows, mature hedgerow trees, and drainage ditches. The applicant would also highlight that the principle of development on the site has been accepted by the Council by its allocation as part of **Banbury 17**.

8.1.3 The application site is visually contained due to prevailing topography, intervening built form and established vegetative structures around its site boundaries and within its immediate setting. The views of the new development will only be seen within the overall context of the existing residential settlement of Banbury and as such the new built form will not be perceived as being out of place.

8.1.4 Significant green infrastructure is proposed along the southern and western perimeters to provide a robust development edge with the rural interface as well as providing visual amelioration from surrounding public rights of way and views from the south. Therefore it is considered that the proposed development within the application site will result in an overall medium-low effect in terms of landscape sensitivity.

8.1.5 Consequently the proposals will not result in significant harm to the landscape character or visual environment and, as such, it is considered that the proposed development can be successfully integrated in this location.

#### Highways

8.1.6 Access is proposed into the site from White Post Road in the form of a priority junction.

8.1.7 The submitted Transport Assessment, completed by Ashley Helme Associates states:

*“Comprehensive testing of the TA study network of junctions has been undertaken. It is demonstrated that the proposed development will have no severe impact on the performance of the TA study junctions.”*

8.1.8 Oxfordshire County Council’s Senior Transport Planner confirmed by email on the 28<sup>th</sup> April that:

*“The scale of Local Plan development south of Saltway is approaching 1700 dwellings (Banbury 17 is 1345 dwellings and Banbury 16 is 350 dwellings), the spine road through Banbury 17 is primarily to serve the development itself, including the high quality bus service. The design*



*standard of the spine road is not confirmed in the Policy. In my view the spine road needs to be designed to OCC's 'Local Distributor Road' criteria including design speed of 30 mph, carriageway width of 7.3m to serve buses, provision of footways and cycleway, in order to provide a clear and attractive west-east route for traffic arising from the development. The scale of development means a distributor road is required to mitigate the impact of traffic arising from the development on existing unsuitable routes such as Wykham Land and Spring Road and to provide a direct through route for the bus service, which needs to run on an efficient and direct route to be attractive to passengers. A network of roads with no clear through route would not achieve this."*

8.1.9 Gladman have shown a route for the spine road on the illustrative development framework, and the route corresponds with the Illustrative Comprehensive Masterplan which has been prepared for the entirety of the site.

8.1.10 With regards to the combined impacts of the Banbury 17 sites, the TA concludes:

*"The application site forms part of a wider allocation for residential development in the Council's submission Local Plan, which is currently awaiting the outcome of its examination. The application site and other residential schemes along Bloxham Road are known collectively as the Banbury 17 sites... It is demonstrated that the existing/proposed geometry of junctions near to the application site can accommodate the predicted traffic flows of the Western Banbury 17 sites."*

### **Historic Environment**

8.1.11 Within the submitted Heritage Assessment it has been established that there are 39 listed buildings within 1km of the study area, with many of these lying within the Bodicote Conservation Area to the south-east of the proposed development area. The study concluded that the majority of these assets will be unaffected by the proposed development due to their location within the compact village of Bodicote. Drawing upon results from the previous desk based assessment and the current investigation, this study considers the impact of the proposed development on the setting of heritage assets, as required in the NPPF and the Planning Policy Guidance, to be a neutral to slight adverse effect. Therefore, the effect constitutes "less than substantial harm".

### **Ecology and Arboriculture**

8.1.12 The Ecological interest of the site will be secured through the protection and enhancement of existing wildlife corridors and the provision of new green infrastructure within the development. Further this approach would provide for the active long-term ecological management across the site where presently there is no such regime in place and, with the implementation of the type of management plan proposed, the potential for biodiversity enhancements would also exist.

8.1.13 The badger survey report identifies that badgers have been recorded on site at four locations. There remains a requirement for a license to be obtained from Natural England allowing for closure of a number of the four setts. Further mitigation has been incorporated into the illustrative

development framework including a wide green corridor to be retained along the northern site boundary creating a through link with the site and managed open space to the south and proposed signage and street lighting.

- 8.1.14 The Arboriculture Impact Assessment confirms the small amount of individual and groups of trees that would require removal in order to facilitate the proposed development in order to accommodate an access point on the eastern boundary and the proposed cycle link/ walkway and to re-establish the Public Right of Way. Overall the proposals will increase the volume of tree stock by high proportions in terms of both numbers and land coverage. The new landscape creation, along with the retention of the highest valued trees and incorporation into the development, would demonstrate that the development proposals will have a positive impact in terms of arboriculture.

### **Flood Risk Surface Water Drainage**

- 8.1.15 The submitted Flood Risk Assessment confirms that the site is classes as Very Low (Old EA Flood Zone 1) according to the Environment Agency's classification; an area of low flood risk. A standard conveyance swale has been sited along the contours, where possible, between the proposed cricket ground and the development area. The system will connect into an attenuation pond located to the south of the development site. There will be no flood risk to the dwellings from the local watercourses, overland flows and local sewers or groundwater.

### **Construction Period**

- 8.1.16 The construction stages of the development may have some effects which are short-term, temporary in nature, and local to the site and immediate area. In any event best practice measures will be put in to mitigate any adverse temporary impacts in terms of noise, the operation of construction traffic, plant and machinery or the management of any other related disturbance or nuisance. This is likely to include controls on working hours and dust suppression measures.

## **8.2 Interim Conclusion**

- 8.2.1 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme. The site is not subject to, nor especially sensitive in terms of, any built or natural protection designations and the proposed housing development will not result in significant harm in terms of acknowledged amenity, community, heritage, landscape, traffic, environmental, technical or other acknowledged public interests.
- 8.2.2 Provided at Appendix 7 is a Planning Balance Table which weighs the benefits of the development proposals against the negative factors.



## **9 CONCLUSIONS AND OVERALL PLANNING BALANCE**

### **9.1 Housing Need**

9.1.1 The outline planning application is made in the context of the government's requirement to boost housing land supply and responds specifically to the pressing need identified in Cherwell to deliver additional market and affordable housing.

### **9.2 NPPF**

9.2.1 Paragraph 14 of the Framework calls for decision takers to approve development which is consistent with the development plan without delay and to grant planning permission unless the harm of doing so would significantly and demonstrably outweigh the benefits. In this case, the application proposals comprise sustainable development in accordance with the definition set out in the Framework and when tested against all of the relevant sections.

### **9.3 Adopted Development Plan**

9.3.1 Whilst at the time of writing we acknowledge that the saved policies of the Cherwell Local Plan 1996 form the Development Plan, however the emerging Local Plan is about to be adopted and holds more weight than that of out of date and inconsistent saved policies of Cherwell Local Plan.

### **9.4 Emerging Local Plan**

Given the recent outcome of the Inspectors' Report June 2015 on the emerging Local Plan, the Plan will be presented to Members of the Council on 20<sup>th</sup> July 2015 for adoption. It has been demonstrated that the application proposals accord with the emerging Local Plan, particularly in regards to Banbury 17 in which allocations this site for residential development.

### **9.5 Sustainable Development and Key Benefits**

9.5.1 Banbury is the principal town of Cherwell District, fulfilling the role as regional centre that is socially and economically sustainable when judged against the Framework within its spatial context. Further, the application site is situated within a demonstrably suitable and appropriate location to host significant new residential development.

9.5.2 The proposals will make a significant contribution towards meeting the social elements of sustainability through; providing homes to meet the objectively assessed housing needs of Cherwell and the provision of 7.97 ha of public open space. The site is located in an accessible and sustainable location close to the key services and facilities in the town that will help support the health, social and cultural wellbeing of Banbury and Cherwell. Further, the application proposals will provide 30% affordable housing in circumstances where there is a chronic shortage in the district, this should be regarded as a significant material benefit.

9.5.3 In addition to the delivery of housing the proposals will also deliver a number of economic benefits which include New Homes Bonus totalling £2.1m, 130 FTE jobs in construction, up to 40 jobs

supported by demand for public services across Cherwell and total gross expenditure of £2.59m annually in the Cherwell District.

- 9.5.4 There are also a number of environmental benefits associated with the development proposals which include the provision of green infrastructure, the protection and enhancement of existing wildlife corridors and connectivity to The Saltway with an additional buffer adding to the width of this non-designated heritage asset.

## **9.6 Impacts**

- 9.6.1 The supporting material, assessments and reports demonstrate that there are no unacceptable adverse impacts associated with the scheme. As with any greenfield site, the development will introduce changes to the area and some urbanising effects. Care has been taken to ensure that the impact and perceived impact on Banbury is minimal and acceptable. This will be achieved through careful design and siting, and the holistic approach to landscape provision at the site.

## **9.7 Overall Conclusion**

- 9.7.1 s38 (6) of the Planning and Compulsory Purchase Act 2004 provides that determination must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 9.7.2 NPPF §13 and §212 are explicit that the policies contained within the NPPF are material considerations. Given the NPPF represents the most up to date national planning policy, it is a material consideration to which significant weight should be given.
- 9.7.3 Gladman submit that the Cherwell Local Plan (2011-2031) should be afforded significant weight in the determination of this planning application, after being found sound by the Inspector. It is anticipated that the application will be determined after the plan has been adopted by the Council. The Adopted Cherwell Local Plan (1996) should be afforded limited weight in the determination of this application.
- 9.7.4 The proposals accord with the Local Plan strategic allocation on the site forming part of the southern extension to the principal town of Banbury (Part of Banbury 17).
- 9.7.5 This development, as proposed, clearly constitutes 'sustainable development', is viable and deliverable. There are significant material considerations that weigh heavily in its favour. In accordance with planning law and policy guidance the application should be approved without delay.

**APPENDIX 1**

Submitted Document List



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## Appendix 1 - Submitted Document List

OPAD1	Application Forms and Ownership Certificate	<b>GDL</b>
OPAD2	Site Location (Red Line) (drawing)	<b>Aspect</b>
OPAD3	Framework Plan (drawing)	<b>Aspect</b>
OPAD4	Proposed Access Plan	<b>AHA</b>
OPAD5	Planning Statement (including Draft S106 HoT)	<b>GDL</b>
OPAD6	Design and Access Statement	<b>Aspect</b>
OPAD7	Landscape and Visual Impact Assessment	<b>Aspect</b>
OPAD8	Ecological Appraisal	<b>FPCR</b>
OPAD9	Arboricultural Assessment	<b>FPCR</b>
OPAD10	Transport Assessment	<b>AHA</b>
OPAD11	Travel Plan	<b>AHA</b>
OPAD12	Committed Development Report	<b>AHA</b>
OPAD13	Phase 1 Site Investigation	<b>GRM</b>
OPAD14	Flood Risk Assessment	<b>GRM</b>
OPAD15	Foul Drainage Analysis	<b>ULS</b>
OPAD16	Air Quality Screening Report	<b>Peter Brett</b>
OPAD17	Archaeological DBA	<b>ARS</b>
OPAD18	Geophysical Survey Report	<b>ARS</b>
OPAD19	Archaeological Evaluation Report	<b>ARS</b>
OPAD20	Built Heritage Report	<b>ARS</b>
OPAD21	Socio-Economic Impact Assessment	<b>Regeneris</b>
OPAD22	Energy Statement	<b>GDL</b>
OPAD23	Statement of Community Involvement	<b>GDL</b>
OPAD24	Topographical Survey Drawing	<b>JLP</b>

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## **APPENDIX 2**

Draft Heads of Terms

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**Land west of White Post Road, Banbury  
Draft Heads of Terms for Section 106 Agreement**

**Proposed Development:** Outline application for up to 280 dwellings with associated open space, children's play area and landscaping with all matters reserved, except for access.

**Application Date:** July 2015

**Local Planning Authority:** Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA

**Obligations:**

**1. Open Space**

The Agreement will require the Developer to provide onsite informal open space and an equipped children's play area. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long term maintenance and management of these areas including off site commuted sums as applicable.

**2. Affordable Housing**

The Agreement will require the Developer to provide 30% affordable housing onsite. The delivery of this will be phased based on the delivery of the provision of market housing. The affordable element will be positioned in a 'pepper pot' fashion throughout the development with the appearance of these units being indiscernible from the housing, in accordance with Council guidance.

**3. Education**

The Agreement will require the Developer to provide a contribution towards the provision of a new primary school on the adjacent site and the need to expand the nearby secondary school. Negotiations will take place to ensure that the infrastructure required is reasonable in the circumstances.



#### **4. Transport**

The Agreement will require the Developer to provide a contribution towards the delivery of the Spine Road through the land in their control, to meet the Spine Road on the adjacent site.

Financial contribution to off-site highway and transportation improvements to be agreed with the Highway Authority. The agreement will require the developer to commit to the production and implementation of a Travel Plan.

#### **5. Other**

Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.

### **APPENDIX 3**

Draft Conditions

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## Land west off White Post Road, Banbury

1. Details of the layout, scale, appearance and landscaping ('the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development is commenced and the development shall be carried out as approved.
2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.
3. The development hereby permitted shall be begun either before the expiration of;
  - (a) three years from the date of this permission, or
  - (b) two years from the date of approval of the last of the reserved matters to be approved.

whichever is the later.

4. The development hereby permitted shall comprise no more than 140 dwellings.
5. Prior to commencement of development a scheme outlining the phasing of development, including a site layout plan identifying land uses such as formal and informal open space and infrastructure, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved phasing scheme.
6. The reserved matters application for landscaping shall be accompanied by a detailed Landscape Masterplan and Strategy to demonstrate that the landscaping proposals have taken account of and been informed by the existing landscape characteristics of the site and by any loss of existing vegetation on the site.
7. No development shall take place until a Construction Method Statement has been submitted to and approved in writing by the local planning authority. All construction work shall be undertaken in accordance with the approved Construction Method Statement, which shall include the following details:
  - (a) The method and duration of any pile driving operations (expected starting date and completion date);
  - (c) The hours of work, which shall not exceed the following:

- Construction and associated deliveries to the site shall not take place outside 07:00 to 19:00 hours Mondays to Fridays, and 08:00 to 16:00 hours on Saturdays, nor at any time on Sundays or Bank Holiday;

- Pile driving shall not take place outside 09:00 to 16:00 hours Mondays to Fridays and 09:00 to 13:00 hours on Saturdays, nor at any time on Sundays or Bank Holidays;

- (c) The arrangements for prior notification to the occupiers of potentially affected properties;
  - (d) The responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
  - (e) A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
  - (f) Details of wheel washing facilities;
  - (g) Erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - (h) A scheme for recycling/disposal of waste resulting from construction works.
8. a) The development hereby permitted shall not be commenced until such time as a scheme to limit the surface water run-off generated by the proposed development to existing Greenfield rates with attenuation up to a 1 in 100 year event, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.
- b) The development hereby permitted shall not be commenced until such time as a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the



timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

9. No part of the development hereby permitted shall be commenced on site unless and until: a) a site investigation has been designed for the site using the information obtained from the desktop investigation previously submitted in respect of contamination. This shall be submitted to and approved in writing by the Local Planning Authority prior to the investigation being carried out on the site; and b) The site investigation and associated risk assessment have been undertaken in accordance with details submitted to and approved in writing by the Local Planning Authority; and c) A method statement and remediation strategy, based on the information obtained from 'b' above, including a programme of works, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation strategy.
  
10. No tree/shrub clearance works shall be carried out on the site between 1st March and 31st August inclusive, unless the site is surveyed beforehand for breeding birds and a scheme to protect breeding birds is submitted to and approved in writing by the local planning authority. If such a scheme is submitted and approved the development shall thereafter only be carried out in accordance with the approved scheme.
  
11. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the vehicular accesses, driveways, parking spaces and turning areas to serve the dwellings shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details prior to first occupation of each dwelling and thereafter the turning area and car parking spaces shall not be used for any other purpose other than the parking and manoeuvring of vehicles.
  
12. No dwelling in the development hereby approved shall be occupied until a travel plan based on the Framework Travel Plan has been submitted to and approved in writing by the local planning authority. The Travel Plan shall include the objectives, targets, mechanisms and measures to achieve the targets, implementation timescales, provision for monitoring, and arrangements for a Travel Plan co-ordinator, who shall be in place until 5 years after the completion of the final phase of development. The approved plan shall be audited and updated and submitted for the approval of the local planning

authority at intervals no longer than 18 months. The measures contained within the approved plan and any approved modifications shall be carried out in full.

**APPENDIX 4**

Gladman Site Delivery

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SITE ADDRESS	NUMBER OF DWELLINGS	% AFFORDABLE	OUTLINE/IN PRINCIPLE PLANNING APPLICATION DETERMINATION DATE	DATE LAND SOLD	PURCHASER	RESERVED MATTERS/MATTERS DETERMINATION DATE	COMMENCEMENT OF DEVELOPMENT	TIMESCALE FROM INITIAL PLANNING PERMISSION TO SITE START	COMMENT
North Dean Avenue, Keighley West Yorkshire	190	15% (28NO)	12 May 2010	May 2011	Barratt Homes	Reserved matters approved May 2011 (it was submitted in December 2010)	June 2011	13 months	
Golden Nook Farm, Cuddington, Cheshire	150	30% (45NO)	20 Feb 2012	July 2012	Bovis Homes	Approved August 2012	September 2012 (road & demolition works)	7 months	
Henthorn Road, Clitheroe, Lancashire	270	30% (81NO)	26 March 2012	December 2012	Barratt Homes & Wimpey	Approved March 2013	March 2013	12 months	
Wigan Road, Clayton le Woods, Lancashire	300	30% (90NO)	Original outline 21 July 2011. New permission 4 April 2012	December 2012	David Wilson Homes/ Taylor Wimpey	Approved March 2013	May 2013	13 months	A s.73 Application was submitted due to a challenge to the permission on highway grounds. This new application was fully supported by Chorley Borough Council and the Highways Dept.
Loachbrook Farm, Congleton, Cheshire	200	30% (60NO)	20 March 2013 (date of High Court Challenge).	October 2013	Bovis Homes	14 June 2013	November 2013	8 months	
Byfield Road, Woodford Halse, Daventry	200	30% (60NO)	15 February 2013	Conditional exchange of contracts October 2013	Taylor Wimpey	July 2014	Expected Autumn 2014	21 months	Very complicated land deal due to severe technical constraints relating to drainage. A full hydraulic modelling assessment had to be undertaken with Thames Water which took over 8 months to complete and then a detailed drainage design had to be completed and agreed with Thames Water prior to the land sale completing.
Warringham Lane, Middlewich, Cheshire	194	30% (58NO)	9 January 2013	June 2014	Morris Homes	March 2014	June 2014	17 months	Original land sale to Bellway Homes did not proceed due to their change of mind. Land was re-marketed
Hannay Road, Steventon, Oxfordshire	50	40% (20NO)	23 April 2013	September 2013	David Wilson Homes	May 2014	May 2014	13 months	
Queens Drive , Nantwich, Cheshire	270	30% (81NO)	1 March 2013	September 2014	Barratt Homes & Bovis Homes	July 2014	September 2014	18 months	Land sale took longer than expected as the site was sold to two developers. However, that means the delivery rates will be higher and all 270 dwellings will be built within 5 years of commencement.
Eilburn, Livingston, West Lothian	87	15% (13NO)	3 March 2014	Sale agreed when s.75 signed in early 2014	Barratt Homes	Submitted March 2014, approved June 2014.	Sale concluded July 2014; site works underway in August 2014.	5 months	
Barford Road, Bloxham, Oxfordshire	75	35% (26NO)	23 September 2013	January 2014	Bovis Homes	May 2014	July 2014	10 months	
Edgmond Road, Newport, Shropshire	85	35% (30NO)	3 July 2013	July 2013	Bovis Homes	March 2014	July 2014	12 months	



SITE ADDRESS	NUMBER OF DWELLINGS	% AFFORDABLE	OUTLINE/IN PRINCIPLE PLANNING APPLICATION DETERMINATION DATE	DATE LAND SOLD	PURCHASER	RESERVED MATTERS DETERMINATION DATE	COMMENCEMENT OF DEVELOPMENT	TIMESCALE FROM INITIAL PLANNING PERMISSION TO SITE START	COMMENT
Boroughbridge Road, Knaresborough. Harrogate	170	40% (68NO)	9 July 2014	October 2014	David Wilson Homes	(submitted) November 2014	Expected March 2015	5 months	
North Road, Glossop. High Peak	150	30% (45NO)	12 June 2014	December 2014	Taylor Wimpey	(anticipate submission) February 2015	Expected June 2015	12 months	
Sherborne Avenue, Chester	40	30% (12NO)		Conditional exchange December 2014	Stewart Milne Homes	Detailed planning application to be submitted 30 January 2015	Anticipated June 2015	Expected 2 months	Land is an allocation and a detailed planning application is to be submitted.
Hannay Road, Steventon (Phase II), Oxfordshire	65	40% (26NO)			David Wilson Homes	January 2015	Anticipated May 2015	Expected 4 months	Land is a second phase to an already approved scheme which we sold in September 2013. A detailed planning application has been submitted.
Abbeyfields, Sandbach. Cheshire	280 approved (154 being sold initially)	30% (46NO)	Original outline 17 October 2013. New permission 7 October 2014	Conditional exchange of contracts December 2014	Redrow Homes and Anwyll Homes	Reserved matters submission December 2014	Anticipated May 2015	From new planning permission 7 months	New application was resolved to approve in February 2014 but it took CEC 8 months to issue a new decision notice. GDL had to pay £10k for external solicitor's costs for the LPA just to get this resolved.
Nantwich Road, Tarporley. Cheshire	100	30% (30NO)	Original outline 29 August 2013. New permission 27 November 2014	Conditional exchange of contracts December 2014	David Wilson Homes	Reserved matters submission February 2015	Anticipated July 2015	From new planning permission 8 months	New application was resolved to approve in May 2014 but took CWaC 6 months to issue a new decision notice

## **APPENDIX 5**

Pre Application Advice

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# Public Protection & Development Management

Andy Preston – Head of Public Protection & Development Management

# Cherwell

DISTRICT COUNCIL  
NORTH OXFORDSHIRE

*Bodicote House  
Bodicote  
Banbury  
Oxfordshire  
OX15 4AA*

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

Gladman Developments Ltd  
Andy Green  
Gladman House  
Alexandria Way  
Congleton Business Park  
Congleton, Cheshire  
CW12 1LB

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Please ask for **Matthew Parry**  
Direct Dial **01295 221837**

Our ref **15/00061/PREAPP**  
Email **Planning@cherwell-dc.gov.uk**

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21.04.2015

Dear Sir/Madam

**Application Ref:** 15/00061/PREAPP

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

**Proposal:** Residential development for up to 250 dwellings including access,  
landscaping and associated infrastructure

Please find enclosed a detailed response relating to the above pre-application enquiry.

Yours faithfully

**Matthew Parry**  
Planning Officer





## CHERWELL DISTRICT COUNCIL

### Pre-Application Report

<b>Pre-application Reference No:</b>	15/00061/PREAPP
<b>Proposal:</b>	Residential development for up to 250 dwellings including access, landscaping and associated infrastructure
<b>Site Address:</b>	Land West Of Cricket Field North Of Wykham Lane, Bodicote

#### TECHNICAL ASSESSMENT

**EIA Screening Opinion Required? Yes as it constitutes Schedule 2 development as defined in EIA Regulations 2011 and is over the relevant size threshold.**

**Any planning application for these proposals would need to be determined at Committee in accordance with the Council's constitution.**

**Relevant Planning History:**

None on this site but planning application (14/01932/OUT) awaiting determination on adjoining land to the west.

#### PROFESSIONAL ASSESSMENT BY CASE OFFICER

Thank you for submitting your pre-application enquiry and for attending a meeting with my colleague Laura Bailey a few weeks' ago. Having discussed matters with her and reviewed the proposals myself, it is my view that the issues set out below would be of greatest relevance to the consideration of your proposals. In the interests of clarity I set out my views accordingly by each main issue.

- Principle of the Development
- Site access and Connectivity
- Impact on Public Infrastructure
- Site Facilities
- Urban Design/Layout
- Mix of Housing and Affordable Housing
- Landscape Impact

- Implications for Heritage Assets
- Sustainable Energy Generation
- Ecology
- Flood Risk

#### Principle

The proposals represent major residential development on a greenfield site outside the built-up area of Banbury that is not allocated for such a purpose in the adopted Local Plan. As a result the proposals are considered contrary to the development plan and would need to be advertised as a departure from the development plan.

However, the majority of the strategic policies in the adopted Cherwell Local Plan 1996 are proposed to be cancelled and superseded by those in the Submission Local Plan (Part 1) which has been prepared to be in accordance with national policy set out in the NPPF. Your site is included as part of a wider strategic allocation within this Submission Local Plan and such a site is considered to be necessary to ensure that the projected housing needs of the district are met over the plan period.

Consequently, in principle, it is likely that residential development would be considered favourably albeit the Council is awaiting the Inspector's report on the examination of the emerging Local Plan which of course includes a review of this emerging site allocation policy.

As emerging Policy Banbury 17 is at an advanced stage, officers intend to afford it significant weight at this stage, a stance which will of course be flexible depending on the results of the examination of the Submission Local Plan (SLP).

Consequently when considering the principle of development on this site as well as some of the details of the proposals, officers would pay particular regard to the requirements of emerging Policy Banbury 17.

#### Site Access and Connectivity

It is presumed at this stage that any forthcoming planning application would be in outline form with details provided only of access. If access is not detailed then it is still necessary to indicate all means of access to the site which includes vehicular, pedestrian and cycleways. Emerging Policy Banbury 17 of the SLP emphasises the importance of a coherent development across the whole of the allocated site to ensure a successful integration of the urban extension into the surrounding area in the interests of high quality urban design, highway safety as well as prioritisation of sustainable transport modes such as walking and cycling. Indeed the emerging policy requires a wider masterplan for the whole allocated site to ensure that this is delivered and I would recommend that you enter into discussions with landowners and agents of the adjoining land to deliver this.

Planning officers (together with officers of the LHA whose response you will have seen) are of the view that any development on this site should have vehicular, pedestrian and cycle connections with the development proposed on the adjoining land if the proposals are to be considered favourably. Not only would this result in a better integration of the proposed developments into the surrounding area but it would also ensure car use is minimised and that it avoids unnecessary additional car movements along Wykham Lane which is awkward to navigate and unsuitable for greater traffic flows. It could also put unnecessary additional pressure on existing junctions within Banbury that already struggle with capacity. A spine road should be capable of accommodating regular buses that can link with Banbury town centre and its alignment will need to be considered at outline application stage assuming access is a detailed matter. In this respect it should accord with guidance in Manual for



Streets and the County Council's Residential Road Design Guide. In order to secure commitment of both developers to delivery of this spine road through the whole site it may be necessary for both parties to be signatories to a legal agreement prior to issuing planning permission on either site.

I note that a new footpath is shown that provides a link around the site as specified in emerging Policy Banbury 17 though again this does not appear to integrate with that proposed at the adjoining site. It is paramount that not only is there a more coordinated approach to vehicular access but also with respect to delivering these necessary pedestrian/cycle routes too both in terms of linking in to proposed new development as well as existing development to the north. Means of pedestrian/cycle access to the Salt Way should therefore be included in an outline application though these should not be of a formal nature or unduly affect the informal rural character of this historically significant public right of way. The number of access points should therefore be kept low and restricted to where there are existing informal openings with reduced vegetation to ensure the rural character of Salt Way and its associated buffer is retained.

An existing public right of way runs north-south through the site and this should be retained and its immediate setting preserved so that it continues to feel like a rural footpath hence it should have a modest but meaningful landscape buffer to either side.

You will have seen from the LHA's consultation response that any planning application needs to be accompanied by a full transport assessment so that the full traffic implications are identified and can, where necessary, attempt to be appropriately mitigated. This could include off-site works to a number of existing junctions which might come under additional pressure as a result of this development. Clearly however such mitigation would need to be relevant and proportionate to the development. The LHA has set out a number of potential off-site transport improvements that might need to be made to mitigate the impact of the development across the site allocation though this has been produced on the basis of the impact of the wider site allocation rather than this particular proposal and would need to be funded proportionately by each developer. An assessment of the suitability of the proposed junction with White Post Road would need to be assessed once more detail is provided of the access arrangements and once further information on traffic movements is available.

#### Impact on Wider Public Infrastructure

Emerging Policy Banbury 17 and emerging Policy INF1 require development proposals on the site to adequately mitigate their impact on transport, education, health, social and community facilities. The Council would need to ensure that any such mitigation is necessary to make the development acceptable, proportionate and reasonable in scale and kind to the development proposed to ensure compliance with CIL Regulations and the NPPF.

The Council can no longer seek general infrastructure contributions as set out in the draft Planning Obligations as most such contributions would no longer be lawful. However, other infrastructure impact is likely to be directly related to the development and would need to be secured by S106 agreement including financial contributions towards necessary off-site highway works, delivery of a new primary school on the adjoining site and the need to expand the nearby secondary school (Blessed George Napier) as it does not have capacity to provide for the homes on this wider allocated site. Such an expansion may be achieved by constructing further teaching accommodation on the existing school playing fields with replacement playing fields



provided as part of the adjoining site. Clearly the developer of the adjoining site cannot be left to face the full costs of mitigating the impact of the entire allocated site and so some negotiations would have to take place to ensure that the infrastructure required is reasonable in the circumstances. Discussions with the County Council are ongoing at present to try to understand their position more clearly in terms of the cost and land implications for the development across the allocated site but I would encourage you to enter into discussions with the proposed developer of the adjoining land to assist in this process. Provision of a financial contribution towards extending the adjacent local cemetery may be required as set out in the emerging site allocation policy as the restriction on pooled contributions by the CIL regulations does not preclude this specific requirement which has not been the beneficiary of developer contributions to date.

#### Site Facilities

In addition to a new primary school and possible expansion of the neighbouring secondary school, other infrastructure would need to be provided on the site too. This would include community facilities and play space, allotments and sports provision. Land for the allotments together with their laying out and initial maintenance is likely to fall within the proposed development on the adjoining site as there is little space available on this smaller parcel of the wider site allocation. A financial contribution would however need to be made towards the provision and maintenance of this facility by S106 as it is an impact of direct consequence of the proposed development.

Land within the site for both informal and formal play spaces would need to be secured by S106 and the associated facilities land out in full as part of the development before the ownership of the land is transferred to either the parish or district council to maintain as a public resource. Developments of larger sites should include provision of at least a community hall though this is shown as part of the proposed masterplan at the adjoining site. Given that this neighbouring development is large enough by itself to justify a community hall I do not have any concerns about equitable provision of this need for on-site infrastructure to ensure a sustainable community. However, a financial contribution may be required towards maintenance and events at this new community hall to mitigate the likely impact of the population in the new housing proposed on your site.

Public artwork would be expected throughout the site in a manner and scale proportionate to the proposed development however details of this could be left to condition. At least some of the public art ought to have a functional purpose rather than contribute solely to visual amenity with much of it perhaps best located within the greenspaces or on prominent corners within the residential areas.

#### Urban Design/Layout

Whilst the submitted masterplan is indicative and only shows broad areas for new housing, play areas, greenspace and sustainable drainage systems, I have a number of general comments on it. In doing so I have had particular reference to emerging policies Banbury 17 and ESD16 of the SLP as well as adopted policies C14, C15, C28, C30 and C31.

First, I note that in accordance with the emerging policy Banbury 17, an undeveloped gap is shown to be retained to the south and east of the site so as to try to prevent urban sprawl of Banbury coalescing with Bodicote which could have a significant effect on its setting and village character. It therefore seems sensible to me that the majority of the more formal play areas be located in this gap including the land for the additional cricket pitch, ownership and maintenance of which would of course need to



be transferred over to the appropriate body by legal agreement.

I have some concerns that the current indicative site layout shows much of the greenspace and local play areas on the fringes of the housing areas rather than being better integrated within it so as to make it more easily accessible and provide relief to future streetscenes. Similarly, and as suggested by the Council's landscape officers, the SuDS attenuation pond should really be better integrated into the built development by incorporating a series of retention ponds and open swales within green areas that are both visually and practically more effective than what essentially amounts to one large lake.

It is also apparent from the indicative masterplan that the proposed built development would project rather too close to Salt Way which is an important local heritage asset which should be safeguarded as an informal rural footpath. Development in such close proximity to it would inevitably urbanise its apparent setting both from the physical impact of the buildings as well as associated light/noise spillage etc particularly when taken together with the proximity of existing housing to the north. A far more generous green buffer should be provided which, as set out in emerging policy Banbury 17, should be approximately 20m wide. Any interventions into this buffer should be informal in nature to respect the setting of the footpath.

I also note that a relatively significant soft landscaped buffer is proposed along the western boundary of the site which might have been appropriate if the site was to be considered in isolation but might in fact deter it from achieving a more cohesive integrated overall urban extension to Banbury. I would advise that this approach be reconsidered slightly by, in part, including greater pedestrian/cycle links through to the larger western parcel of the allocated site. All links (pedestrian/cycle/vehicular) between the two land parcels may need to be secured by a legal agreement to bind both parties to an overall masterplan before a development on either site can be approved with the security that they will be delivered appropriately.

#### Mix of Housing/Affordable Housing

A development of this size would require 30% affordable housing provision on the site to be secured at outline application stage by S106 which should include a tenure split of 30% intermediate housing and 70% affordable or social rented dwellings. Affordable housing should not be clustered within the site and, externally at least, should be indistinguishable from market housing. This should encourage integration of the affordable housing into the open market units. Consideration should be given as to whether self-build housing could be incorporated into the scheme perhaps, in part, in lieu of affordable housing.

There should be a mix of house types provided in order to cater for demand for affordable housing in the District and those needing to access low cost home ownership. A mix akin to the following for the affordable units would seem suitable based on information from the Council's affordable housing register:

20% 1b2p Maisonettes  
50% 2b4p houses  
20% 3b5p houses  
5% 4b5p houses  
2% 1b2p bungalows  
3% 2b3p bungalows

The RP taking on the affordable housing should be agreed with the Council beforehand and I would encourage the applicant/developer to engage with the



Investment and Growth Team at the earliest opportunity regarding this matter.

It is advisable that there is smaller accommodation in the open market housing to cater for first time buyers and downsizers and in this respect regard should be had to emerging policy BSC4 and the SHMA's conclusions of housing type need.

#### Landscape Impact

Policy C7 of the adopted Local Plan seeks the protection of landscape character which is supported by policy C28 which requires development proposals to respect its landscape context. In order to meet identified housing need projections further releases of greenfield land are required and emerging policies ESD15 and Banbury 17 affirm this. It is inevitable that the proposals will result in harm to the countryside simply as a result of the physical loss of it. Whilst the site is not particularly prominent in long distance views due to its topography, it will nonetheless be visible within the landscape and furthermore result in loss of workable agricultural land. A landscape and visual impact assessment should be carried out to assess the proposals and should accompany a planning application. Whilst environmental harm is likely to occur to some degree as a result of the proposed loss of countryside, this impact could in part be mitigated through the sensitive design, layout and landscaping of the development such that this harm may be outweighed by wider economic and social benefits from the new development.

#### Implications for Heritage Assets

Preserving features of heritage significance is an integral part of sustainable development as they represent irreplaceable resources. Any harm to heritage assets needs to be clearly outweighed by public benefits as set out in the NPPF and there is a statutory duty on the Council to consider the desirability of preserving the special character of conservation areas. Given the generous distance between the site and the boundaries of the Bodicote Conservation Area as well as listed buildings, it is unlikely that the development would have a substantial impact on their setting. A case could therefore be made that any harm caused would be outweighed by the significant benefits to the local community as a result of the proposed new development. Any application should however be accompanied by a heritage assessment to better enable consideration of this by the Council. Prior to determination of any planning application, archaeological field evaluations will be necessary to determine the nature and location of potential deposits of significance and, where necessary, a programme of archaeological mitigation so that they can be preserved in situ. The County Council's archaeologist could provide a brief to work to.

#### Sustainable Energy Generation

Emerging policy ESD5 of the SLP requires all residential developments of 100 dwellings or more to submit a feasibility assessment detailing the potential for significant on site renewable energy generation. Similarly emerging policy ESD4 of the SLP encourages all new residential developments of 100 or more dwellings to be served by decentralised energy systems in the form of District Heating or CHP. A feasibility assessment should be submitted justifying the approach in this respect. Further to this, all residential development should be designed to achieve zero carbon. An Energy Statement should be submitted as part of an outline application detailing in broad terms how the final proposed development would achieve these policy objectives.

#### Ecology

Net loss of biodiversity is likely to be resisted in accordance with national policy in the NPPF. A full phase 1 habitat survey would be required to be undertaken as well as