

Date: 10 December 2014
Our ref: 138185
Your ref: 14/01932/OUT



Cherwell District Council
BY EMAIL ONLY

Customer Services
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Dear Sir/Madam

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 **No objection**

Inheritance Tax Exemption

The following comments represent the opinion of Natural England in terms of impact on the outstanding land at Broughton Castle designated under the conditional exemption tax incentive and do not prejudice any future decisions by Natural England, any other agencies or authorities or HM Revenue & Customs who are the statutory agency for designation under the conditional exemption tax incentive rests.

I note that the undulating landform between much of the Broughton castle heritage land and the proposed development site is likely to screen views from the heritage land, and that there are existing hedgerows and trees along the western boundary that are proposed to be retained by the developer. The proposed development may be visible from parts of Broughton Castle heritage land, particularly the buildings and structures including lighting associated with the local centre, employment centre and roundabout that are proposed nearest the heritage land. The development will be seen as an extension of the existing settlement and the distance from the heritage land of approx 1 km should reduce the potential visual impact. Therefore I consider that the proposed development would not have a significant adverse impact on the outstanding interest of the land at Broughton Castle. However, it would be prudent to request the following conditions to mitigate any potential views from the heritage land:

- the hedgerows along the western boundary of the development site should be managed to increase their height and thickness and should be supplemented by a robust woodland belt of local native broadleaved species planted in the next available season as advance planting (ie more planting than shown on the outline proposals in the application)
- any proposals for street lighting associated with the proposed roundabout, local centre and



employment centre should be designed to minimise light spill and consideration should be given to switching lights off after the peak period of use

Agricultural Land Classification

The applicants survey seems to give a generally lower grading to the agricultural land than the various MAFF surveys. However, we are not able to fully appraise the differences because the applicant has not supplied sufficient information to be able to do this including:

- An auger boring location plan
- Subsoil structures and stone contents – were these confirmed by evidence from representative soil pits?
- Method of topsoil stone contents and size ranges assessed, as the values seem higher than the MAFF results.
- The differentiation of topsoil texture ie whether medium or heavy clay loams (for the wetness assessment)
- Lack of Munsell colour descriptions for at least some observations to confirm presence of gleying
- Example moisture balance calculations for drought assessment (and any assumptions made).

Due to the volume of material there is to go through, Natural England will provide more detailed soil comments at a later date. However, the information listed above would be helpful in formulating our comments further.

Local Wildlife Sites.

The Bretch Local Wildlife Site (LWS), and the Salt Way proposed LWS lie close to the proposed development site. It is Natural England's advice that the recommendations made in section 9.6, Mitigation measures, of Volume 2 of the EIA, be attached as conditions to planning permission, should your authority be minded to grant it. In particular, these should include:

- Construction Environmental Management Plan (CEMP) to minimise the impacts on the Salt Way pLWS;
- the retention of a dark corridor next to the Salt Way pLWS;
- planting in the north of the development site adjacent to the Salt Way pLWS, including of elm species to benefit White-letter hairstreak butterflies;
- an Ecology and Landscape Management Plan for the Salt Way pLWS;
- protection of ditches and watercourses and a SUDS scheme;
- Green Infrastructure (GI) for recreation and wildlife, creating ecological connectivity across the site would be welcomed. Such a GI scheme should ideally be implemented before any dwellings are constructed in order to allow habitats to mature, and to ensure that inhabitants of the dwellings form habits using the GI on site.

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. The Standing Advice includes a habitat decision tree which provides advice to planners on deciding if there is a 'reasonable likelihood' of protected species being present. It also provides detailed advice on the protected species most often affected by development, including flow charts for individual species to enable an assessment to be made of a protected species survey and mitigation strategy.

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.

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.

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.

We also welcome your feedback on Natural England's revised standing advice in terms of its usability (ease of access, presentation), quality of content and, its clarity and effectiveness as a tool in guiding decision-making. Please provide this, with any suggested improvements, by filling in the attached customer feedback form or by emailing your feedback direct to consultations@naturalengland.org.uk.

Yours faithfully

Olivia Euesden
Thames Valley Sustainable Development Team