

Date: 27 January 2015  
Our ref: 138185  
Your ref: 14/01932/OUT



Tracey Morrissey  
Cherwell District Council  
**BY EMAIL ONLY**

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

T 0300 060 3900

Dear Tracey Morrissey

**Planning consultation:** Outline - Development of up to 1,000 dwellings together with a mixed use local centre, primary school, green open space etc.

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

Thank you for your consultation on the above dated 21 November 2014 which was received by Natural England on the same day.

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.

### **Town and Country Planning Act 1990**

#### **Soils and Land Quality**

Further to our comments about the ALC surveys provided with the application in our letter dated 10 December 2014, we have the following detailed comments to make regarding soils.

Having considered the proposals as a consultation under the Development Management Procedure Order (as amended), and in the context of Government's policy for the protection of the 'best and most versatile' (BMV) agricultural land as set out in paragraph 112 of the National Planning Policy Framework, Natural England draws your Authority's attention to the following land quality and soil considerations:

1. Based on the information Natural England holds, in the form of a 1996 ex-MAFF survey, it appears that the proposed development comprises approximately 52.4 ha of agricultural land, including 24.5 ha classified as 'best and most versatile' (Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system). The map and survey relevant to this application is attached with this letter.
2. We have measured the areas of the grades from the MAFF 1996 survey for the current application and arrived at the following approximate breakdown of the grades for comparison:

<b>ALC Grade</b>	<b>1996 MAFF Survey (ha) approx</b>	<b>Applicants Survey (ha) Table 11.4</b>
Grade 2	20.2	-
Subgrade 3a	4.3	3.4
Subgrade 3b	26.4	35.3
Grade 4	-	10.5
Other	1.5	3.3
<b>Total</b>	<b>52.4</b>	<b>52.5</b>

Clearly there is a wide divergence in the amount of BMV land mapped for the site (i.e. MAFF = 24.5ha; applicants = 3.4ha). It is not possible to confirm exactly why the grading differs as the applicants have not provided all the information in the application documents needed to fully understand their grading of the site.

Whilst the MAFF survey shows about half the application area is Subgrade 3b due mainly to soil wetness limitations, the MAFF survey described better drained soils in the centre of the site (field F5), and less droughty soils elsewhere. Nowhere did the MAFF survey map find sufficiently droughty soils to map them as Grade 4 and in general the droughty soils were mapped as Grade 2, as the soil resource extended to 120cm, albeit that the subsoils contained a proportion of marlstone rock. With the exception of one location, topsoil stone content (stones >2cm in the top 25cm) was not recorded as a significant limiting factor in the MAFF survey compared to the applicants, but was a factor taken account of in the calculation of moisture balances for the droughtiness assessment.

3. The application (outline) layout (Development Framework Plan) does potentially retain some of the BMV land in 'soft uses' as it tends to occur around the periphery of the development. This would appear to be a coincidence, as the applicant's ALC survey has a different distribution of ALC grades.
4. Government policy is set out in Paragraph 112 of the National Planning Policy Framework which states that:

*'Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.'*

5. It is recognised that a proportion of the agricultural land affected by the development will remain undeveloped. In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the whole development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management.
6. Consequently, we advise that if the development proceeds, the developer uses an

appropriately experienced soil specialist to advise on, and supervise, soil handling, including identifying when soils are dry enough to be handled and how to make the best use of the different soils on site. Detailed guidance is available in Defra [Construction Code of Practice for the Sustainable Use of Soils on Construction Sites](#) (including accompanying [Toolbox Talks](#)) and we recommend that this is followed.

For any queries relating to the specific advice in this letter only please contact Olivia Euesden on 0300 060 4924. For any 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

Olivia Euesden  
Thames Valley Sustainable Development Team