

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

**District:** Cherwell

**Application no:** 14/01932/OUT

**Proposal:** Outline - Development of up to 1,000 dwellings together with a mixed use local centre. [including A1 retail up to 1,000 m2, financial services (A2), restaurants, pubs and takeaways (A3, A4, A5), community uses (D1)]; primary school and safeguarded additional primary school land; secondary school playing field land; green infrastructure including formal (including playing fields) and informal open space, landscape and amenity space; changing and sports facilities (including D2); sustainable drainage systems; highway, cycle and pedestrian routes; car parking; infrastructure (including utilities); engineering works including ground remodelling; demolition, site reclamation and removal of structures. Formation of a new roundabout access from the A361 together with associated alterations to alignment of Bloxham Road and provision of a section of spine road through the site up to its eastern-most boundary

**Location:** OS Parcel 7400 Adjoining and South Of Salt Way Banbury

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### **Updated Consultation Response to 14/01932/OUT**

This response updates OCC's previous responses dated 26<sup>th</sup> July 2016, 19<sup>th</sup> May 2016 and 5<sup>th</sup> February 2015. All points raised in OCC's previous responses still apply, other than where addressed below.

### **Recommendation**

**No objection subject to a limit of 750 occupations on the 14/01932/OUT Gallagher promoted site prior to completion of the full link road between the Bloxham Road and White Post Road. This is provided that:**

- 1) The spine road on the Gallagher site is completed from Bloxham Road to the eastern boundary of the site within 200 occupations or 2 years from the first occupation (whichever is earliest).**
- 2) In the event that 500 homes are occupied on the Gallagher site and the Gladman site has not been implemented, an additional bus loop and additional bus service contributions will be required to serve any development beyond 500 homes until such time as the full spine road across the allocation site has been completed. This is required to ensure that all new residential properties have good access to bus stops.**

## **Key Issues**

- 1) Whilst this application is for 1,000 dwellings on the western part of the allocation site, Policy Banbury 17 allocates up to up to 1,345 dwellings with associated facilities and infrastructure as part of South West Banbury. The policy recognises that the Banbury 17 site is in more than one ownership, but emphasises that the development area forms a coherent whole and requires that *“An integrated, coordinated and comprehensive planning approach will be taken with a link road between the sites in separate ownerships.”*
- 2) Policy Banbury 17 states that *“Early delivery of the A361 to A4260 Link Road is required, along with associated junctions. The developer will be required to fund the cost of additional public transport to serve the site.”*
- 3) Since OCC’s last consultation response of 26th July 2016, considerable headway had been made by all parties in agreeing a legal mechanism to ensure the timely delivery of the proposed link road the through whole of the Banbury 17 allocation site. It is therefore highly disappointing that at the final stages, the applicants of 15/01326/OUT (the eastern parcel of Banbury 17) have appealed on the grounds of non-determination.
- 4) Although the risk of non-implementation of 15/01326/OUT (the eastern parcel of Banbury 17) is significant and this would prevent early delivery of the link road as required by Policy Banbury 17, the likelihood of this occurrence is very small. Whilst OCC maintain a mechanism is the only way to cover off the small but significant risk of non-implementation, on balance, given the benefits offered by the scheme and in order to avoid further delay in issuing planning permission for part of an allocated site, OCC are willing to accept a limit on development of 750 occupations on the Gallagher site prior to completion of the full link road between the Bloxham Road and White Post Road. OCC is only accepting this scenario because the risk of non-implementation of 15/01326/OUT is considered to be very small and therefore acceptable to OCC in the circumstances of this development.

## **Detailed Comments**

### **Mechanism to ensure the early delivery of the link road across the allocation site**

As previously reported, there is a small but significant risk that the link road across the Banbury 17 strategic site allocation will not be completed if development on this site (14/01932/OUT, the western parcel promoted by Gallagher Estates) proceeds but development on the eastern part of the site (15/01326/OUT promoted by Gladman) does not. This is recognised in CDC’s planning committee report (04 August 2016) and in order to overcome this risk, the resolution to grant planning permission on both application sites is subject to the imposition of a ceiling on the amount of development that can take place on Banbury 17 until the spine road is completed; or securing an appropriate legal mechanism by which delivery of a completed spine road can be ensured at an appropriate stage.

Since OCC's last consultation response of 26th July 2016, considerable headway had been made by all parties in agreeing a legal mechanism to ensure the timely delivery of the proposed link road through whole of the Banbury 17 allocation site. It is therefore highly disappointing that at the final stages, the applicants of 15/01326/OUT (the eastern parcel of Banbury 17) have appealed on the grounds of non-determination. OCC had raised concerns in our previous response that it may not be possible to reach agreement with all appropriate applicants which could lead to delays potentially frustrating the ability to deliver sustainable planning permissions and subsequent development. Nevertheless, it was not anticipated that the applicants of 15/01326/OUT would appeal at a point when agreement on a mechanism had reached such an advanced stage.

#### Transport reasons for early delivery the link road<sup>1</sup>.

Early delivery of the link road is required by Policy Banbury 17. As previously reported, this is necessary for the following reasons:

- a) To distribute traffic arising from the Banbury 17 policy area on to the network utilising both the A361 to the west and White Post Road leading to the A4260 to the east. Enabling traffic to distribute both east and west will reduce the number of trips arising from the development placing extra pressure on the already busy junction of A361 Bloxham Road/South Bar/Oxford Road, or the residential road of Springfield Avenue, or on the narrow Wykham Lane. These are sensitive parts of the existing highway network and significant increases in traffic arising from the development are not acceptable on Springfield Avenue or Wykham Lane.
- b) To enable a full sized public service bus to route through the site, to ensure the Banbury 17 policy area is served with a high quality, frequent and attractive bus service. This is essential to provide access to public transport in order to justify the trip rate arising from the site. Much of the part of Banbury 17 policy area pertaining to 14/01932/OUT is more than a 400m walking distance to the A361 which is a distance routinely accepted as an attractive and acceptable walking distance to access a bus service. The Banbury 17 Policy area is on the southern edge of Banbury and routing a bus through the site is the most practical, sustainable and commercial way to serve the full development area with public transport. A looping bus would not serve the whole Banbury 17 Policy area, and may not be commercially attractive.
- c) The link road is required for internal site layout purposes to ensure that residents on the eastern portion of the site have access to the community facilities including the Primary School.
- d) It is assumed that a road linking the A361 and the A4260 would attract trips not arising from the Banbury 17 policy area. Whilst this is accepted, it is not a primary drive of the need for a link road.

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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

It is vitally important that the link road is secured not only to the boundary of the application site but in its entirety, to connect Bloxham Road and White Post Road. If it ended up only being built to the boundary only, it would obviously not function as intended.

#### Development prior to completion of the full link road

Without a mechanism to ensure the delivery of the full link road, development on this application site (the western portion of the allocation site) should be limited to a maximum number of dwellings served from a single access off A361 (also with an emergency access provision). This should be secured within a planning obligation. A limit on development is required for the following reasons:

- a) The link road will function to distribute the trips arising from the Banbury 17 policy area efficiently on to the surrounding network. The County remain concerned about the traffic impact in the absence of the link road based on the known network conditions.
- b) Good access from dwellings to public transport. In the event that 500 homes are occupied on the Gallagher site and the Gladman site has not been implemented, an additional bus loop and additional bus service contributions will be required to serve any development beyond 500 homes until such time as the full spine road across the allocation site has been completed.
- c) Fulfil Local Plan policy Banbury 17 requirement of “early delivery” of the link road.
- d) Safety/emergency concerns regarding the single roundabout access point on the A361. The OCC Design Guide seeks to limit the number of dwellings served by a single access road to 400 units. The County is prepared to make a departure from standard in this temporary case, if there is a loop linking the spine road and the minor site access arm from the roundabout. Also, in view of concerns expressed by the emergency services regarding the two accesses joining the same roundabout, a gated emergency access point is required – this should also provide a cycle and pedestrian access point.

OCC previously advised that development should be limited to 500 homes until full completion of the link road from Bloxham Road to White Post Road. This limit was not considered viable by the applicant. Following further discussions with the applicant, in the interest of progressing matters, and taking into consideration:

- 1) The benefits of delivering the majority of this strategic allocated site;
- 2) That whilst the risk of non-implementation of 15/01326/OUT (the eastern parcel of Banbury 17) is significant and would prevent early delivery of the link road as required by Policy Banbury 17, the likelihood of this occurrence is considered to be very small;

OCC is willing to accept a limit of 750 homes on the 14/01932/OUT site prior to completion of the link road from Bloxham Road to White Post Road. It should be

stressed that accepting this position represents a departure from OCC's standard approach to site mitigation and could temporarily (or permanently if 15/01326/OUT is not implemented) push acceptable transport impacts beyond the maximum extent. OCC is only accepting this scenario because the risk of non-implementation is considered to be very small and therefore acceptable to OCC in the circumstances of this development.

**Officer's Name: David Flavin**  
**Officer's Title: Senior Planning Officer**  
**Date: 28 April 2017**

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