

Date: 09 May 2016  
Our ref: 183839  
Your ref: 14/01932/OUT



Mr M Parry

**BY EMAIL ONLY**

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Dear Mr Parry

**Planning consultation:** 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.

Thank you for your consultation on the above dated 19 April 2016 which was received by Natural England on 19 April 2016.

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)**

**Soils and Land Quality**

Further to our previous responses on this application we have the following additional comments to make regarding soils and agricultural land classification.

Since our previous response dated 27/06/2015, the [Cherwell Local Plan](#) has been adopted. We note that the proposed site is included in the Local Plan as an allocated site.

Although we consider that this proposal falls outside the scope of the Development Management Procedure Order (as amended) consultation arrangements, Natural England draws your Authority's attention to the following land quality and soil considerations:



1. Based on the information provided with the planning application, it appears that the proposed development comprises approximately 49.8ha of agricultural land, including 23ha classified as 'best and most versatile (BMV)' (Grades 1, 2 and 3a land in the Agricultural Land Classification (ALC) system).
2. The verification survey has addressed our initial concerns. The survey results are now in line with the post 1988 MAFF survey (3301\033\96), and provides a good indication of the amount of BMV land in the application.
3. From the information provided the amount BMV that will be irreversible lost is 23ha. It is recognised that a proportion (20ha) of the agricultural land affected by the development will remain undeveloped as public open spaces, sports fields, play space and allotments.
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. In order to safeguard soil resources as part of the overall sustainability of the 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.
5. 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 best use of the different soils on site. We note that mitigation described in the addendum to Chapter 11 is suitable and we would welcome the preparation and adherence to a Soil Management Plan.

Further 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.

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 relating to the specific advice in this letter only please contact James Hughes on 020 802 61000. 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

James Hughes  
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South Mercia Planning Team

