



PLANNING STATEMENT

(incorporating affordable housing statement,
open space assessment & draft S106
Heads of Terms)

October 2014

Land at
Wykham Park Farm
Banbury

GALLAGHER
ESTATES

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1.0 INTRODUCTION

1.1 This Planning Statement is prepared on behalf of Gallagher Estates, in support of an outline planning application (OPA) for a residential led, mixed use development on land east of Bloxham Road (A361) and south of Salt Way, Banbury. The purpose of the Planning Statement is to describe and assess the proposals against, the NPPF and adopted and emerging planning policy and in this context draw conclusions in relation to the suitability of the proposals.

1.2 In accordance with Cherwell District Council's (CDC) Validation Checklist, (2013), the Planning Statement includes reference to affordable housing provision, an open space assessment and a draft s106 heads of terms. The Planning Statement has been prepared by David Lock Associates.

Application Proposals

1.3 The main modifications to the Cherwell Local Plan (2014) allocates land to the south west of Banbury for up to 1,495 dwellings together with associated retail, employment, education and leisure uses. This OPA comprises a significant part of the wider allocation, to the east of Bloxham Road (A361) known as land at Wykham Park Farm, with all matters reserved except access for:

- up to 1000 residential dwellings (class C3);
- land for a primary school (class D1);
- local centre to comprise retail, community and other services (classes A1, A2, A3, A4, A5, D1 and D2);
- green infrastructure including formal pitches, informal open space, landscape areas, children's play spaces and allotments;
- sustainable urban drainage systems including balancing ponds and drainage channels;
- connections to the surrounding highway and footpath network, to include a new access off Bloxham Road (A361) in the form of a new roundabout;
- infrastructure and utilities provision including car parking; and
- ground remodelling, engineering works.

1.4 The proposals aim to establish a mixed use, sustainable urban extension that will form part of a south western extension to Banbury that supports the overall growth

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objectives for Banbury and the wider Cherwell District, in general compliance with Policy Banbury 17 within the emerging Cherwell Local Plan.

- 1.5 The application proposals are detailed more fully in section 3 of this Planning Statement.

Applicants and Land Ownership

- 1.6 The application is submitted by Gallagher Estates who control all land within the application site with the exception of highway land.
- 1.7 The land controlled is agricultural land and is unconstrained in terms of previous use or legal arrangements. Agreements to purchase the controlled land are exercisable on grant of outline planning permission. There are no restrictions on title for the land controlled that will in any way impinge on the planning or implementation of the development.
- 1.8 Gallagher Estates has committed substantial resources to the preparation and development of the proposals for land at Wykham Park Farm and are well versed in the implementation of major strategic developments.

Applicants Approach – Master Developer Role

- 1.9 The delivery of proposed development will require the establishment of effective arrangements for carrying out development in an effective co-ordinated and managed programme from start to completion. This will cover all the planning and development processes and projects.
- 1.10 This is in effect the role of the “master developer”. It is the model that is adopted in respect of other major developments that Gallagher Estates has current experience in implementing across the country.
- 1.11 Working in close consultation with local planning authorities, the developer will be responsible, through its land controls, for securing the implementation of orderly and high quality development alongside the necessary infrastructure in accordance with a master plan and vision for the development.

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Description of Development

- 1.12 The description of development for which outline planning permission is sought is as follows:

“Outline Planning Permission, for development to the east of Bloxham Road (A361) and south of Salt Way 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; 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; and the formation of a new access from the A361, Bloxham Road”.

Planning Application Documentation

- 1.13 The outline planning application is submitted with a full suite of supporting information, in conformity with CDC's validation checklist for outline applications with some but not all matters reserved (2013):

- covering letter;
- planning application form and certificates;
- planning application fee;
- application drawings;
 - Site Location Plan JJG043-033-B;
 - Development Framework Plan JJG043-035-I;
 - Proposed Site Access Roundabout A_003
- Design and Access Statement;
- Statement of Community Involvement;
- Planning Statement (incorporating open space assessment, affordable housing provision and draft S106 Heads of Terms);
- Rights Of Way Statement;
- Environmental Statement (including text, figures and appendices and non-technical summary);
- Transport Assessment (Appendix 5.1 of the ES);
- Travel Plan Framework (Appendix 5.2 of the ES);

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- Arboricultural Survey and Assessment (Appendix 9.13 of the ES);
 - Flood Risk Assessment (Appendix 12.1 of the ES); and
 - Phase 1 Geo-environmental Desk Study (Appendix 13.1 of the ES)

Principle, Context and Timing of Application

- 1.14 The outline planning application is submitted in the context of the Government's clear commitment to growth and development, now enshrined within the National Planning Policy Framework (NPPF). The NPPF espouses the presumption in favour of sustainable development as the golden thread running through the planning system.
- 1.15 The NPPF introduces a presumption in favour of sustainable development and confirms that *"housing applications should be considered in the context of the presumption in favour of sustainable development"* (para 49).
- 1.16 A fundamental dimension to the promotion of sustainable development in the NPPF is the requirement for local planning authorities to provide the supply of housing required to meet the needs of present and future generations. It is a "core planning principle" to *"proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs"* (para 17). To this end it is a core planning principle also to *"boost significantly the supply of housing"* (para 47) and to deliver a wide choice of new homes including, specifically, homes to meet affordable housing needs (para 50).
- 1.17 The applicant is committed to the early delivery of the site for development. There are no constraints to prevent the development proposals delivering new homes (both private and affordable) at the earliest opportunity, thereby contributing fundamentally to the achievement of the core objectives of the NPPF.
- 1.18 Paragraph 14 of the NPPF provides the specific guidance as to how the presumption in favour of sustainable development is to apply in decision making on applications. Proposals that accord with the development plan are to be approved without delay. Where the development plan is silent or out of date then permission should also be granted unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework when taken as a whole"*.

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- 1.19 The Cherwell District Local Plan is out of date and the information submitted in support of this application will demonstrate that no demonstrable nor significant adverse impacts exist to set against the considerable benefits arising from the development and the weight to be attached to the presumption in favour of sustainable development and the provision of new homes. Indeed the application site is entirely suitable and appropriate for the development proposed.
- 1.20 Paragraph 49 of the NPPF provides further decision-making advice, recognising that relevant housing policies should not be considered up-to-date where the local planning authority cannot demonstrate a five year supply of deliverable housing. Indeed, Cherwell District Council does not have an adopted housing requirement upon which to determine their five year housing land supply against. In addition to the general issue of an absent or out of date plan, paragraph 49 is therefore also engaged and for this reason housing applications in Cherwell District should be considered in the context of the presumption in favour of sustainable development.
- 1.21 Emerging local planning policy provides an equally supportive context, providing a positive framework within which to plan the development and one that has set the design and place making objectives that have influenced the evolution of the proposals.
- 1.22 The principle of a south western expansion of Banbury as one of the most suitable locations to deliver housing to meet the increasing local housing need within Banbury and the wider district of Cherwell, is underpinned by a robust evidence base that supports the local plan allocation proposed by the Inspector's main modifications to that Plan.
- 1.23 The suitability for development broadly within the area enclosed by Salt Way and Wykham Lane was originally acknowledged within the Council's Options for Growth Document (2008) that supports the emerging Local Plan. Land at Wykham Park Farm was identified within the area (BAN 4) as part of an option for an area of planned growth of approximately 1600 dwellings. That study concluded that the site was considered an appropriate option for growth, but was not however required to meet the level of housing growth identified by the Cherwell Local Plan 2006-2031: Submission Document (2014).
- 1.24 Following submission of the Local Plan on 31st January 2014, the Examination in Public commenced in June 2014, but has since been formally suspended following a request by the Inspector for the Council to identify further land for housing so as to

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demonstrate the plan adequately meets the objectively assessed housing needs as identified in the 2014 Oxfordshire Strategic Housing Market Assessment (SHMA).

- 1.25 Cherwell District Council has produced main modifications to the Submission Cherwell Local Plan that includes the application site within a wider allocation of 1,495 new dwellings as part of the strategic planned growth south west of Banbury, for which the Council are committed to its early delivery.
- 1.26 Draft Policy Banbury 17 (South of Salt Way - East) allocates land east of the A361 for some 1,345 of the wider 1,495 dwelling allocation, Policy Banbury 16 allocates 150 dwellings on land west of A361. Up to 1,000 dwellings, will be delivered by the development of land at Wykham Park Farm, which comprises land east of Bloxham Road (A361) and south of Salt Way. The proposed development will also deliver associated retail, education and leisure uses to serve the site and its wider allocation. Draft Policy Banbury 17 provides further policy and design context for the development of the site.
- 1.27 The site was subject of an application in 2013, for 1000 dwellings, (13/00321/OUT), for which there was limited objection from the local community. The application was withdrawn to allow the proposals to be developed and refined.
- 1.28 The development proposals submitted are robustly informed by public engagement and a process of critical reflection of stakeholder comments received in respect of the previous proposals for the site. This feedback process have been valuable in helping to shape the form and design of the current submission, as demonstrated in the Design and Access Statement that supports the application.
- 1.29 The current proposals and general design approach have been discussed and agreed in consultation with the Local Planning Authority, acknowledging the wider masterplanning process for Banbury Town, currently being prepared by White Young Green, on behalf of the District.
- 1.30 The proposed development represents a scheme that is entirely deliverable, unconstrained by landownership or any other major constraints. The application package is supported by a comprehensive set of documentation which demonstrates an approach that secures delivery of the necessary infrastructure required to support the proposed development without comprising the principle or delivery of the remainder of the Banbury South West sites, proposed by the draft Local Plan.

Relationship of OPA to wider development of Banbury South West

- 1.31 The draft Local Plan Policy for the site provides the necessary confidence as to the satisfactory relationship between the application proposals and the adjacent sites at Banbury South West, which requires that each phase of development must have the infrastructure to support itself and must avoid any further constraint being placed on subsequent phases.
- 1.32 The application is submitted within this context and includes details of all key infrastructure elements required by the development, demonstrating an intent for early commencement of the development and defining an approach that ensures a self-sustaining form of development that complements the other development sites at Banbury South West.

2.0 SITE LOCATION AND CONTEXT

Location

- 2.1 The site location plan identifies the land to which the outline planning application relates. The application site is approximately 52 hectares in size and consists of 6 relatively large and regularly shaped arable fields.
- 2.2 The site is located approximately 1.7km to the south of Banbury centre and immediately south of the residential area of Easington which provides a close residential context. Banbury Academy and Blessed George Napier Catholic Schools sit to the north of the site, separated by a tree lined footpath and cycle way known as Salt Way.
- 2.3 Planning permission has been granted for 145 residential dwellings on land at the northwestern edge of the site, (12/00080/OUT) for which Morris Homes have submitted a reserved matters application, currently under consideration by the Council (14/01225/REM).
- 2.4 The Bloxham Road (A361) forms the western edge of the site, and is a heavily tree lined road. Adjacent to the site along Bloxham Road are Crouch Cottages and Wykham Park Lodge.
- 2.5 Beyond the site area to the west and south is open countryside used primarily for agricultural uses. An outline application has been submitted by Mr Horgan and Barwood Strategic Land on the northern part of this land for 400 homes (14/01188/OUT), and is currently under consideration by the Council.
- 2.6 Beyond the site to the east is the village of Bodicote and Banbury Cricket Ground. Further east of the site are the town's two major employers, Horton General Hospital, on the Oxford Road and Cherwell District Council, in Bodicote.
- 2.7 To the south of the site is Wykham Park Farm, and its farm shop. Wykham Lane provides access between Bloxham Road and White Post Road which connects to the village of Bodicote. Beyond Wykham Lane is Tudor Hall School and land used primarily for agriculture.

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- 2.8 The Bloxham Road (A361) provides one of the main strategic routes, from the south into Banbury. Junction 11 of the M40 is located some 3.5 km north east of the site, which provides strategic highway connections across the country.
- 2.9 There is currently no formal vehicular access through the site. Access is gained via field gates from the A361 used by farm vehicles and residents of the cottages and will be retained as such to facilitate access via the existing private drive.

Physical Characteristics

- 2.10 The site is predominately rural in character and is intensively cultivated arable and pasture agricultural land. The site has many tree species including sycamore, hawthorn, lime, ash and an oak spinney along its boundaries. Trees are generally mature and well established.
- 2.11 The site contains a network of hedgerows and associated ditches, woodland. Many of the hedges on the site containing a number of mature trees, of varying quality. A small area of semi-natural mixed woodland is located in the north-western corner of the site. Additionally, a narrow strip of mixed woodland plantation is located along the southern boundary of the site. A narrow strip of young mixed woodland plantation is also located along the footpath and bridleway leading to Wykham Farm Cottage.
- 2.12 There are no water features within the site. A dry drainage ditch runs in an easterly direction along the southern boundary of the site.
- 2.13 A footpath and a bridleway cross the eastern part of the site, in a north-south direction which connect Wykham Lane with Salt Way. A further footpath follows the western site boundary along the Bloxham Road.
- 2.14 Views into the site from the surrounding area and out of the site are minimal due to the topography and existing woodland, trees and hedgerows. Views of the site from Crouch Hill, an elevated viewpoint, north west of the site, are also considered.
- 2.15 The site is not situated within a landscape that it is afforded any statutory landscape quality protection or designation at an international, national, regional or local scale.

Topography

- 2.16 The topography of the site is gently undulating with small shallow valleys running south towards the Sor Brook Valley some 1.5km to the south of the site. Site levels vary from approximately 133m AOD at the highest point at the north western corner and towards a low point of approximately 125m AOD on the south eastern corner.

Settlement Pattern

- 2.17 Bodicote is a small village some 800 metres to the east of the site, accessed via Wykham Lane, a rural road that connects the A361 to White Post Road, Bodicote. Bodicote village focuses around a High Street, around which it has organically expanded over time, the original core forming the Bodicote Conservation Area. Development is characterised by a pattern of streets and lanes closely fronted by terraced, stone built cottages.
- 2.18 The residential area of Easington sits north of the site, and is an estate development largely dating from the 1960's and early 1970's. Development is typical of this era with a mix of detached and semi-detached houses and bungalows fronting streets and cul-de-sacs.
- 2.19 The settlement context that surrounds the site is rapidly changing. Planning permission granted has been granted for land at the north western edge of the site for 145 homes, as referred to in paragraph 2.3, furthermore outline proposals for land at Crouch Farm have been submitted for development of 400 homes, immediately west of Bloxham Road, as referred to at paragraph 2.5.

Historic Environment

- 2.20 There are no scheduled monuments, registered parks and gardens, battlefields or conservation areas within the application site. There a number of listed buildings that sit within close proximity to the site. Church of St John the Baptist is located approximately 710 m to the south-east of the Site and is Grade II* Listed. A number of listed buildings sit within the Bodicote Conservation Area, the boundary of which lies approximately 500m to the south east of the site at its closest point. The nearest Listed Building to the site is Wykham Farmhouse, situated approximately 150m to the south.

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- 2.21 Geophysical surveys and intrusive site investigations have been carried out on the site and report evidence of an unscheduled archaeological feature at the eastern part of the site, identified to relate to Iron Age and Neolithic periods.
- 2.22 The potential effects on heritage assets have been considered at the masterplanning stage. The proposed development has been designed to enable the preservation *in situ* of these areas of archaeological interest.

Ecology

- 2.23 There are no international, national or other statutory designations on or adjacent to the site. The nearest site of nature conservation interest is the non-statutory site; Bretch Local Wildlife Site, which is situated approximately 1.2 km to the north-west of the site.
- 2.24 The ecological assessment detailed within Chapter 9 of the ES identifies the ecological habitats on the site and sets out the outcome of a comprehensive series of ecological surveys undertaken over a number of years.
- 2.25 The proposed layout has taken into account habitats and features of local value at an early design stage and seeks to retain and enhance these features, as far as practicable, as part of the Green Infrastructure Strategy for the site.
- 2.26 The proposed GI Strategy equates to some 18ha or over 30% of dedicated GI, where enhancements to specific habitats will be delivered by the proposed development through the creation of further areas of planting and natural spaces within a wider network of green infrastructure. This will mitigate for the minor loss of existing habitats and provide long term biodiversity benefits.

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3.0 DESCRIPTION OF THE PROPOSALS**Physical Design and layout**

- 3.1 The application proposals comprise a residential led scheme together with areas of mixed use, comprising: community; employment; education; local retail uses; and formal and informal open space provision.
- 3.2 Consistent with the emerging policy approach, the proposed development seeks the creation of a self-sustaining local community that will form a key part of the wider development of the south west of Banbury.
- 3.3 The development layout and structure as a whole has been influenced by the landscape context and topographical features of the site. The arrangement of land parcels and their associated uses, form and type of open space, and route ways are based on the established physical features within the site.
- 3.4 Development will be comprised of walkable residential neighbourhoods around distinct areas. Each neighbourhood benefits from access to areas of formal and informal open space.

Residential Development

- 3.5 The residential component of the scheme comprises up to 1000 new dwellings at an average density of around 40 dwellings per hectare. However overall, the development will adopt the approach of graded densities with higher densities in core/ central locations of the layout and lower densities at the rural edge. This will help provide variety and character, together with a range of street scenes, plot designs and house types.
- 3.6 Development will include a mix of 1-5 bedroom properties, including terraces, semi detached and detached properties and some apartments. Houses will be predominantly 2 storey in height, but with some 2.5 and perhaps 3 storey dwellings.
- 3.7 The approach to design and layout is described in more detail in the Design and Access Statement that accompanies the application.

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- 3.8 Provision will be made for affordable housing, providing a mix of tenure to ensure delivery of a balanced community. The amount, type and tenures of affordable housing will be subject to negotiation and discussions with Cherwell District Council and agreed in the light of the wider requirement for infrastructure delivery and other planning and design objectives. Draft Local Plan Policy BSC 3 seeks a target of up to 30% affordable homes, 70% of which to be social rented affordable rented dwellings and 30% as other forms of intermediate affordable homes.

Local Retail and Community Uses

- 3.9 A local centre is located at the heart of the development. Planning permission is sought for mixed use space for local retail and community services comprising of Use Class A1 (of which up to 1,000 m² floorspace is proposed) with provision also and in addition for A2, A3, A4, A5 and D1 and D2 uses. The precise uses will be determined at the reserved matters stage, but could include, for example, a small convenience store and other shops for 'top up' shopping, take-away, cafes, food and drink outlets and element of community facilities.
- 3.10 These uses will predominantly serve the new resident population and will complement the range of existing facilities that currently serve the southern edge of Banbury. Co-location of facilities will encourage a reduction in vehicle use and trips as well as fostering a sense of community as a centre and focus for the development. Homes could be provided above the shops.

Education Provision

- 3.11 A site of approximately 2.2 hectares will be provided at the north western edge of the site to make provision for a primary school, which could include an element of pre-school provision.
- 3.12 A precise school specification will emerge following agreement with Oxfordshire County Council (OCC) as the education authority. The School will be required to meet the needs of the future population resulting from the scale of residential development proposed and could help meet education needs arising from additional adjacent development sites.
- 3.13 The design principle is to locate the school building at the south east corner of the school site, so as to form an active frontage that links to the local centre and allows the playing fields to create a soft transition at the northern edge to the site, to create

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a landscape buffer to Salt Way, a design approach that complements the existing school playing fields north of Salt Way.

Access and Movement

- 3.14 The Transport Assessment (TA) sets out the transport issues relating to the proposed development and identifies the necessary interventions to mitigate the anticipated transport effects of the development, and seeks to improve accessibility and safety for all modes of travel.
- 3.15 An element of the Transport Assessment is the consideration of potential cumulative impacts on traffic that results not only from committed schemes, but also schemes within the immediate area that are under consideration by the Council. This includes the development west of Bloxham Road, currently the subject of an outline planning application for 400 dwellings (14/01188/OUT), albeit allocated for a reduced 150 dwellings within the main modifications to the Local Plan; and those that are draft allocations in the Local Plan, which include some 600 dwellings as part of Bankside Phase 2 and some 200 dwellings on land at White Post Road that comprises part of the Salt Way South-East allocation.
- 3.16 A robust approach has been adopted which ensures that the application proposals take account of potential future development in the area in the short and longer term.
- 3.17 The impact of traffic generated by the development proposed has been assessed using the LinSig traffic model. The methodology used to assess likely trip distribution arising from the site has been informed by discussions with Oxfordshire County Council, and has been based on a zonal approach, 19% of trips were identified to travel south, with the remaining 81% travelling north to subsequently be distributed at each junction. This predicted behaviour of vehicle movements reflects the likely points of origin and destination for flows into/out of the site.
- 3.18 The delivery of a residential development has the potential to increase traffic levels in the local road network and as such a clear transport strategy has been developed including specific junction interventions.
- 3.19 The transport assessment identifies a number of locations within the local highway network that require junction interventions. These include:

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- **Bloxham Rd/ Queensway junction**, upgrading from a priority junction to a signalised junction which offers benefits for the wider traffic movements within the town and will also improve pedestrian facilities at this junction for the benefit of all;
- **Bloxham Road/ Springfield Avenue**, consisting of localised widening to increase capacity at the existing priority junction
- **Bloxham Road / South Bar / Oxford Road junction**, providing a longer left turn lane on Bloxham Road and a left turn flare on Oxford Road north into Bloxham Road. This is paired with improved pedestrian facilities and signal staging improvements.

3.20 The TA confirms that the results of the modelling have not highlighted a location, nor impact, that cannot be appropriately mitigated. The proposals are underpinned by a deliverable transport strategy, to secure the early implementation of the development without requiring, or in any way fettering, the progressive implementation of the wider transport strategy for Banbury as a whole.

Access Strategy for Application Proposals

3.21 The intention of the access strategy for the proposed development is to access the site from Bloxham Road (A361). To adequately accommodate the anticipated development traffic, it is proposed to create a new 4-arm roundabout onto the Bloxham Road (A361). The junction has been designed in line with DMRB standards with sufficient capacity to accommodate, not only the anticipated development traffic but also the background traffic growth and committed developments in the area. The design allows for the retention of access to Tudor Hall School, and the existing properties, Crouch Cottages, along Bloxham Road, and can, if necessary, accommodate the proposed priority access junction to land immediately west of the site which is the subject of a planning application for 400 residential units (14/01188/OUT). The proposed roundabout will provide a natural point to start the urban 30mph limit reflecting the changing character for this length of Bloxham Road.

3.22 The indicative layout of development allows for any potential east-west link between Bloxham Road and White Post Road, Bodicote, for local traffic. It must be noted that the completion of the link road is not necessary to make the development acceptable and does not form part of the application proposals.

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Sustainable Transport

- 3.23 The nearest bus stops are located on Bloxham Road served by the route 488/489 operated by Stagecoach, offering hourly services to Banbury, Monday to Saturday between 06:30-19:05. In addition the B1 service can be found on Timms Road/Sycamore Drive in the residential estate to the north east of the development site, which operates a 30 minute frequency service.
- 3.24 The proposed development will deliver a series of sustainable transport options providing viable and realistic alternatives to use of the private car. A frequent and reliable public transport system is important to support and enhance sustainable travel patterns. Central to the public transport component of the transport strategy will be the expansion of current bus services and/or their rerouting into the site.
- 3.25 Following discussions with Stagecoach, it is known that developer funding has been secured to improve the frequency of the existing service which passes along Bloxham Road. Through these discussions it has been identified that the existing 488 Chipping Norton-Bloxham – Banbury service will serve the site, with the potential for a second more local service to follow.
- 3.26 This bus service will enable frequent access to Banbury and to the railway station. Additionally, the existing footpath and cycle links will serve to provide access from the development site to the town and its railway station by walking and cycling.

Travel Plan

- 3.27 A Travel Plan has been prepared to support the application, which provides measures that encourage more sustainable patterns of movement and travel by working in partnership with local schools and businesses. In order to meet the aim of the Travel Plan and achieve suitable targets, the introduction of a wide range of measures, initiatives and mechanisms is proposed onsite once the development is built and the travel demand is fully understood, and appropriate targets set and agreed with OCC.

Footpaths and Cycleways

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- 3.28 The master plan for the site includes pedestrian and bridleway routes within the development to provide a comprehensive route network throughout the site. Highway crossing points will be designed to cater for all types of pedestrian users with the routes lit where appropriate.
- 3.29 The walking paths will connect the individual housing blocks into the main route through the site that will ensure connectivity and route choice throughout the development, providing access to the facilities that are accommodated within the site, such as the local centre, primary school, play spaces, sport pitches and allotments.
- 3.30 Provision will also be made to encourage cycling within the development in particular through the design of main streets which are attractive to cyclists as well as pedestrians and which manage vehicular speeds.
- 3.31 The on-site movement network will connect into the external walking and cycling networks that include the PRow network. The predominant walking and cycling desire line towards Banbury, to include Salt Way are to be fully incorporated into the links from the development.

Parking

- 3.32 Parking is expected to be provided, taking into account the guidance provided in the English Partnerships Manual Car Parking: What Works Where (2006) and Oxfordshire County Council's Parking Standards for New Residential Development. Parking will take account of such standards although the final provision will reflect the mix of units and the design principles on-site.

Green Infrastructure and Public Open Space

- 3.33 A generous landscape and open space Green Infrastructure Strategy is a key part of the development proposals for the site. The strategy draws upon the natural landscape features of the site. In particular significant mature trees, hedgerows and areas of woodland, and has been designed to ensure convenient accessibility for future residents to both formal and informal open spaces and play spaces.
- 3.34 Within this network, environmental enhancement, outdoor recreation, pedestrian, cycle and bridleway access, flood management, surface water attenuation and allotments will be provided for. The network will integrate with green corridors

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running east/west and north/south across the site, and provide visual and physical linkages to the adjacent countryside.

Open Space Assessment

- 3.35 The proposed development provides a considerable amount of green space for play, recreation and walking/cycling and accords with the open space requirements as set out in Table 8 Policy BSC 11 of the emerging Local Plan. Open space requirements from the emerging Local Plan together with the amount of open space provision proposed by the development are set out in the table below. The figures are based on the housing numbers proposed in the outline application (1000 units) and are multiplied by the average household size for Cherwell District of 2.4 persons per household (as published in the Interim Household Projections, April 2013). This equates to a population of 2,400.

Category of Open Space	Draft Cherwell Local Plan	Requirements for development	Amount of POS proposed
General Green Space (overall)	2.74 ha / 1000 rural/edge dwellers	6.58 ha	9.21 ha
Children/Teen Play Areas	0.78 ha / 1000 people	1.87 ha	1.89 ha
Outdoor Sports Provision	1.13 / 1000 people	2.71 ha	2.72 ha
Allotments	0.37 / 1000 people	0.89 ha	0.90 ha

- 3.36 The majority of formal open space is provided at the eastern end of the site, where sports pitches, with potential opportunities for an element of changing facilities, can be created with limited ground recontouring. Furthermore, the disposition of open space at the eastern part of the site reflects a conscious approach to preclude built development within this area of the site, so as to preserve in situ areas of archaeological interest and define the edge of built development that is sensitive in its approach to the proximity of Bodicote and its Conservation Area.
- 3.37 A Neighbourhood Equipped Area for Play (NEAP) is provided adjacent to sports pitches, which is anticipated to include a Multi-use games area for youth play. Two smaller areas of play, Local Equipped Areas for Play (LEAPs) are located at the northern edge, adjacent to the school and a second at the western edge of the site, to ensure that the majority of dwellings are within 400 metres of areas for play.

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- 3.38 The proposed development also makes provision for allotments at the south of the site, co-located with the existing allotments adjacent to Wykham Lane. Allotments will be accessed from the north, through the development.
- 3.39 The proposed open space and green infrastructure will also enhance the ecological quality of the site by providing new and connecting existing wildlife habitats.
- 3.40 The timing of the delivery of these facilities is important, in particular regarding the formal play and recreational facilities, relative to the phasing of built development, and can be secured through the Section 106 legal agreement.

GI Strategy

- 3.41 The provision and approach to Green Infrastructure (GI) accords with established guidance from Natural England in terms of accessibility to greenspace for new communities and delivering multifunctional landscapes.
- 3.42 The Green Infrastructure Framework equates to some 18 ha or over 30% of the site. It includes the following components:
- a green corridor, with new tree and shrub groups along the southern edge of Salt Way;
 - retention, or re-provision of the three existing public footpath routes crossing the site and their location within a new setting;
 - new gateway planting at entrance points from Bloxham Road and Salt Way to create a sense of arrival;
 - reinforcing the informal parkland to the south-west, thereby respecting the setting of Tudor Hall School (Wykham Park);
 - tree planting to enclose views of the proposals from elevated viewpoints on Crouch Hill to the north-west including larger trees along the spine road and at the entrance to the site;
 - retention and protection, where possible, of the majority of the existing trees and hedgerows, and their incorporation into the new housing development, supplemented with new structure and infill planting comprising native species;
 - public open spaces, comprising informal tree planting, scrub, meadow grassland, wetland SUDs ponds (in part permanently wet) and informal seating areas;
 - play areas (including two LEAPs, one NEAP), allotments and sports pitches;

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- provision of walking, cycling and a new circular bridleway route through the Site, including links to Salt Way and other public footpaths; and
- a landscape management plan to be agreed with CDC.

Connections to and Relationship to Banbury South West and Banbury Town Centre

- 3.43 The development will promote accessibility to adjacent existing and proposed areas of development. A network for footpaths and cycleways will connect to existing routes within and adjoining the site. Where possible, the routes of Public Rights of Way within the site have been maintained along their existing course. The layout accommodates a circular bridleway link between Salt Way and the southern edge of the site as referred to in the emerging site specific local plan policy.
- 3.44 The primary street will form the proposed bus route that will link the site to adjoining residential areas and onto Banbury town centre.

Sustainable Design

- 3.45 The Applicant is committed to delivering a form sustainable development, which includes a commitment to building to the appropriate national Code for Sustainable Homes/ Building Regulation Standard in force, at the time of construction.
- 3.46 Site sustainability has played a central role developing the application proposals. The site has been designed to give people the opportunity to choose a healthier, more sustainable lifestyle; for instance providing good levels of infrastructure on site that reduce the need to travel; establish sustainable drainage systems, provide high quality areas of open space and create a place that engenders social connections.

Drainage

- 3.47 In accordance with the NPPF, which requires allocation and planning of development to be considered against a risk based search sequence, a detailed understanding of the extent of the areas of flood risk has been obtained and the watercourses have been the subject of detailed flood plain modelling.
- 3.48 An assessment of the fluvial flood risk demonstrates the site to lie within Flood Zone 1; being an area of Low Probability of flooding, and the Flood Risk Assessment

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(FRA) concludes that the application site is suitable for the proposed development in the context of the NPPF sequential test.

- 3.49 The drainage strategy is set out in the FRA (see appendix 12.1 of the ES) which accompanies the application and identifies no prohibitive engineering constraints in developing the proposed site for residential use in a sustainable manner.
- 3.50 Due to the introduction of impermeable surfaces by the proposed development, appropriate drainage arrangements are required to manage surface water arising from the site. A range of sustainable urban drainage solutions will be incorporated into both the built and green environments. SuDS (Sustainable Drainage Systems) will be implemented in order to reduce flood risk, minimise pollution and provide landscape and wildlife benefits. Attenuation SuDS will be required to manage surface water runoff to no more than current rates. The drainage strategy set out in the Flood Risk Assessment would result in flows from the site being reduced below Greenfield rates.

4.0 PLANNING POLICY CONTEXT

National Planning Policy

National Planning Policy Framework (2012)

- 4.1 The Government's commitment to delivery of sustainable development is now enshrined in the Localism Act and National Planning Policy Framework. Local Planning Authorities are duty bound to prepare positive plans to encourage sustainable development that meets the area's need for homes, jobs and open space.
- 4.2 The National Planning Policy Framework provides a clear decision taking framework, setting out in paragraph 14 the approach to the determination of planning applications the centrepiece of which is the Presumption in Favour of Sustainable Development. In the absence of an up to date development plan policy, permission is to be granted unless there are adverse impacts that demonstrably and significantly outweigh the benefits of development.
- 4.3 In the context of a time-expired or out of date local plan, consideration needs to be given to the balance of adverse impacts against benefits assessed against the policies of the NPPF as a whole.
- 4.4 It is the policies in the entire NPPF, taken collectively which constitute the definition of sustainable development. The proposed development of land at Wykham Park Farm accords with this definition, by establishing a development that supports a vibrant and healthy community through a mix of housing and facilities that reflect the community's need and by protecting and enhancing the natural environment through integration of existing habitats into the wider green infrastructure network..
- 4.5 The NPPF provides 12 core planning principles that should underpin plan making and decision taking. Those of relevance to the proposals are summarised below, alongside a commentary of the development's conformity with them.

Core Planning Principle	Conformity of Scheme
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Plan-led system with up to date local plans setting out a positive vision	There is no up to date adopted Local Plan. The site is proposed to be allocated for development as part of the main modifications to the emerging Local Plan. The application scheme delivers a major residential led urban extension in accordance with the emerging policy Banbury 17
Sustainable economic development to deliver homes, businesses, infrastructure and local places that are needed, based on an assessment of local need.	The potential benefits of development of land at Wykham Park Farm, are recognised by the emerging Local Plan and its evidence base. The scheme has the potential to deliver a substantial proportion of Cherwell's housing requirement, both market and affordable, supported by local community facilities. As such it will also have a major positive effect on economic development and housing objectives within the District.
High quality design and amenity	The applicant is committed to the creation of a desirable new community that reflects Banbury's vernacular and makes use of local building materials as appropriate and to create walkable residential neighbourhoods around distinct areas within the development.
Take account of the different roles and character of different areas including promoting the vitality of main urban areas and recognising the intrinsic character and beauty of the countryside.	The proposals aim to complement and not compete with the varied retail and service offer within Banbury town centre. Additional housing will support the vitality of the town centre and shops and services near to the site. The development layout and structure as a whole has been influenced by the landscape context and topographical features of the site. The arrangement of

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	land parcels, their associated uses, form and type of open space and route ways take account of the established physical features within the site.
Support the transition to a low carbon future.	The scheme takes full account of potential flood risk though the provision of a series of sustainable urban drainage systems and will incorporate a range of measures to support the principles of sustainable development, including to maximise the potential for walking, cycling and public transport and thereby to minimise the development's carbon footprint. Buildings will be built to the national Code for Sustainable Homes/ Building Regulation Standard in force, at the time of construction.
Contribute to conserving and enhancing the natural environment and reducing pollution	The site is an emerging allocation in the Local Plan by virtue of its proximity and relationship with the existing settlement of Banbury. There are no high level constraints to the development of the site. The development will respect the local topography and enhance the natural environment where possible. It is acknowledged that development of the site will lead to a loss of agricultural land, however this must be balanced against the wider benefits of delivering housing within sustainable locations.
Promote mixed use developments	The best use will be made of the land available, through the provision of an appropriate amount of local retail and education and community uses to serve the housing proposed.
Manage growth to make the fullest use of sustainable modes of transport and	The scheme will encourage the use of sustainable transport in the form of

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focus development in sustainable locations.	public transport, walking and cycling through the provision of additional services and/or direct routes to the centre. The site is immediately contiguous with the existing urban area and benefits from good connections to Banbury town centre, its railway and surrounding villages.
Improve health, social and cultural well being and delivery community and cultural facilities to serve local need.	A new community will be created south west of Banbury that will be well served by a range of health and community facilities within Banbury and accessible from the site. The proposed primary school and local centre will be important community focuses.

4.6 The NPPF details specific policy relating to 13 key themes. The National Planning Practice Guidance (NPPG) provides further information on each theme.

4.7 ID 42-006-20140306 of the NPPG identifies the benefits of preparing a Transport Assessment. It states:

“Travel Plans, Transport Assessments and Statements can positively contribute to:

- *encouraging sustainable travel;*
- *lessening traffic generation and its detrimental impacts;*
- *reducing carbon emissions and climate impacts;*
- *creating accessible, connected, inclusive communities;*
- *improving health outcomes and quality of life;*
- *improving road safety; and*
- *reducing the need for new development to increase existing road capacity or provide new roads”*

4.8 ID 26-006-20140306 of the NPPG provides further information on design in the planning process and states:

“Design impacts on how people interact with places. Although design is only part of the planning process it can affect a range of economic, social and environmental objectives beyond the requirement for good design in its own right. Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered:

- *local character (including landscape setting);*

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- *safe, connected and efficient streets;*
- *a network of greenspaces (including parks) and public places;*
- *crime prevention;*
- *security measures;*
- *access and inclusion;*
- *efficient use of natural resources; and*
- *cohesive & vibrant neighbourhoods.”*

4.9 ID 53-002-20140306 of the NPPG explains the links between health and planning, that development should avoid adverse impacts on human health, create opportunities for people to make healthy choices, promote active travel and physical activity, and promote access to high quality open spaces and opportunities for play, sport and recreation.

4.10 ID 7-030-20140306 of the NPPG identifies the objectives of a flood risk assessment. It states:

“The objectives of a site-specific flood risk assessment are to establish:

- *whether a proposed development is likely to be affected by current or future flooding from any source;*
- *whether it will increase flood risk elsewhere;*
- *whether the measures proposed to deal with these effects and risks are appropriate;*
- *the evidence for the local planning authority to apply (if necessary) the Sequential Test, and;*
- *whether the development will be safe and pass the Exception Test, if applicable.”*

4.11 ID 7-068-20140306 of the NPPG provides a checklist of matters to be addressed in a flood risk assessment.

4.12 ID 8-016-20140306 of the NPPG explains how biodiversity should be taken into account in preparing a planning application ID 8-018-20140306 of the NPPG identifies the issues that should be considered when seeking to avoid, mitigate or compensate for significant harm to biodiversity and that green infrastructure can help to mitigate any significant harm to biodiversity (ID 8-019-20140306)

4.13 The following paragraphs assess the development against those themes that have been identified as relevant.

Building a Strong Competitive Economy

4.14 In accordance with the Government’s commitment to securing economic growth, the proposed development supports a strong, competitive economy in Banbury and the

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wider District. The Government recognises that building competitive economies is as much about removing barriers to growth, such as local housing need, as it is providing new employment land. The application proposes 1,000 homes, as part of the planned growth at Banbury and will seek to address the current potential barrier to investment in the area by delivering much needed, quality new homes.

- 4.15 Through the provision of a mix of land uses to include a local centre, a small element of retail will be delivered, which will encourage a local economy. Chapter 4 of the ES sets out the significant beneficial impacts that the proposed development will have on the local economy.
- 4.16 The development as a whole will establish a new population (not forgetting that some of the population will have relocated from other parts of Banbury) that will help to support the retail and business elements proposed within Banbury town centre as part of the plan-led growth of the town. The economy will be supported by the increased expenditure on goods, supplies and services resulting from the new population.
- 4.17 The area is close to major employment opportunities, including Cherwell District Council and Horton General Hospital.

Ensuring the Vitality of Town Centres

- 4.18 The NPPF promotes competitive town centre environments and recognises town centres as the heart of their communities. The development of land at Wykham Park Farm is not of sufficient scale or size to compete with or compromise the growth and regeneration objectives of the Banbury town centre. A modest quantum of A1 class uses is proposed and will provide small scale retailing to serve only the day to day needs of the development. The new population will still turn to Banbury town centre and other established retail centres for its comparison shopping and to access the range of leisure facilities that will not be provided on the site.
- 4.19 In accordance with paragraph 26 of the NPPF, as the proposed retail floorspace is considerably below the 2,500 sqm floor area threshold and the development as allocated, within the draft Local Plan, a Retail Impact Assessment is not required in support of the application.

Promoting Sustainable Transport

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- 4.20 The proposed development adopts the approach to transport advocated in the NPPF that people should be given a real choice about how they travel with a transport system balanced in favour of sustainable transport modes. This will be achieved through the re-routing of existing bus services into the site, providing links to connect to key locations such as the Local Centre, and beyond the development to Banbury town centre.
- 4.21 The development comprises a series of walkable residential neighbourhoods and the provision of footways and cycle routes throughout the scheme endorse walking and cycling as realistic options to move around the site. A Travel Plan will highlight opportunities for sustainable travel for all businesses and new homes. The detailed Transport Assessment submitted in support of the application outlines the range of sustainable transport measures proposed, alongside the modal shift predicted.
- 4.22 The mix of uses on the site will further enhance the sustainability of the site, encouraging people to minimise their journey lengths for retail, education, leisure and so on. Key facilities such as the primary school and mixed use local centre are located to ensure good accessibility and maximise opportunities for walking and cycling and encourage linked trips.

Delivering a Wide Choice of High Quality Homes

- 4.23 Paragraph 49 of the NPPF notes that housing applications should be considered in the context of the presumption in favour of development. The Planning Statement demonstrates how the development can be defined as sustainable by delivering a scheme that is sensitive to the environment, supports economic growth and establishes a socially robust new community.
- 4.24 The proposed development delivers up to 1,000 dwellings of the total planned requirement of 22,840 for Banbury to 2031, which will significantly boost the supply of housing in Banbury and across the district. The site is deliverable, in the context of footnote 11 of paragraph 47 of the NPPF, in that it is available now, offers a suitable location for development and demonstrates a reasonable prospect that housing will be delivered within five years.
- 4.25 The exact mix of housing types, sizes and tenures will be refined at reserved matters stage, but is likely to include a full range of housing including larger family housing, smaller starter homes, affordable housing and provision for the disabled and elderly.

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- 4.26 A proportion of dwellings will be affordable, the precise percentage and tenure mix of affordable housing will be negotiated with Cherwell District Council as part of the wider S106 discussions.

Requiring Good Design

- 4.27 In accordance with the NPPF, the development recognises the importance of good design. The Design and Access Statement demonstrates the high quality design approach employed in the development and the ability to establish a strong sense of place and identity for its residents.
- 4.28 The development consciously preserves and enhances the local landscape character and demonstrates a strong green infrastructure framework, informed by key features to be retained, notably significant hedgerows and mature trees; respecting the setting of Tudor Hall school and long distance views from Crouch Hill and reinforcing Salt Way as an attractive footpath and cycleway.
- 4.29 The principles enshrined in the Design and Access Statement will be taken forward at reserved matters stage for each phase of the development.

Promoting Healthy Communities

- 4.30 The NPPF recognises the role of good planning in the promotion of healthy communities. The proposed development adopts this approach, evidenced through its design rationale, land uses and arrangement of land parcels.
- 4.31 The creation of a local centre will establish a natural community centre and meeting place for different members of the community, providing a focus for residents through the co-location of community facilities including a new primary school, local retail and community facilities.
- 4.32 Primary schools help foster feelings of belonging to a new community and provide opportunities to create a sense of local identity. Furthermore, they provide venues and opportunities for further community interaction.

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- 4.33 Introducing a mix of uses within the development ensures activity throughout the day and evening, which in turn helps to increase indirect surveillance which will help reduce existing and perceived levels of crime. As part of the detailed design it is envisaged that the development will make use of well designed security features, including active frontages and overlooked spaces.
- 4.34 The network of footpaths, cycle routes and green infrastructure incorporating formal and informal open space will encourage activity and healthy lifestyles.

Meeting the Challenge of Climate Change and Flooding

- 4.35 The NPPF notes that reductions in greenhouse gas emissions and resilience to climate change can be encouraged through good planning. Development of the site will meet the Code for Sustainable Homes in place at the time of construction.
- 4.36 The NPPF requires that development should be directed away from areas at highest risk of flooding. As the site is over 1 hectare in size, a Flood Risk Assessment forms part of the application documentation and concludes that the application site is suitable for the proposed development in the context of the NPPF sequential test.
- 4.37 A range of sustainable urban drainage solutions will be incorporated into both the built and green environments. SuDS (Sustainable Drainage Systems) will be implemented in order to reduce flood risk, minimise pollution and provide landscape and wildlife benefits. Attenuation SuDS will be required to manage surface water runoff to a maximum of current rates. The drainage strategy set out in the FRA describes a strategy which will result in rates of runoff being reduced to levels significantly below existing runoff rates and will therefore result in a significant local benefit.

Conserving and Enhancing the Natural Environment

- 4.38 The NPPF places an emphasis on protecting valued landscapes, minimising impacts on biodiversity and preventing unacceptable levels of pollution, and on mitigating impacts where these occur. The application site plays host to a number of wildlife habitats and protected species, the ecological value of which have been assessed as part of the Environmental Statement. This process has allowed a master plan to be developed that retains key areas of ecological value, conserving them as areas or corridors of new greenspace.

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- 4.39 These areas make up an important and integral part of the illustrative masterplan proposals and the GI strategy for the site. The green infrastructure will establish connectivity between larger areas of retained habitat, providing wildlife corridors that encourage species movement. The majority of the application site is classified as grade 3b, and therefore not considered to be the 'best and most versatile' agricultural land.

Conserving and Enhancing the Historic Environment

- 4.40 The NPPF recognises the contribution that heritage assets make to our knowledge and understanding of the past and the desirability of new development to make a positive contribution to local character and distinctiveness. The application site does not include any heritage assets. The ES reports that the degree of change in the settings of the listed buildings beyond the site does not materially affect their significance.
- 4.41 There are no Conservation Areas, Registered Parks or Gardens, or Scheduled Monuments located within the site.
- 4.42 Within this context, desk based assessments have been carried out using the most recent data obtained from the Historic Environment Record, geophysical surveys and intrusive site investigations has also been undertaken within the site.
- 4.43 The potential effects on heritage assets have been considered at the masterplanning stage. The Proposed Development has been designed to enable the preservation *in situ* of the limited area interpreted as prehistoric remains dating to the Iron Age and Neolithic periods.

Regional Policy

- 4.44 Section 109 of the Localism Act 2011 made provision for the Secretary of State to abolish Regional Spatial Strategies. The Regional Strategy for the South East (Partial Revocation) Order 2013 formally abolished the South East Regional Strategy, and the relevant Structure Plans, on 25th March 2013. As a consequence the South East Plan (2008) and the South East Regional Economic Strategy (2006) no longer form part of the adopted development plan for Cherwell District. The Order also revoked the Oxfordshire County Structure Plan 1996-2011 (adopted August 1998).

Local Policy***Cherwell District Local Plan (1996)***

- 4.45 The Cherwell Local Plan was adopted in 1996 and had an end date of 2001. The base date for the plan was 1986 and such the plan was adopted well into the plan period. It still remains part of the statutory Development Plan for the area but ran to only 2011. A number of policies are still relevant and 'saved' until the Council's Local Development Framework that will replace the adopted Cherwell Local Plan, is in place.
- 4.46 The Secretary of State's saving of policies beyond 2011 was explicitly related to the requirement to ensure a continual supply of land for housing land and only insofar as those saved policies remain consistent with new national guidance (such as the NPPF) which the Secretary of State indicated should carry considerable weight.
- 4.47 There are no policies that relate specifically to the site. As such any relevant development plan policies offer general policy provisions and do not contain any site specific policy detail. The saved policies which may be relevant (albeit to a limited degree) to the determination of this application are:
- Policy C1 and C2 which seek to promote the interests of nature conservation and ensure the protection of sites of local nature conservation value;
 - Policy C5 which seeks to protect the ecological value and rural character of Salt Way;
 - Policy C7 which seeks to prevent harm to the topography and character of landscape by requiring development to take into account changes in level slope and not to detract from important views;
 - Policy C9 which seeks to ensure compatibility of development with rural location in terms of its type, scale and size;
 - Policy C13 which seeks to preserve areas of high landscape value;
 - Policy C14 which seeks to retain important trees, woodland and hedgerows and ensure that new planting uses species native to the area;
 - Policy C15 which seeks to prevent the coalescence of settlements;
 - Policy C25 seeks protection, enhancement and preservation of sites and/or settings of important archeological origin and scheduled ancient monuments;
 - Policy C28 seeks sympathetic layout, design and external appearance of new development and use of traditional building materials;

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- Policy C30 seeks that new housing is compatible with appearance, character, scale of existing dwellings in the vicinity and ensures acceptable standards of amenity and privacy;
 - Policy ENV1 seeks to ensure the amenities of the environment and neighbouring residents are not unduly affected by development;
 - Policy H5 sets out a target affordable housing provision of 20% in Banbury, subject to viability of the scheme;
 - Policy R12 requires the provision of 2.43 ha of public open space per 1,000 population; and
 - Policy TR1 that requires provision of highways improvements and/or additional public transport.

4.48 In summary, the application proposals are broadly in accordance with the saved policies and general principles for development established by the Local Plan insofar as they are up to date and consistent with the NPPF.

4.49 The overall spatial strategy and level of growth for Cherwell District, whilst saved until the Local Plan is adopted, is out of date and will be replaced by a more ambitious growth strategy as set out in the Draft Cherwell Local Plan 2031 in due course.

Non-Statutory Cherwell Local Plan

4.50 The Non-Statutory Cherwell District Local Plan 2011 was intended to review and update the Local Plan adopted in 1996. Due to changes to the planning system introduced by the Government, work on the plan was discontinued prior to adoption. The Non-Statutory Cherwell Local Plan is not part of the statutory development plan but it has been approved as interim planning policy for development control purposes.

4.51 As such any relevant development plan policies offer general policy provisions and do not contain any site specific policy detail. The saved policies which may be relevant (albeit to a limited degree) to the determination of this application are:

- Housing policies H1a, H3, H4 and H7 that relate to the criteria upon which locations for housing will be assessed which includes the need to take into account the physical and environmental constraints on development of land, not to be built at a density of less than 30 dwellings per hectare, provide for a mix of dwellings to include an element of affordable housing;

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- Transport and Development policies TR1, TR2, TR3, TR4, TR5, TR8, TR9 and TR11 that require development proposals to contribute to achieving the objectives of the local transport plan, located where it can be realistically reached by all modes of transport, be supported by Transport Assessments and Travel Plans, provide appropriate mitigation measures and set out an approach for their implementation, ensure safe movement for all transport modes and free flow of traffic, provide appropriate cycling and pedestrian networks and facilities, provide satisfactory parking;
 - Recreation and Community facilities policies, R8, R9 and R10A that require provision of 2.43 ha per 1000 population of public open space to include an element of formal sports and children's play, and areas of informal open space that contribute to the "greening" of residential areas and if necessary, secure off site enhancement of built sport and recreation facilities.
 - Conserving and Enhancing the Environment policies EN1, EN15, EN16, EN17, EN23, EN24, EN25, EN27, EN28, EN34 and EN44 that require development proposals to take into account their likely impact on built and natural environment, provide appropriate measures to control surface water drainage, limit loss of best and most versatile agricultural land, avoid building on contaminated land unless adequate mitigation is secured, be supported by ecological surveys, promote interests of nature conservation to include protected species, incorporate, where possible, the creation of new ecological habitats to include a need to protect the rural character of Salt Way, and the character and appearance of the wider landscape to reduce harm and visual intrusion and protect the setting and character of listed buildings; and
 - Urban Design and the Built Environment policies D1, D3, and D12 that seek development proposals to be locally distinctive in built development and landscape, ensure a permeable and legible form of development, provide a mix of compatible uses, reflect the site's landform and natural features, include retention and enhancement of important landscape features, protect important views and vistas.

Emerging Local Plan Policy**Cherwell Local Plan 2031: Submission Document (2014)**

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- 4.52 The Cherwell Local Plan (2031) provides the policy framework to deliver sustainable growth in Cherwell District to 2031 and beyond. The 'submission' draft (January 2014), was submitted to the Secretary of State on 31st January 2014. Although the document does not constitute part of the adopted development for Cherwell, both the document itself and its evidence base are material considerations in the determination of this outline application. The weight to be attached to individual policies within the plan is based on their consistency with the NPPF.
- 4.53 The Cherwell Local Plan is currently at examination stage. The Examination in Public commenced in June 2014, and has been formally suspended following a request by the Inspector to identify further land for housing so as to demonstrate the plan adequately meets the objectively assessed housing needs as identified in the 2014 Oxfordshire Strategic Housing Market Assessment. Whilst the plan does not form part of the statutory development plan, it is a material consideration and provides an indication of the growth strategy for the district over a 20 year period.
- 4.54 On 22nd August 2014, Cherwell District Council published its schedule of Proposed Main Modifications to the (Submission) Local Plan.
- 4.55 The spatial strategy identified by the Plan is to manage growth within the district and focuses the bulk of growth in and around the towns of Bicester and Banbury. As such it is clear that Banbury will make a substantial contribution in meeting the housing needs of the district.
- 4.56 Policy BSC 1 sets out the district wide housing provision, to provide for 22,840 homes over the plan period (some 1,140 dwellings per annum), with some 7,139 homes to be provided at Banbury.
- 4.57 Para C.126 sets out the strategy for ensuring sustainable development in Banbury, key objectives include to:
- Provide for new development that will bring with it new open space and recreation opportunities;
 - Plan new development in a way that will improve access to natural and semi-natural green space and promote opportunities for new publicly accessible wooded areas; and
 - Provide for new development in accessible locations which will provide good opportunities for improving and accessing public transport services, for

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delivering and using new cycleways, for travelling on foot and for minimising the impact on the highway network and traffic congestion.

- 4.58 Para.127 recognises that mixed use strategic development sites delivering housing, services and facilities and, if necessary, contributions to local infrastructure are considered to be the most sustainable way of meeting Banbury's housing needs and addressing the issues facing the town.
- 4.59 The proposed Main Modifications propose development, south of Salt Way, and bounded by White Post Road to the east, extending to Crouch Farm to the west, known as South West Banbury. Policy Banbury 16 (South of Salt Way - West) and Policy Banbury 17 (South of Salt Way - East) propose collectively to deliver up to 1,495 dwellings as part of a number of local communities with strong links to Banbury town centre, to bring forward affordable housing, a new primary school and local centre and other infrastructure benefits.
- 4.60 South West Banbury comprises a number of individual sites within different ownerships and will each provide the necessary infrastructure to support itself to avoid placing any constraint upon preceding and/or subsequent development sites.
- 4.61 Draft Policy Banbury 17 - South of Salt Way - East allocates land for up to 1,345 dwellings, of which up to 1,000 will be delivered through the development of land at Wykham Park Farm.
- 4.62 The draft policy recognises and provides a framework through which individual sites can come forward independently, yet in a complementary manner. Specific provisions include the delivery of up to 1,345 dwellings, land for a primary school; community and/or local retail provision; principal access to be created off Bloxham Road (A361) with provision to accommodate an east-west link to join White Post Road for local traffic, should that be identified in the Banbury Movement Strategy; general green space; allotments; play space and sports provision.
- 4.63 The draft policy also sets out a number of site specific design and place shaping principles and aspirations to guide development, these are set out below:
- The development of a comprehensive masterplan for the allocated site in consultation with the Council, Oxfordshire County Council, the Local Nature Partnership (Wild Oxfordshire) and local communities;
 - Proposals should comply with Policy ESD16;

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- Development must respect the landscape setting and provide an appropriate development interface with Salt Way (any buffer is likely to be some 10-20 metres in accordance with the approach adopted at land east of Bloxham Road and south of Salt Way);
- Existing natural features and additional structural planting will reinforce the landscape framework upon which to structure development parcels;
- Public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation. Formal recreation should be located and phased to come forward as part of development at the southern part of the site; Informal open space is to be located where the site adjoins Bodicote village in order to create a buffer to maintain separation between the two settlements and respect the setting of the Bodicote Conservation Area;
- A layout that maximises the potential for walkable neighbourhoods and allows for integration with land that comprises the South West Banbury area and existing communities in Banbury;
- A linked network of cycle and footways to provide access into Banbury;
- Layout of development that enables a high degree of integration and connectivity with existing development;
- A high quality locally distinctive residential district for the south west of Banbury that is designed with consideration to the landscape setting and well integrated with the adjacent residential area;
- A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities;
- New footpaths and cycleways should be provided that link with existing (e.g. hedgerows) which are or may be of ecological value; and where possible introduces new features;
- Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment;
- Provision of public art to enhance the quality of the place, legibility and identity;
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5;
- Take account of the Council's Strategic Flood Risk Assessment for the site;
- Use of SuDS techniques in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's Strategic

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Flood Risk Assessment. Development proposals to be subject to a Flood Risk Assessment;

- The provision of extra-care housing and the opportunity for community self-build affordable housing;
- If necessary, the satisfactory incorporation of existing dwellings into the scheme; and
- A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.

4.64 This planning application seeks outline planning permission for the development of land at Wykham Park Farm, in general conformity with the emerging site specific policy Banbury 17, South of Salt Way – East.

4.65 Specifically the application proposals deliver:

- up to 1,000 dwellings consistent with the scale of development set out in the emerging policy;
- a site access off A361 (Bloxham Road) with potential to accommodate an east-west link between Bloxham Road and White Post Road for local traffic, should the Council wish to deliver this following the outcome of the Banbury Movement Study ;
- retention of rights of way within the site and provision of a circular movement connection between Salt Way and the southern edge of the site;
- a generous green infrastructure that includes provision of formal outdoor sports provision focused at the eastern end of the site; structural planting and landscaping; a minimum 15 m landscape offset to the Salt Way and retention, where possible, of natural landscape features within the site, designed to be complementary to GI proposals for additional and adjacent sites;
- provision of land for a primary school;
- provision of a land for community/ local retail use;
- a layout that includes sustainable urban drainage to ensure there is no increase in flood risk, takes full account of biodiversity, landscape and historic character of the site.

4.66 The provision of up to 1,000 dwellings of land at Wykham Park Farm is consistent with draft Policy Banbury 17. This amount of development has been fully assessed in the ES accompanying the application and been demonstrated to result in no significant adverse effects. Furthermore, the Design and Access Statement that

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accompanies this planning application demonstrates how the form and layout of development and the disposition of land uses across the site responds to the specific place shaping principles articulated through emerging Policy Banbury 17.

- 4.67 The following general policies have been considered in relation to the development of land at Wykham Park Farm, accepting that the weight to be attached to them will reflect the status of the Local Plan at the time of the determination of this application.

Policy BSC 2 Effective and Efficient Use of Land; Policy BSC 3 Affordable Housing; Policy BSC 4 Housing Mix

- 4.68 Policy BSC 2 aims for new housing to be provided at a net density of no less than 30 dwellings per hectare. Policy BSC 3 seeks 30% affordable homes, expected to comprise a 70% affordable/social rented dwellings and 30% intermediate affordable tenure mix, with Policy BSC 4 seeking a mix of homes to meet current and future requirements for housing need and ensure provision of socially inclusive communities, as identified within the Oxfordshire Strategic Housing Market Assessment and Cherwell Housing Strategy (2014).

- 4.69 The application proposals accommodate up to 1,000 dwellings with the amount type and tenures of the affordable housing as part of the proposals to be subject to negotiation and discussions with Cherwell District Council and agreed in the light of the wider requirement for infrastructure delivery and other planning and design objectives. The tenure and mix of dwellings will be fixed through the s106 agreement and subsequent reserved matters pursuant to any outline planning permission.

BSC10: Open space, sport and recreation provision; BSC 11: Local Standards of Provision – Outdoor Recreation.

- 4.70 Policy BSC10 supports convenient access to open space, sport and recreation provision and seeks to ensure that new development provides sufficient quantity commensurate to the need generated by the proposals. Policy BSC 11 sets out the standards for provision of outdoor recreation at table 8.

- 4.71 The development provides a considerable amount of green space for play, recreation and walking/cycling of a type and distribution in accordance with, and indeed in excess of the standards as set out in policy BSC 11, Table 8.

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ESD 1 Mitigating and Adapting to Climate Change; ESD 3: Sustainable Construction; ESD 6: Sustainable Flood Risk Management; ESD 7: Sustainable Drainage Systems (SuDS)

4.72 Policy ESD1 seeks to ensure development reduces the need to travel and encourages sustainable travel options, seeks reductions in carbon emissions, promotes low carbon/ renewable energy use and encourages the use of sustainable drainage methods. Policy ESD 3 encourages all new residential development to reflect high quality design and high environmental standards demonstrating sustainable construction methods. Policy ESD 6 directs new development to areas with the lowest probability of flooding in accordance with the Sequential Test as defined within the NPPF and requires development proposals to be accompanied by site specific flood risk assessments to assess all sources of flood risk. Policy ESD 7 requires developments to use sustainable urban drainage systems for the management of surface water run-off.

4.73 As outlined earlier in this statement, the Flood Risk Assessment (Appendix 12.1 of the ES) concludes that the application site is suitable for the proposed development in the context of the NPPF sequential test, and no part of the site falls within a floodplain. It also illustrates the proposed drainage strategy for the site which identifies no prohibitive engineering constraints to develop the site for residential use and refers to a range of sustainable urban drainage solutions that will be incorporated into both the built and green environments. The proposals will result in a substantive improvement in existing runoff rates from the site.

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

4.74 Policy ESD 10 seeks to protect and enhance the biodiversity and the natural environment through the protection of trees, retention of features of biodiversity value and creation of features to enhancement biodiversity such as creation of wildlife corridors to ensure new habitat connectivity.

4.75 The proposed layout has taken into account habitats and features of value at an early stage and seeks to retain and enhance ecological features of value, as far as practicable, through the Green Infrastructure (GI) Strategy.

ESD 13: Local Landscape Protection and Enhancement

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- 4.76 Policy ESD 13 seeks opportunities to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations and requires development to respect and enhance local landscape character.
- 4.77 The Design and Access Statement demonstrates the evolution of the proposals, the development layout and structure as a whole has been strongly influenced by the landscape context and topographical features of the site. A detailed landscape and visual impact assessment forms part of the Environmental Statement (Chapter 8) and demonstrates that the scheme has been designed to fit sensitively within its wider landscape.

ESD 16: The Character of the Built and Historic Environment

- 4.78 Policy ESD 16 requires new development proposals to understand and respect an area's unique built, natural and cultural context by improving the character and appearance of the area and the way it functions; to support efficient use of land and infrastructure; to reinforce or re-interpret local distinctiveness through contemporary design response; to respect local topography and landscape features to include skylines, significant trees and historic boundaries; to conserve and enhance heritage assets; to promote permeable and accessible development and promote high quality multifunctional streets to include pedestrian movement within the public realm; and to respect existing amenities for existing and future development.
- 4.79 The master plan embraces the concept of sustainability and demonstrates a mixed use urban extension to Banbury that is compact, easy to walk and cycle around complemented by a range of open space networks to include SuDS. The proposals reinforce the setting of Salt Way as an attractive footpath and cycleway, and should help to forge effective links with the existing communities to the north of the site, at Easington, to allow for shared use of facilities to ensure the development of new community and leisure facilities will be to the benefit of both existing and new communities. The layout integrates existing public transport routes and provides opportunities for improved linkages to include enhancement of pedestrian and cycle networks from Bloxham Road (A361) into the existing town centre.
- 4.80 The potential effects on heritage assets have been considered at the masterplanning stage. Geophysical surveys and intrusive site investigations have been carried out within the site and identify evidence of a small area of unscheduled archaeological features identified to relate to Iron Age and Neolithic periods. The proposed

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development has been designed to enable the preservation *in situ* of this area of archaeological interest.

Policy ESD 18: Green Infrastructure

4.81 Policy ESD 18 seeks to ensure that green infrastructure is integral to the planning of new development.

4.82 A generous landscape and open space Green Infrastructure Strategy is a key part of the proposals for land at Wykham Park Farm. The Green Infrastructure Strategy which supports the application illustrates some 18 ha or over 30% of the site. It includes retained habitats (valued hedges, mature trees, rights of way), habitat creation (broadleaved woodland, hedgerows, wetland habitats), and accessible greenspace (sports pitches, equipped play provision, informal recreation, walking and cycling routes). This framework is sensitive to Bodicote and its Conservation Area, and promotes east-west linkages across the site and to Salt way to the north.

Policy INF 1: Infrastructure

4.83 Policy INF 1 requires development proposals to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities.

4.84 The application proposals accord with this requirement through delivery of the following:

- highway enhancements;
- contributions to off site junction improvements;
- a proportion of affordable housing;
- land for a primary school;
- land and contributions as appropriate for a sports provision and community facilities;
- green infrastructure including formal pitches, informal open space and landscape areas and children's play spaces; and
- sustainable urban drainage systems including balancing ponds and drainage channels.

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5.0 MERITS OF THE PROPOSALS

- 5.1 The Government's commitment to delivery of sustainable development is now enshrined in the Localism Act and National Planning Policy Framework. The National Planning Policy Framework provides a clear basis for the decision taking framework, the centrepiece of which is the presumption in favour of Sustainable Development. In the absence of an up to date development plan policy, permission is to be granted unless there are adverse impacts that demonstrably and significantly outweigh the benefits of development.
- 5.2 In the context of a time-expired or out of date local plan consideration needs to be given to the balance of adverse impacts against benefits assessed against the policies of the NPPF as a whole.
- 5.3 Furthermore, Cherwell District Council does not have an adopted housing requirement upon which to determine their five year housing land supply against and so proposals for housing development should be considered in the context of the presumption in favour of sustainable development.
- 5.4 It is the policies in the entire NPPF, taken collectively which constitute the definition of sustainable development and the proposed development of land at Wykham Park Farm accords with this definition by:
- establishing a development that supports employment, innovation and growth;
 - establishing a vibrant and healthy community through a mix of housing and facilities that reflect the community's needs; and
 - protecting and enhancing the natural environment through integration of existing valuable habitats and landscape elements into the wider green infrastructure network.
- 5.5 The substantial merits of the proposal that heavily weigh in favour of the application include:
- a sustainable location;
 - a supportive emerging planning policy framework;
 - the early delivery of housing;
 - provision of community infrastructure; and
 - high quality approach to design.

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- 5.6 Each of these merits are further described below and collectively demonstrate provision of a mix of uses and new homes to meet local needs alongside supporting infrastructure (as described below) that will positively contribute to Banbury town, without placing constraint nor unreasonable burden on the delivery of either preceding or subsequent development sites that collectively comprise development at Banbury South West.

Location

- 5.7 The principle of a south western expansion of Banbury as one of the most suitable locations to deliver housing is underpinned by an independently endorsed evidence base prepared as part of the development of a robust policy framework to meet the increasing local need within Banbury and the wider district of Cherwell.
- 5.8 The evidence base clearly supports concentrating development at Bicester and Banbury as the most sustainable and appropriate locations for the growth of the District, strengthening the role of the towns as the centres of the local economy. This approach is preferable to more dispersed growth around the district and within its rural areas.
- 5.9 The principle of development broadly within the area enclosed by Salt Way and Wykham lane is articulated within the Council's Options for Growth Document (2008) that supports the emerging Local Plan. Land at Wykham Park Farm was identified within the area (BAN 4) as part of an option for an area of planned growth of approximately 1600 dwellings. That study concluded that the site was considered an appropriate option for growth.
- 5.10 Not only is the site accessible to Banbury Town Centre and existing communities at the southern part of the town, but it is well located in relation to the town two major employers, that are Horton General Hospital, on the Oxford Road and Cherwell District Council, in Bodicote. It is relatively unconstrained in landscape and ecological terms.
- 5.11 The site offers a readily available site, which is deliverable, benefitting from a sustainable location and no significant site constraints. This is accepted in the emerging Local Plan policy and confirmed through the material that accompanies this planning application.

Supportive Policy Framework

- 5.12 A strategic approach to housing delivery is articulated within the NPPF, recognising the opportunities it provides in promoting sustainable development. Paragraph 52 of the Framework states *“new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities”*.
- 5.13 The consistency of the proposals across the broad range of core planning principles set out in the NPPF is described in section 4 above. The proposals accord fully with the NPPF.
- 5.14 Locally, draft Policy Banbury 17 of the emerging Cherwell Local Plan 2031, provides the policy basis for the proposals allocating land to the east of the A361, known as *Banbury South West*, comprising a number of local communities, to the south west of Banbury defined to the west by Crouch Farm and to the east by White Post Road, to deliver some 1,495 of the District’s 22,840 homes throughout the plan period up to 2031.
- 5.15 Draft policy Banbury 17 provides a policy basis for the development of land at Wykham Park Farm, identifying a number of site specific development principles to ensure new development respects the existing character and form of the local landscape, complements adjoining existing and proposed development and facilitates the delivery of infrastructure that is necessary to each individual development.
- 5.16 The application proposals have been drawn up having close regard to the Vision and principles established through the draft Local Plan and emerging Banbury Master Plan.
- 5.17 In summary, the application proposals align with the recognition that South West Banbury is an appropriate location for growth. The principles contained within detailed policies relating to sustainable transport, delivery of housing, education and community facilities, and open space are closely followed by the proposals.

Housing Delivery

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- 5.18 The Government has recognised the housing crisis in the country and through the NPPF made the case for growth and housing delivery to meet locally assessed housing need. The NPPF seeks to “boost significantly the supply of housing”. The development proposals form part of a locally derived strategy of growth that delivers directly to this national agenda.
- 5.19 Oxfordshire Strategic Housing Market Assessment 2014, reports a shortfall in net housing completions within Cherwell District, yet predicts that population growth will increase demands from all household types. In response to this, the proposed main modifications to the Submission Cherwell Local Plan (August 2014) seeks delivery of up to 22,840 dwellings within the District over the plan period up to 2031 to meet the housing needs of the local population and to support the Strategic Economic Plan for the District.
- 5.20 The proposed development delivers up to 1,000 dwellings of the total planned requirement. The 14 year build out period as set out in the housing trajectory that supports the emerging Local Plan (Section E), anticipates delivery at Wykham Park Farm (part of South of Salt Way-East allocation) to commence within 2015/16.
- 5.21 It is the commitment of the Gallagher Estates to secure the early and progressive development of land at Wykham Park to deliver the substantial majority of the proposed allocation (up to 1,000 of the 1,345 dwellings) and as such it is reasonable to expect that the development programme would secure at an early stage, housebuilder outlets on site.
- 5.22 Once commenced, development will take place in accordance with a clear implementation strategy, the aim of which will be to achieve strong build out rates and the delivery of infrastructure.
- 5.23 Confidence that a strong programme of housing completions may be achieved at South West Banbury is also underpinned by:
- Gallagher Estates have a record of delivering large sites of this nature;
 - the local site conditions which present few environmental or site remediation issues to the south of Salt Way;
 - the likely involvement of a variety of house builders.

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- 5.24 As a result, the proposed development will to significantly boost the supply of housing in Cherwell, in accordance with the aspirations of the NPPF and now the emerging Cherwell Local Plan.
- 5.25 The NPPF also highlights the need to deliver a wide choice of high quality homes and plan for a mix of housing based on current and future demographic trends and local needs. The proposed development would have a beneficial impact on the housing market, increasing the current housing stock and providing a mix of dwellings, including affordable housing, to be fixed through subsequent reserved matters pursuant to any outline planning permission.

Provision of Infrastructure

- 5.26 The scheme has been designed to be residential led with a modest provision of complementary local centre uses that include community facilities and convenience retail that serve to meet only the day to day needs of its residents.
- 5.27 The scheme will facilitate the delivery of a primary school, local centre with community and local retail uses and formal outdoor sports, to meet the needs of its future residents and indeed will provide benefit to the planned communities at additional adjacent sites.
- 5.28 The application demonstrates provision of the necessary infrastructure, to include internal roads, public transport provision, surface water drainage systems and formal and informal open space uses to support itself and to mitigate any impacts of development on existing communities and wider infrastructure.

Design Approach

- 5.29 In accordance with the NPPF, the development recognises the importance of good design. The applicant is committed to good standards of design to create a desirable new community that is contemporary in its design approach and reflects the best of Banbury Town vernacular and its local rural village context where appropriate, to create walkable residential neighbourhoods around distinct residential areas.
- 5.30 The development layout and structure as a whole has been influenced by the landscape context and topographical features of the site and by the emerging Banbury Master Plan. The arrangement of land parcels their associated uses, form

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and type of open space and route ways seek to respond to the established physical features within the site and enhance the sustainability of the proposals.

Balance of Considerations

- 5.31 The application proposals have been subject to scrutiny as part of the careful construction of an evidence base as the basis for the identification of Banbury South West as one of the most sustainable development options to help accommodate the housing needs of Cherwell.
- 5.32 Furthermore, the proposals have been the subject of design refinement and an ongoing environmental impact assessment process which has sought at all stages to identify any harmful impacts of the development. These are fully reported as part of the package of the information that supports the application submission. Such impacts are very limited and in any event are demonstrated through the Environmental Statement as capable of effective mitigation.
- 5.33 In conclusion therefore there are no substantial and demonstrable adverse impacts of development to offset against the substantial benefits of the proposals, let alone impacts that are of such significance as to overturn the presumption in favour of sustainable development set out in the NPPF.

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6.0 PLANNING OBLIGATIONS / S106 HEADS OF TERMS

- 6.1 It is proposed that the developer would enter into a Section 106 agreement with Cherwell District Council and Oxfordshire County Council, such an agreement being conditional upon the grant and implementation of the planning permission.
- 6.2 Some of the matters to be addressed in the S106 agreement are set out below in broad terms in outline and draft and are subject to negotiation as part of the application process.

DRAFT HEADS OF TERMS FOR SECTION 106 OBLIGATION

Parties:	Cherwell District Council (CDC) Oxfordshire County Council (OCC) Gallagher Estates Ltd
Effective Date:	The obligations are conditional upon the grant and implementation of the Planning Permission.
PLANNING OBLIGATIONS:	
Green Infrastructure and Public Open Space	To provide for Public Open Space (including pitches, play areas etc) and provide for an appropriate maintenance regime.
Affordable Housing	<ul style="list-style-type: none"> • Proportion of Dwellings shall be Affordable Housing • Housing type and tenure to be agreed
Education	To provide a 2.22 ha (maximum) site for primary school and agree mechanisms for delivery of primary education to serve needs of development. Contributions towards secondary FE as necessary.
Transport	To carry out highway improvements to include proposed accesses into the site and to provide contributions to other off-site highway improvements, as necessary.

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Sustainable transport	Travel plan measures and public transport contributions to bring the existing bus service into the site
Community facilities	To make provision as appropriate and justified for additional community facilities and/or the enhancement of existing or proposed facilities
Drainage	Provisions to ensure delivery of effective SuDS drainage system.

7.0 CONCLUSION

- 7.1 In the absence of an up to date development plan policy and 5 year housing land supply for the district, the presumption in favour of sustainable development requires that permission is to be granted unless there are adverse impacts of development that demonstrably and significantly outweigh the benefits of development.
- 7.2 In summary, the proposed development of land at Wykham Park Farm is in direct accordance with the Government's aspirations for sustainable growth and accords fully with the core planning principles of NPPF.
- 7.3 The NPPF further emphasises the need for Local Authorities to prepare Local Plans that deliver this vision and the aspirations of the local community.
- 7.4 Cherwell District Council has produced main modifications to the Submission Cherwell Local Plan that includes the application site within a wider allocation of 1,495 new dwellings as part of the strategic planned growth south west of Banbury, known as Banbury South West Strategic Development Area, for which the Council are committed to its early delivery, commencing 2015/2016.
- 7.5 Development on land at Wykham Park Farm will deliver up to 1,000 dwellings. The application demonstrates accordance with a requirement to provide the necessary infrastructure to support itself and to mitigate any impacts of development on existing communities. The Environmental Statement that supports the application confirms that no significant cumulative effects will arise from the proposed development in respect of its relationship to the remainder of the proposed allocation, and early implementation on site can be achieved without prejudicing the comprehensive development of Banbury South West.
- 7.6 In conclusion and in the context of the growth agenda and the pressing national and local need for housing growth, the application proposes a major residential led urban extension capable of delivering new homes and supporting the planned growth of Banbury to support the wider growth objectives of the District. There are no significant and demonstrable impacts that outweigh the benefits of granting consent. Therefore in accordance with the presumption in favour of sustainable development spelt out clearly in paragraph 14 of the NPPF, permission should be granted for the development proposed.

Wykham Park Farm
Banbury

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