



# Planning , Design and Access Statement

Grundon Waste Depot  
and Cemex UK site,  
Higham Way,  
off Merton Street,  
Banbury

March 2016



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# 1: Introduction

The National Planning Policy Framework states that:-

*'Development that is sustainable should go ahead, without delay - a presumption in favour of sustainable development that is the basis for every decision'*

This Planning, Design and Access Statement has been prepared to support an Outline Planning Application by Grondon Waste Management Ltd and Cemex UK for a sensitively designed housing development that will crucially see the redevelopment of an allocated site 'Banbury 19' and the delivery of approximately 200 new homes.

Located on the edge of Banbury Town Centre and within close proximity of Banbury Train Station, the application site represents the opportunity to create a highly sustainable new community which will complete the regeneration of the wider area and the former 'Cattle Market' site to the north.

The Outline Planning Application proposal comprises:-

- Approximately 200 dwellings, including affordable housing; and,
- Provision of home zone principles, Local Areas of Play (LAP) and associated infrastructure and ancillary works (all matters reserved except for means of access to the development).

This Planning, Design and Access Statement explains the design principles and concepts that have informed the proposals for the development of this site. The statement demonstrates that, in preparing the planning application:

- The proposals have been well considered and that high quality design principles are fully integrated throughout;
- The proposals make the most efficient use of the site;

- They do not harm the character of the area and they fully respect the amenities of residents of neighbouring properties in all respects;

- The proposals make appropriate provision of inclusive design and access, connectivity and integration with in the surrounding existing settlement; and

- The proposals comply with, and fully reflect all relevant national and local planning policies.

This planning application submission follows extensive pre-application consultation and discussions with Cherwell Council. Moreover, the proposed scale of development, for in excess of 200 dwellings, has been screened under the EIA Regulations, 2015 (LPA ref:

This statement should be read alongside the submitted technical reports which support this application. These include;

- Noise and Vibration Report (prepared by Rupert Taylor)
- Flood Risk Assessment (prepared by Peter Brett Associates)
- Transport Assessment (prepared by Grontmij)
- Ecological Assessment and Reptile Survey Report (prepared by Ecology Solutions)
- Arboricultural Implications Assessment (prepared by Woodland Associations)
- Contractors Proposals - Contaminated Land Remediation (prepared by Knowl Hill).

## 2: Site and Surroundings

### The Application Site

The application site is broadly rectangular in shape and is located on the eastern side of Banbury Town Centre.

The site is currently held within two separate ownerships. The north western corner comprises a former concrete plant owned by Cemex UK (**images 1 and 2**). This site has been cleared and was most recently used as a site compound for the construction of the nearby multi-storey car park adjacent to the station, which has now been completed.

The remainder of the site comprises a former gas works currently in operation by Grondon as a 'Refuse and Waste Collection Depot' (**images 3 to 6**). This area comprises hard standing and scrubland but also accommodates a number of structures (warehouses, workshops and offices) with a total footprint of 1,847sqm (19,885sqft).

The combined site extends to 3ha and is bounded by the Chiltern Mainline to the south-west, existing residential development (by Kings Oak (now Barratt) and Barteak Developments) to the north and playing fields and allotments to the east.

The site is accessed from Higham Way, which until recently comprised part of the wider land holding. The ownership of this access, however, was transferred to Oxfordshire County Council (OCC) in January 2013 and since this time, the highway has been upgraded to adoptable standards.

The site benefits from being within a highly sustainable location within close proximity to Banbury town centre and railway station which provides direct rail links to Oxford, Birmingham and London. The site also benefits from good transport links, being served by Junction 11 of the M40, providing direct links to London and Birmingham.



## 2: Site and Surroundings

### Site Context

The town centre and surrounding area is undergoing significant investment and regeneration. This has included the construction of a new multi-storey car park to serve the railway station along Higham Way, the residential redevelopment of the former Cattle Market and the current proposals for the redevelopment of Castle Quay.

#### Kings Oak Development (images 1-3)

Outline planning permission was approved in 2004 for the 'residential development, including live/work units, together with a community facility and alterations to existing and construction of a new vehicular and pedestrian access' (LPA Ref: 01/00210/OUT). This application was subject to a detailed S106 Agreement which covered the provision of affordable housing, open space provision, sport contributions and the provision of a new primary school on part of the site. Subsequent Reserved Matters Applications approved a total of 357 units across the site (258 apartments and 99 houses).

#### Barteak Development (images 4-6)

Immediately adjoining Higham Way, and also part of the wider regeneration of the former 'Cattle Market', is a further housing development has also been completed by Barteak Developments Ltd. In December 2004, outline approval was granted for the development of 126 residential units with 480sqm of commercial space. The Reserved Matters approval subsequent to this outline permission approved 130 residential units and 355sqm of commercial space (LPA Ref: 04/02630). A Planning application submitted in 2010 further proposed the change of use of the commercial floor space to provide a further 6no. dwellings.



# 3: Planning History

## Planning History

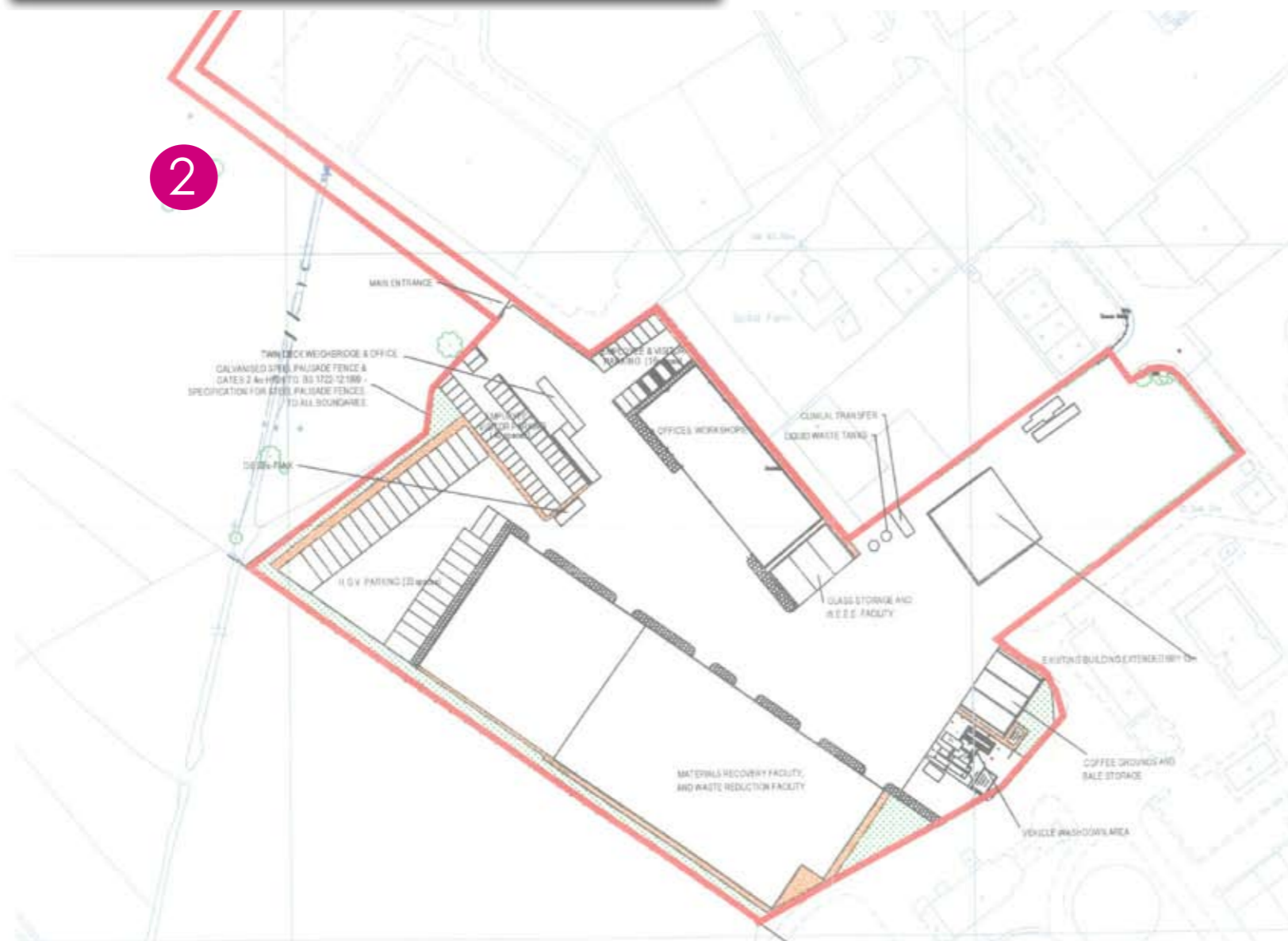
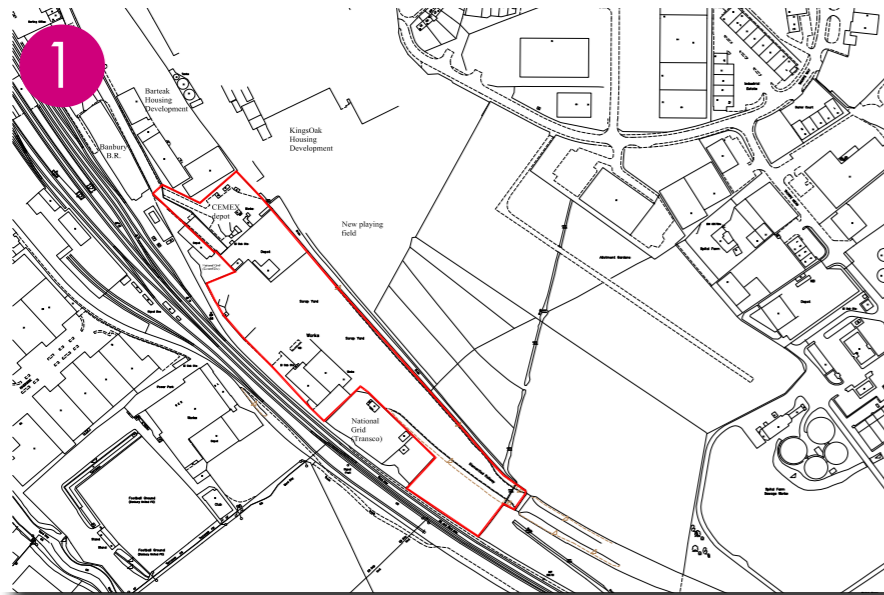
There is no relevant planning history relating to the comprehensive redevelopment of the site.

In 2011, however, Grundon obtained conditional planning permission for the 'relocation of offices, depot with vehicle workshop and overnight parking, an extension to the existing waste transfer building and the development of a materials recovery facility with storage and processing facilities for recovered material and refuse derived fuel at Overthorpe Industrial Estate in Banbury' (LPA Ref: 06/00954/CM).

This planning permission will enable the existing Waste Plant Depot at Higham Way to relocate to a dedicated, modern facility nearby at Thorpe Mead.

The future relocation of the Higham Way Depot will leave the application site vacant and facilitate its redevelopment to complete the regeneration of this eastern area of Banbury.

The redevelopment of the application site will also, importantly generate the necessary funding to secure the new facilities at Thorpe Mead.



1 Site Location Extract illustrating new location of Waste Depot Plan (above left)

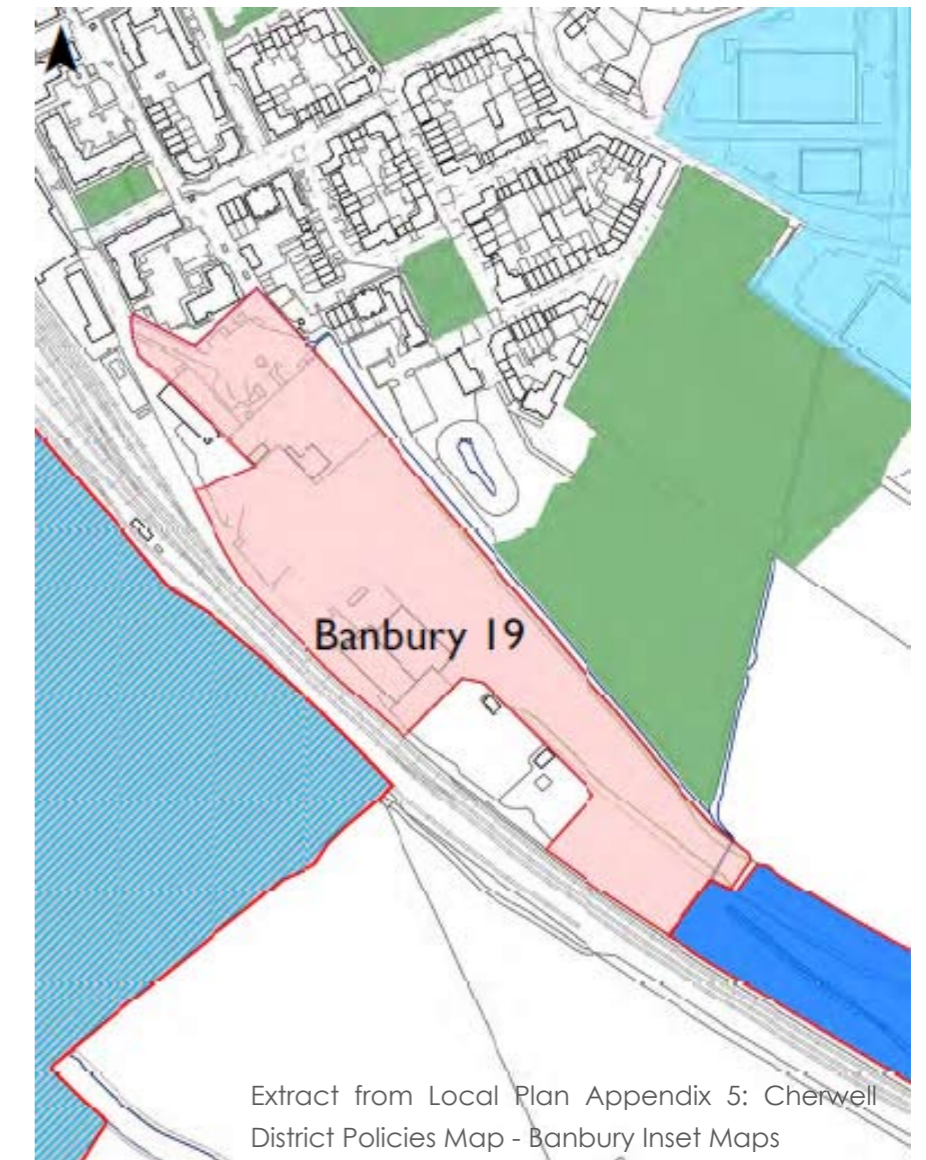
2 Block Plan of Approved new Waste Depot Thorpe Mead (06/00954/CM) (left)

# 4: Planning Policy

## Planning Policy Context

### *Policy Banbury 19 - Land at Higham Way*

The Policy concerns the application site in its entirety and is illustrated in the map extract below.



The policy confirms that redevelopment of this site would bring environmental benefits in terms of using previously developed and vacant land within the town.

The National Planning Policy Framework (NPPF) 2012 confirms that planning applications must be determined in accordance with the Development Plan for the area, unless material considerations indicate otherwise (*para 2*).

The Development Plan for the site comprises the NPPF (2012) together with the newly adopted Cherwell Local Plan (Part One) (2015) and the saved policies contained within the Local Plan (1996). Other material considerations include the Supplementary Planning Guidance 4 - Banbury Regeneration Area East.

### **National Planning Policy Framework (March 2012)**

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how they are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision taking (paragraph 14).

For decision taking, it is further stated, that this means approving development proposals that accord with an up to date Development Plan without delay. The Core Planning Principles further outlined in paragraph 17 additionally state that development plans should 'provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency'.

Another core principle further confirms that planning should 'proactively drive and support sustainable economic growth to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs'.

### **Cherwell Local Plan - Part One (2015)**

The Cherwell Local Plan was recently adopted in July 2015 and provides the strategic planning policy framework and the strategic site allocations for development and decision making in the District to 2031.

### *Presumption in Favour of Sustainable Development*

**Policy PSD1** reflects the NPPF's presumption in favour of sustainable development and states that when considering development proposals, the Council will take a proactive approach in line with the requirements of the NPPF. Moreover, Policy PSD1 states that the Council will always work proactively with applicants to jointly find solutions to ensure that proposals will be approved wherever possible to secure development that improves the economic, social and environmental conditions in the area.

### *Housing Need*

Cherwell's housing needs are set out in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. This identifies that the Cherwell District has a need for 1,140 dwellings per annum. The Council is committed to meeting housing needs and accelerating delivery in line with the NPPF and housing targets.

This is reflected in Local Plan **Policy BSC1**. Policy BSC1 states that Cherwell District will deliver a wide choice of high quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. Bicester and Banbury are identified as key locations for future community growth and Banbury has a housing need target in the Local Plan to deliver 7,106 new dwellings between 2014 - 2031. Of this total, 4,344 new homes are proposed on allocated sites within Banbury. The application site has been identified as an allocated site for new housing under **Policy Banbury 19**.

# 4: Planning Policy

## Planning Policy Context

The policy further outlines a number of development parameters for the site including the creation of circa 150 new homes, contributions towards education facilities, infrastructure provision and open space.

In terms of key site specific design and place shaping principles, policy Banbury 19, confirms that any proposal should (inter-alia):-

- Comply with Policy ESD 15 (Character of the Built and Historic Environment);
- Provide a distinctive residential proposition for Banbury that integrates well and helps make connections with the adjoining town centre, Railway Station and existing communities;
- Be an appropriate location for higher density housing to include a mixture of dwelling styles and types; and
- Provide open/urban spaces in various locations within the site.

The policy also identifies the potential constraints of the site including the risk of land contamination from the existing and previous industrial uses, noise pollution from the adjacent railway and flooding. A number of technical reports support the application submission to explore and address these issues in further detail.

### *Policy ESD 15: The Character of the Built and Historic Environment*

Policy ESD 15 confirms that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. It further confirms that where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the assets will be essential.

The policy also contains over-arching design guidance and advises that all new development should be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale.

### *Policy BSC2: The Effective and Efficient Use of Land - Brownfield Land and Housing Density*

This policy seeks to ensure that land and buildings earmarked for development are not underused and that we make the most of vacant and derelict land and buildings. The policy also states that new housing should be provided at a net density of at least 30 dwellings per hectare and the density of housing development will be expected to reflect the character and appearance of individual localities and development principles that are appropriate to the individual circumstances of sites.

### *Policy BSC3 - Affordable Housing*

Policy BSC3 sets out the Council's position on Affordable Housing. It confirms that within Banbury, all proposed developments that include 11 or more dwellings will be expected to provide at least 30% of new housing as affordable homes on site. Should applicants consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an in house economic viability assessment is required.

### *Policy BSC4 - Housing Mix*

Policy BSC4 aims to encourage a mix of housing that can help improve the functioning of the housing market system. The mix of housing will be in line with the Council's most up-to-date evidence on housing need and available evidence from developers on local market conditions.

### *Policy BSC 10, 11 and 12 - Open Space, Outdoor Sport and Recreation Provision*

Proposals for new development will be expected to contribute to open space, sport and recreation provision in accordance with Policies BSC10, BSC11 and BSC12. Policy BSC10 states that the Council will encourage partnership working to ensure that a sufficient quantity of, and convenient access to open space, sport and recreation provision is secured. Policy BSC11 sets out the requirements for local standards for outdoor recreation provision. Policy BSC12 concerns the provision and access to indoor sport, recreation and community facilities and sets of the type of requirements per 1,000 population.

### *Policy ESD1-8 and 10 - Sustainable Development*

Policies ESD1-8 and 10 concern sustainable development and construction, mitigating and adapting to climate change, energy hierarchy, renewable energy and sustainable flood risk management.

These policies have been taken into account during the development of the proposals and, where relevant in the case of Flood Management, have been fully considered at outline stage.



# 4: Planning Policy

## Planning Policy Context

### Cherwell Local Plan - Saved Policies (1996)

Despite the recent adoption of the Cherwell Local Plan - Part 1, a number of more detailed policies have been saved from the previous Local Plan until such time as they are replaced by the emerging Local Plan - Part 2.

Policies C28 and C30 relate to all new development and seek to ensure that it is sympathetic to its context; and that the nature, size and prominence of the development proposed are compatible with the appearance, character, layout and scale of existing dwellings in the locality, and the street scene in general.

Saved Local Plan Policy ENV12 confirms that development on land which is known or suspected to be contaminated will only be permitted if, (i) adequate measures can be taken to remove any threat of contamination to future occupiers of the site, (ii) the development is not likely to result in contamination of surface or underground water resources and (iii) the proposed use does not conflict with the other policies in the plan.



# 5: Pre Application Discussions

## Initial Pre-Application Submission - July 2014

An initial pre-application submission was issued to Cherwell District Council in July 2014 outlining the site owners intention to redevelop the land at Merton Street in Banbury for approximately 250 dwellings (LPA Ref: 14/00190/PREAPP). A subsequent meeting was then held with Linda Griffiths (Senior Planning Officer) on 9 September 2014.

The Council's written pre-application response confirmed that:-

- Development of the site for residential purposes is likely to be considered acceptable in principle.
- Any proposal will need to address the constraints identified relating to the site namely noise and vibration, flooding, contamination, ecology, visual amenity and non-designated heritage assets;
- Any scheme should be designed in accordance with the requirement of Policy Banbury 19; and
- Consideration must be given to integrating the site into the adjacent development and ensuring connectivity with adjacent developments and the town centre.

## Second Pre-Application Submission - July 2015

A subsequent pre-application submission was sent to Cherwell District Council in July 2015 and enclosed amended proposals which sought to address previous feedback received. The submission was also supported by a number of technical reports further examining the implications of the contamination, flooding and acoustic constraints on the site (LPA Ref: 15/00161/PREAPP)

A meeting was held with Linda Griffiths on 29 July 2015 and the evolution of the Masterplan and design concepts was discussed at length.

The pre-application scheme proposed an outline redevelopment of the site for approximately 228 residential units. The Officer confirmed that whilst Policy Banbury 19 suggests that the site is suitable for circa 150 units, this is not a maximum figure. Accordingly, the Council are supportive of the more efficient and effective use of land and therefore with sufficient justification, the site can be considered suitable for in the region of approximately 200 units.

Indeed, during the Examination of the Local Plan we made representations to the Inspector on the basis that draft Policy Banbury 19 should not have a numerical value attributed to the number of units that the site can deliver. The Inspector was in agreement and instructed the Council to remove the reference within the policy to the number of units, citing that it is for the applicant to demonstrate the number of units achievable.

The Council's written response confirmed that the principle of residential development remains acceptable and that any scheme and design should be justified in accordance with Policy Banbury 19.

The various technical reports were also reviewed and the Council requested further details of the proposed acoustic bund.

The Council also further requested that any application should be supported by (i) a tree survey, (ii) confirmation of land ownership details and (iii) a demonstration of greater site integration.

## EIA Screening Opinion - July 2015

In accordance with pre-application advice a formal request for a Screening Opinion under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and 2015 as to whether the draft application proposal requires an Environmental Impact Assessment was submitted to the LPA on 8 July 2015 (LPA Ref: 15/00069/SO). In a letter dated 28 July 2015, the Council confirmed that the proposal is not an EIA Development and does not require an Environmental Statement to be submitted.

## Third Pre-Application Meeting - October 2015

A third and final pre-application meeting was held with Linda Griffiths on 5 October 2015. During this meeting a more detailed Masterplan was tabled for discussion, with an early view to working towards a more detailed design approach for the 'Reserved Matters' application (to follow the Outline application).

The Officer's comments were taken on board and it was confirmed that we would proceed with the Outline planning application.

# 5: Site Analysis

## Site Analysis

This next Section identifies the site constraints and opportunities and examines how these can be used as features or benefits in the design of the site. This helps to understand the site and inform the proposals so that the development design is appropriate to context and makes the best use of the sites individual attributes.

## Land use and contamination

The site falls within the ownership of Grondon Waste Management and Cemex UK and the application is supported by Contamination Reports prepared independently for both parcels of land.

### *Grondon Waste Management*

The majority of the site is currently owned and occupied by Grondon Waste Management and incorporates a former gas works in the north / north-west with remnant in ground structures including railway sidings, gas purifiers, tar pits and an underground diesel tank and gas holders (decommissioned in the late 1950s).

The centre of the site comprises a waste management yard containing a large warehouse factory building and office facilities. The land to the south comprises an area of raised ground which has historically suffered from illegal fly tipping.

The site has been subject to extensive site investigation by Knowl Hill Ltd. This has included three phases of intrusive investigation which detected potential soil contamination mainly associated with the former gas works. Additional contamination has also been recorded in the south of the site, including asbestos contaminated ground and fly tipped rubbish.

The application is supported by a detailed contamination report prepared by Knowl Hill identifying the potential contaminants and recommending a proposed remediation strategy which includes the following key components:-

- 1) Careful and supervised slab and sub-structure removal on the northern area of the site. Sub-structures and contaminated materials to be carefully excavated under supervision and a stockpiling and testing methodology introduced to maximise direct reuse of soils.
- 2) Soil excavations to be undertaken on remaining parts of site with continual assessment for treatment and reuse requirements. Soils to be assessed and bio-remediated/stabilised via an on site soil stabilisation plant.
- 3) Light non-aqueous phase (LNAPL of floating free product) removal from groundwater.
- 4) Gas and vapour protection in new buildings and importation of clean cover.

### *Cemex UK Land Ownership (Report by Hydrock)*

Between 1973-1976, this site is previously known to have been railway sidings before its most recent use as a concrete batching plant.

Intrusive ground investigations and testing were undertaken in February 2009 confirmed that the site was not the subject of asbestos and that potential contamination was limited to areas of petroleum hydrocarbon contamination.

# 5: Site Analysis

## Site Analysis - Flooding

The Environment Agency (EA) Flood Zone map shows the application site lies partly within Flood Zone 3 'High Probability' of the River Cherwell. This is a defined area which has a greater than 1 in 100 annual probability of river flooding.

This Flood Zone classification importantly however ignores the presence of flood defences. Following the completion of the Banbury Flood Alleviation Scheme in 2012 the revised detailed EA flood data has reconfirmed that the site is offered up to a 1 in 200 year standard of protection.

Residential development is considered a 'more vulnerable' use and one that is acceptable within Flood Zone 3a subject to the Sequential Test and Exception Test being passed.

As the site is allocated in the Cherwell Local Plan, a Sequential Test has previously been carried out by Cherwell District Council. The Test also set out the 'wider sustainability benefits' of the development in accordance with the requirements of part (i) of the Exception Test.

Our application is supported by a site specific detailed Flood Risk Assessment, prepared by Peter Brett Associates, which in accordance with the requirements for Part (ii) of the Exception Test demonstrates that the development will be safe for its lifetime taking account of the vulnerability of its users without increasing flood risk elsewhere.

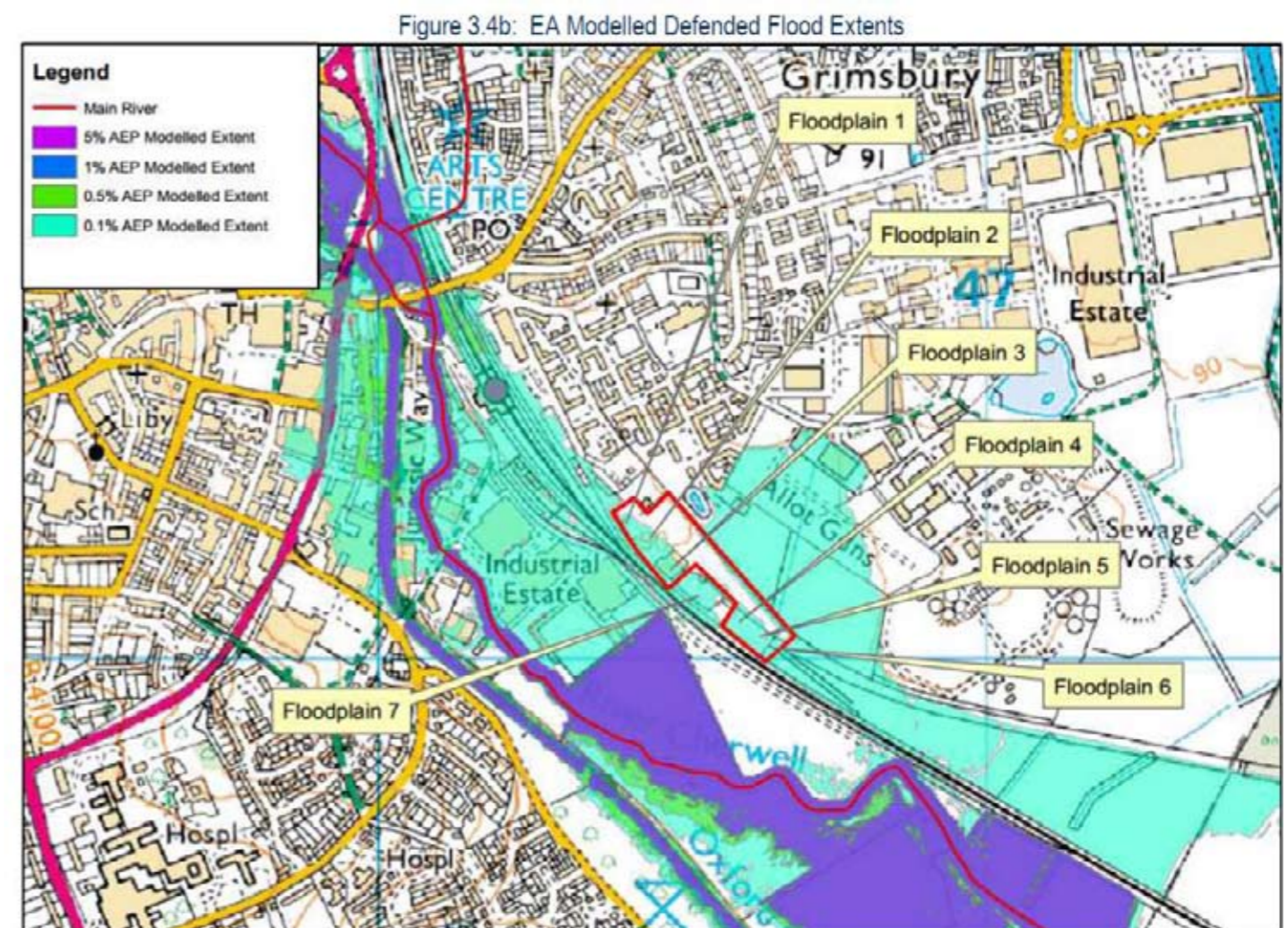
The report also identifies that the proposed development will not impact on the floodplain storage capacity and that any proposed development will have continuous safe access up to and at the 1 in 100 annual probability plus climate change modelled flood level.

As good practice, the report makes a number of recommendations regarding potential flood mitigation strategies for new residential development. This includes setting the finished ground floor level of any development at minimum of 300mm above the modelled flood level plus climate change.

Any redevelopment of the site will also result in a significant reduction in impermeable areas compared to the existing scenario and result in a reduction in total volume of surface water runoff.

The Flood Risk Assessment also incorporates an outline surface water drainage strategy which incorporates options for green roofs, on site attenuation and controlled discharge to greenfield runoff rates to the adjacent drainage channel. This can demonstrate a reduction in peak runoff rates.

The report concludes that the future occupants of the site will be safe and there will be no increase in flood risk elsewhere; thus meeting the requirements of the National Planning Policy Framework (NPPF).



Extract from supporting FRA (prepared by Peter Brett Associates)

# 5: Site Analysis

## Site Analysis - Highways

The existing Grondon Waste Management Depot site is bounded by Higham Way to the west which forms the only road access to the site. The remaining boundaries are shaped by the Chiltern Main Line to the south-west, housing development to the north and north-east, and playing fields and allotments to the east and south.

Higham Way is frequently used by the HGV traffic associated with the existing waste management depot and links into the wider highway network at the junction with Merton Street to the north. A total of 87 car parking spaces are currently available on the site for the existing Waste Depot. Of these 51 are used for the depot's employees and 36 are available for operational vehicles.

A Transport Assessment has been prepared by Grontmij to support the outline application and the proposal for residential use of the site. This objectively assesses the likely impact of the proposed development on the highways and transportation networks and concludes that the Higham Way/Merton Street Junction will operate well within capacity even with the addition of all committed development traffic and traffic associated with the proposed development.

The report, which has been prepared in accordance with the scoping response from Oxfordshire County Council concludes that the development proposals complement local planning policy and will promote a layout that connects into existing transport networks as well as creating links with other adjacent transport networks.



Junction of Merton Street with Higham Way

# 5: Site Analysis

## Site Analysis - Noise and Vibration

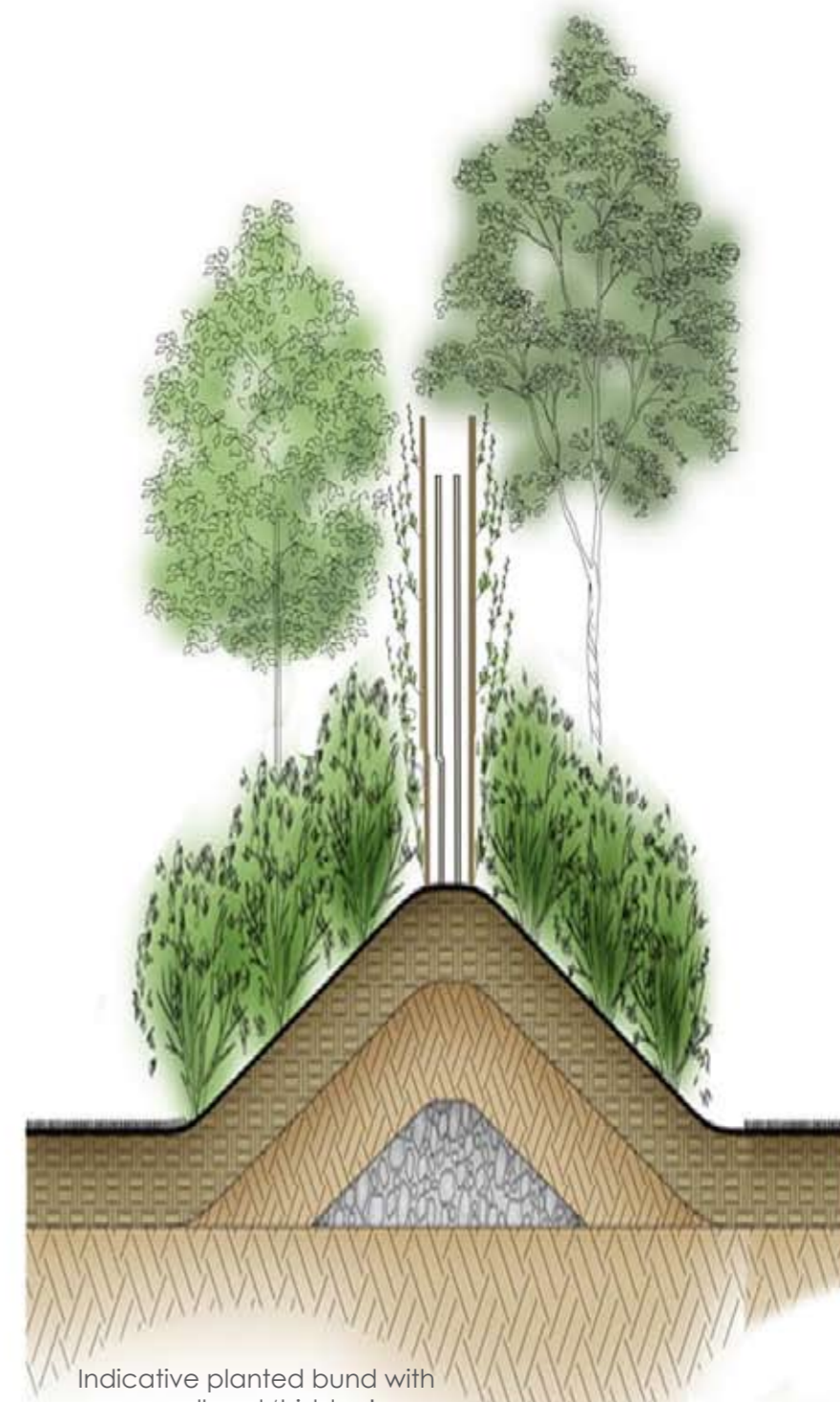
### Noise

The main source of noise close to the site is the Chiltern Mainline Railway which is located adjacent to the site's south western boundary.

An acoustic and vibration assessment has been carried out by Rupert Taylor Ltd to consider the noise and vibration impact on any existing future residential development and is submitted in support of the application.

Railway noise has been evaluated across the site and most closely towards the southern boundary which is located only 5m from the railway line. The noise impact was assessed using Local Plan Policy criteria and a methodology agreed with the Council's Environmental Health Officers. The report also evaluates the future potential noise disturbance of the construction and operation phases of the future light maintenance depot.

It concludes that whilst the railway will have a noise impact on the site it is not expected to be significant nor insurmountable. Accordingly, through appropriate mitigation an acceptable standard of amenity can



Indicative planted bund with green wall and 'hidden' acoustic fence.

# 5: Site Analysis

## Site Analysis - Heritage

During pre-application discussions it was identified that a signal box located to the south of the application site is registered as a 'non-designated heritage asset'.

Paragraph 135 of the NPPF states that:-

*“The effect of an application on the **significance** of a non-designated heritage asset should be taken into account when determining the planning application. In weighing applications that affect directly or **indirectly** non-designated heritage assets, a balanced judgement will be required having regard to the **scale** of any harm or loss and the **significance** of the heritage asset.”* [JSA emphasis].

In assessing the impact of any development on the non-designated heritage asset it is necessary to take a balanced judgment based upon and evaluation of (i) the scale of the harm (if any) (ii) if there is any impact either direct or indirectly and (iii) the significance of the heritage asset itself.

The signal box is located to the opposite side of the railway track to the application site and is viewed entirely in the context of its use. It is significant in its historic connection with the development of the railway line only and in the traditional form and character of its appearance.

The signal box is separated from the application site by a minimum of 6 railway lines, a small landscaping strip and Higham Way. This equates to a distance of 35m and represents a substantial physical separation between the site and the signal box ensuring that each two are visually read in their individual context.

In terms of visual impact, the signal box cannot presently be seen from a vantage point to the north due to the height of the trees and existing Grondon buildings and operations.

Whilst the siting and layout of any proposed residential development is only indicative at this stage it will be fully considered as part of any Reserved Matters application. Any detailed new residential development could therefore secure a visual benefit to the signal box by increasing its prominence.



Signal box viewed from the south



Signal box viewed from the north (recreation land)

## Site Analysis - Trees

Woodland Solutions undertook a tree survey in August 2015. The data was collected to the British Standard BS5837 'Trees in Relation to Design, Demolition and Construction - Recommendations' 2012.

Three individual trees and seven groups were surveyed. The report concludes that tree cover at the site is predominantly self-set natural regeneration and invasive species that have evolved since the site has been left vacant. The larger vegetation is located mainly on the periphery of the site and in areas where little activity takes place.

The report concludes that from an arboricultural perspective, there is little in the way of notable trees or groups on site. It further confirms that any re-development of the site would in-fact offer opportunities to remove the invasive species, clear the fence lines and install a wider spread of tree species across the site to soften the appearance of the site.

# 5: Site Analysis

## Site Analysis - Ecology

Ecology Solutions were instructed to undertake an ecological assessment of the site.

The report concluded that the existing land is of low ecological interest and it is not subject to any statutory or non-statutory nature conservation designation. However it did highlight that the recolonising ground and hardstanding could provide habitats for protected species increasing the potential ecological interest.

### Bats

Whilst the trees and existing buildings were considered to be of low potential to support roosting bats, opportunities for foraging bats and it is recommended that alternative species are planted to replace and enhance the foraging opportunities.

### Birds

Areas of the site are of some ornithological interest due to habitats present which are suitable for nesting and foraging. The report advises that owing to the protection afforded to nesting birds any dense areas of vegetation to be removed may be subject to timing constraints.

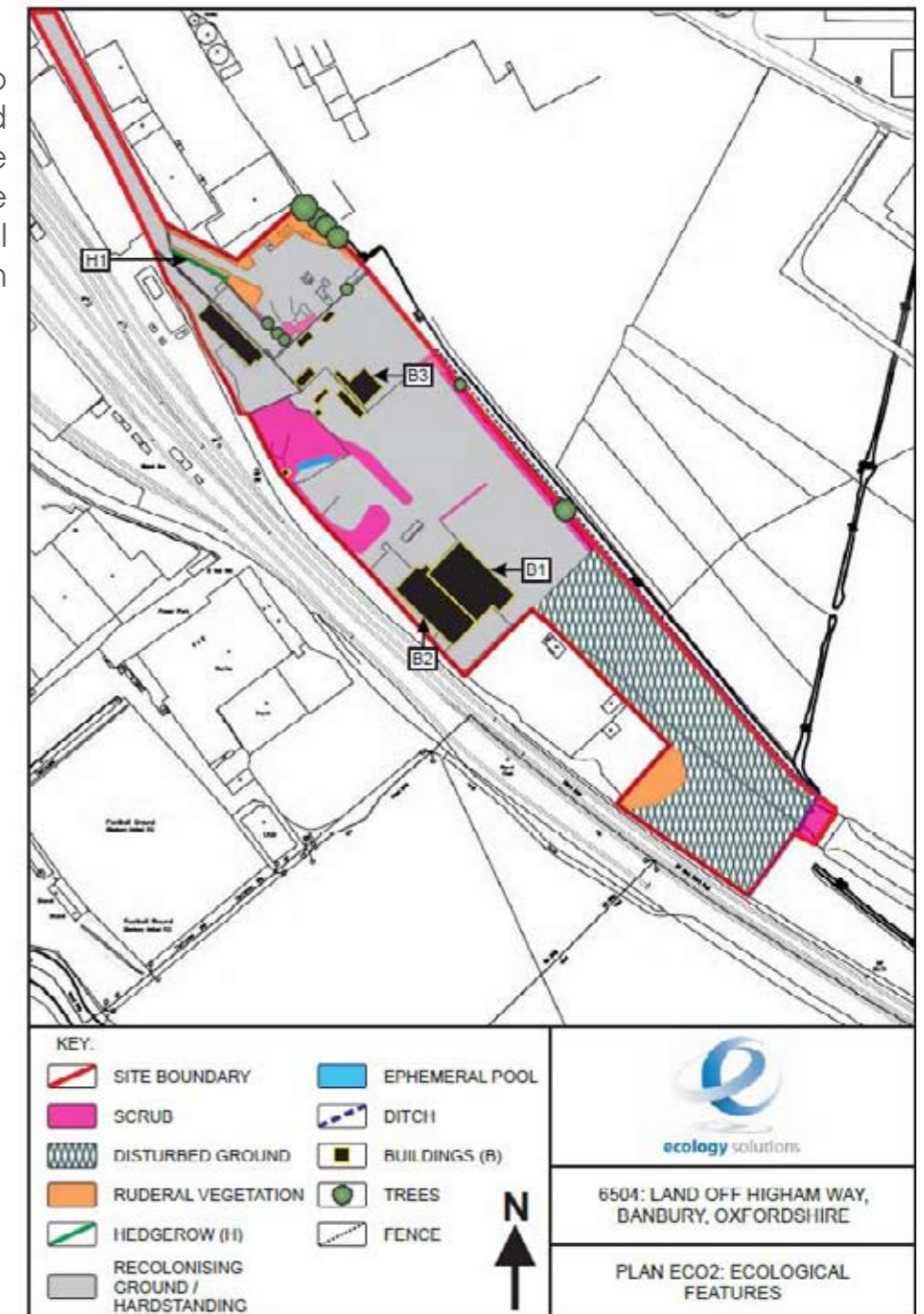
### Reptiles

The site supports suitable opportunities for reptiles, particularly on the margins where this is an absence of any formal management regime. To fully assess this potential a detailed and targeted reptile survey has also be undertaken on the site to ascertain the presence / absence of this partially protected group. This was completed in April, May and June 2015,

A targeted habitat survey was undertaken in July 2015. This survey confirmed that no evidence of any reptiles was recorded from any of the suitable and suboptimal

identified habitats within the site. Consequently, it has been advised that the site can be safely cleared without the need for specific mitigation measures in relation to reptiles.

The conclusions confirm that overall and subject to appropriate mitigation, there are not considered to be any overriding ecological reasons why the site could not be developed. The principle of the proposal therefore is in line with all relevant national local planning policy and with relevant legislation planning policy related to nature conservation.



Extract from supporting Ecology Report  
(prepared by Ecology solutions)



# 5: Site Analysis

## Site Analysis - Opportunities

The site has been allocated for residential led redevelopment in the Council's Local Plan and consequently has been recognised by the LPA as a great opportunity to deliver new housing.

The site also provides a number of further opportunities and benefits with its redevelopment and these are highlighted below:-



- Completion of regeneration of 'Area East of Banbury'
- Remediation of contaminated land
- Complimentary uses next to existing residential development
- Create gateway into Banbury from railway approach
- Opportunity to create linkages with neighbouring developments (pedestrian and vehicular).
- Highly sustainable location suitable for lower car dependency

# 6: Design Development

This section explains the rationale behind the evolution of the Masterplan for land at Higham Way from the initial concept to the current layout.

The main design vision running through this process is connectivity, integration and the creation of a pleasant and sustainable place to live as part of an overall exemplar development.

## Stage 1

The initial design framework built upon the concept and masterplan objectives, following the rationale below:-

(i) The development should provide the opportunity to enhance the connectivity of the site to the wider residential development to the north and Banbury Town Centre;

(ii) The grain of development should make the most efficient use of the site and integrate with the neighbouring residential development.

(iii) The development should carefully consider the impact of noise and vibration from the adjacent railway track.

(iv) The development should make an allowance for on-site amenity and play space.

(v) Maximise the site's sustainable location to minimise the reliance on the private car and provision of parking on site.

(vii) Enhance the ecological value of the site through remediation of contaminated land and new native species landscaping.

(viii) Ensure that any new residential development is located on areas with the lowest flood risk; and

(ix) Respect the siting of the non-designated heritage asset (Signal Box) and create key vistas through the site.



**Existing Figure Ground Plan**



**Existing Land Use**

- Residential
- Industrial
- Recreation
- Transport
- Allotments

# 6: Design Development

## Stage 2

The next stage was to look at the connectivity of the site and its potential for integration into the existing residential developments to the north east.

This stage also further explored the opportunity to create a pedestrian green link throughout the site to offer the potential to link into the existing adjacent playing fields.

Higham Way is the principle access into the site and was upgraded and adopted by Oxfordshire County Council in January 2013. This access road currently serves a range of uses, with vehicles accessing residential units, offices, or the new Station Car Park. The existing highway also incurs significant use by heavy goods vehicles associated with the existing waste management depot.

The proposed development would regularise these conflicting uses and remove the need for frequent heavy goods traffic in the longer term.

On analysing the neighbouring residential development it furthermore became clear that there would be an excellent opportunity to create new linkages into the established communities to the north to fully integrate any new residential development on the application site in a holistic fashion.

The playing fields to the north east of the site appear to be situated on the periphery of the existing residential development. It was considered that the application site could provide not only a further linkage to this area but also the opportunity to wrap new development around the southern boundary of the playing field effectively enclosing this space and encompassing it within the community.

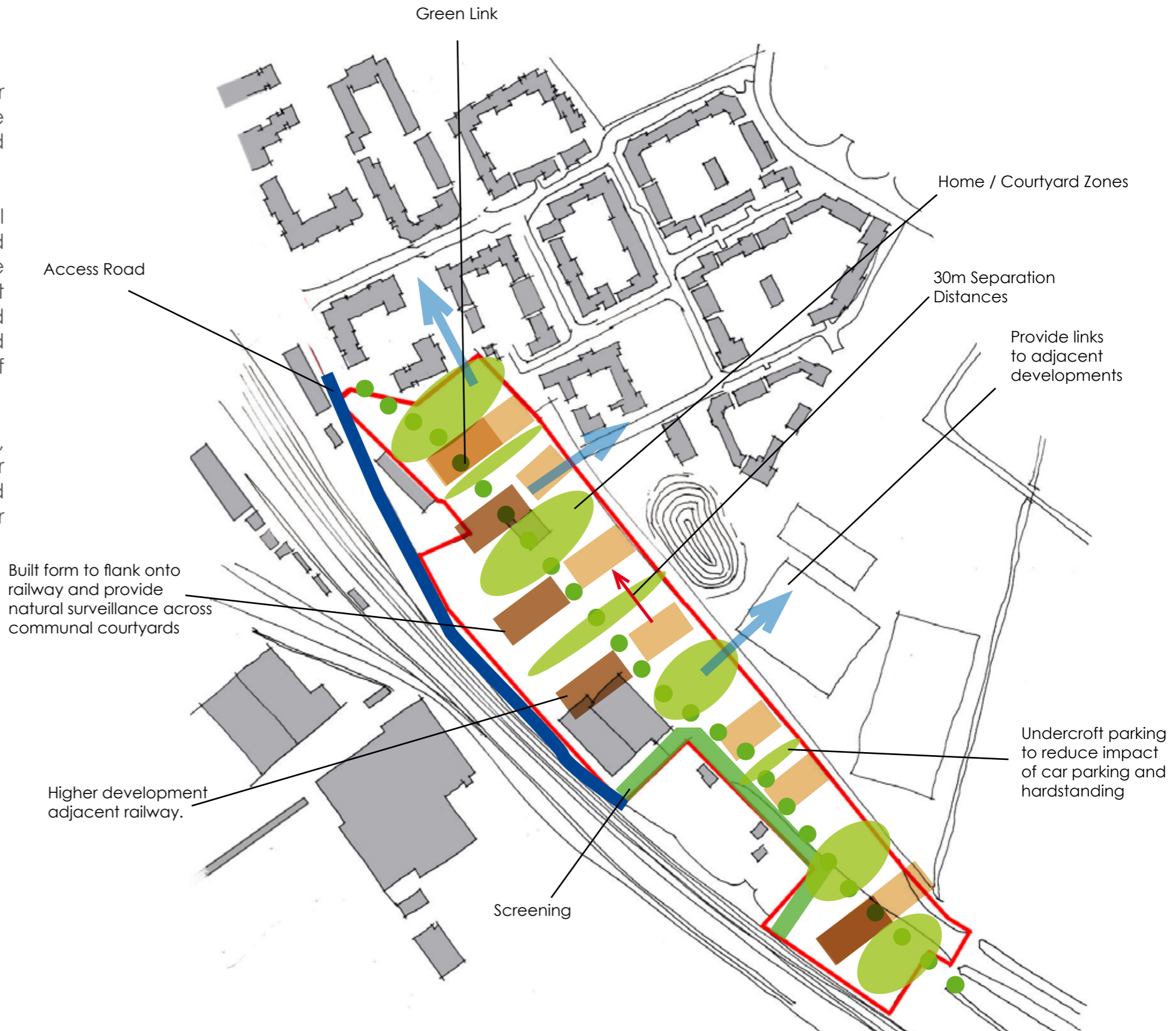


## Stage 3

The third stage evolved the Masterplan even further to take into consideration the reports prepared on the key physical constraints namely flooding, noise and vibration and ecology.

This process confirmed that the principle of residential use remains acceptable but acknowledged that mitigation would be required to address the flooding and acoustic issues. It also identified that in landscaping terms areas of green space should be carefully considered to act both as a buffer and screen but also to enhance the ecological value of the site.

In establishing the potential quantum of development, an illustrative Masterplan was prepared to better understand the implications of these constraints and to establish the broad development parameters for the site.



# 7: Design Parameters

## Principle of Residential Development

Cherwell's housing needs are set out in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. This identifies that the Cherwell District has a need for 1,140 dwellings per annum. The Council is committed to meeting housing needs and accelerating delivery in line with the NPPF and housing targets.

This is reflected in Local Plan **Policy BSC1**. Policy BSC1 states that Cherwell District will deliver a wide choice of high quality homes by providing for 22,840 additional dwellings between 1 April 2011 and 31 March 2031. Bicester and Banbury are identified as key locations for future community growth and Banbury has a housing need target in the Local Plan to deliver 7,106 new dwellings between 2014 - 2031.

Of this total, 4,344 new homes are proposed on allocated sites within Banbury. The application site has been identified as an allocated site for new housing under **Policy Banbury 19**.

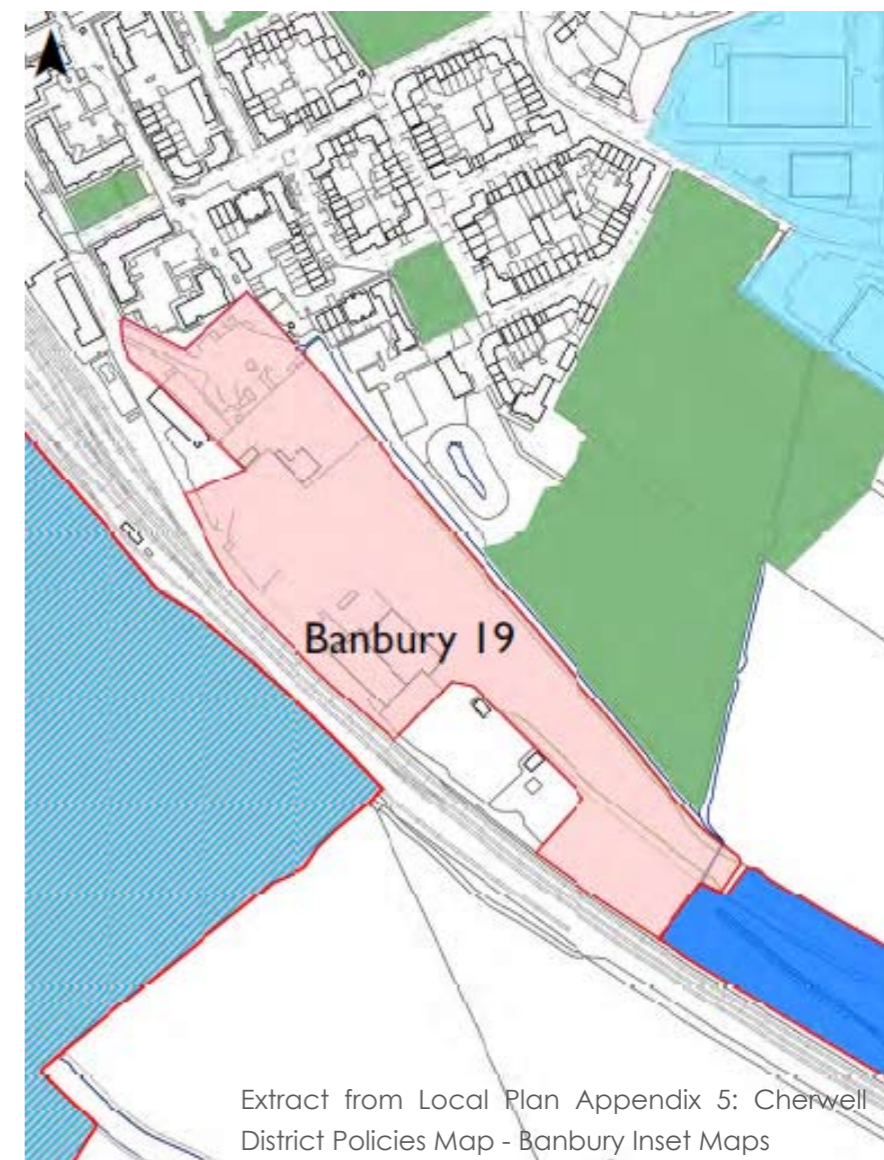
The policy confirms that the principle of residential development on the site is acceptable. It also recommends that consideration should be given to the provision of extra care housing or self build affordable housing on the site.

In the assessment of the site and its possible alternative uses, it was considered that a solely residential use would be the most appropriate.

Extra Care providers are typically more suited to suburban locations where visitor and staff parking and can be more readily provided. Extra Care housing also requires a high level of quality amenity space due to residents generally being less mobile. As such the site's location adjacent to a railway line is not conducive to the type of environment an Extra Care Home is

looking to create. Finally, it is not considered that an Extra Care Home would not make the most efficient and effective use of such a sustainable, town centre site and as such could fail to deliver the quantum of houses required by the Council in their targets.

Given the Council's recent purchase of Bicester's Graven Hill site, which will deliver the UK's first self build community of up to 1,900 homes together with the anticipated costs associated with remediating the land at Higham Way, we also do not consider that this site would be a viable or appropriate location for community self build affordable housing. Furthermore the potentially piecemeal construction of such units could result in the slower and more fragmented delivery of new housing on the site.



Extract from Local Plan Appendix 5: Cherwell District Policies Map - Banbury Inset Maps

# 7: Design Parameters

## Amount and Density

Adopted Policy Banbury 19 allocates the site for the residential development for approximately 150 new homes. This equates to a generic density calculation for the area of 50dph.

Whilst in outline form, this application proposes circa 200 units equating to a density of 66.6 dwellings per hectare.

Although the proposed number of dwellings is greater than the policy guidelines set out, it is considered that this level of proposed development is acceptable for the following reasons:-

**1)** The site represents a highly sustainable location, in close proximity to a number of modes of public transport and the town centre;

**2)** The density of residential development immediately adjacent to the site is higher than 50dph and in most cases considerably higher than the current outline proposal.

For example, the adjacent Cattle Market development secured densities in excess of 65 dwellings per hectare as part of the residential development of the site. The Barteak Development secured densities in excess of 94 dph and the nearby Market Quarter development secured densities in excess of 100 dwellings per hectare.

At 66dph the application proposal is in keeping with the densities and urban grain of development previously approved and found acceptable on the neighbouring sites and consequently would sit well in the local context to complete the regeneration of this part of Banbury.

**3)** Several Masterplan iterations during the pre-application stages illustrate how the site is capable of securing in the region of 220 units on the site. This level of development has now been refined on the basis of the technical reports and the detailed analysis of the constraints of the site and necessary mitigation.

However, it should be recognised that the development distribution is a reserved matter and therefore potentially this figure could change dependent on further design development, the mix of units and house types.



# 7: Design Parameters

## Scale and Appearance

Whilst the application is at outline and the scale of the buildings will be finalised during the reserved matters stages, it is anticipated that the proposed buildings will be a mixture of 3, 4, 5 storeys across the site.

This reflects the scale of development largely found in the surrounding area and is considered appropriate for this sustainable urban site. The use of a variety of building heights will create visual interest and gateway buildings to contribute to the character of the development in different parts of the site.

The proposed built form will seek to create a high quality development that will take reference from local built form and use of materials. The main facades of the buildings will be designed to reflect local styles with buildings strategically set to create visual interest at the junctions of the new road pattern.

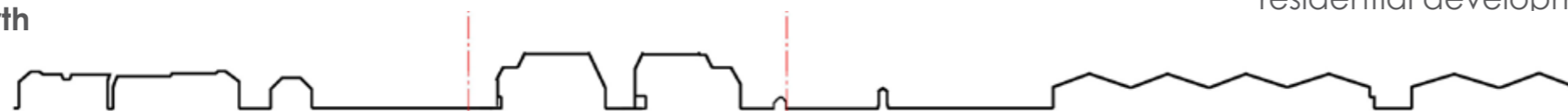


Illustrative view of application site form and in context with existing residential development

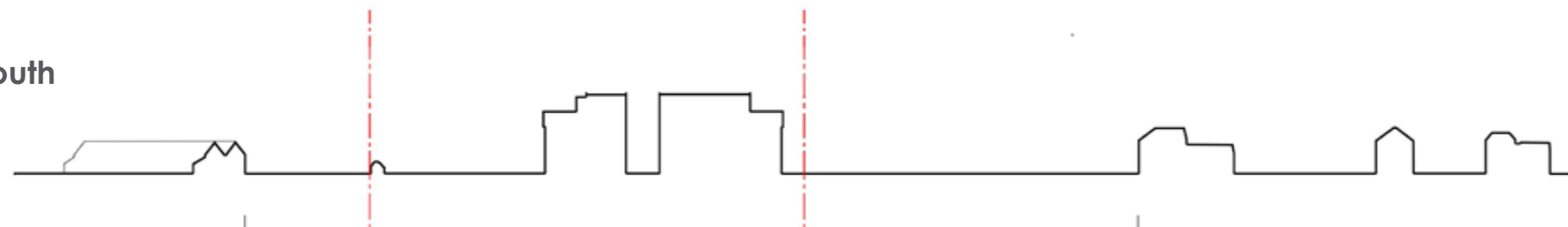


Illustrative view of application site from and in context with existing residential development

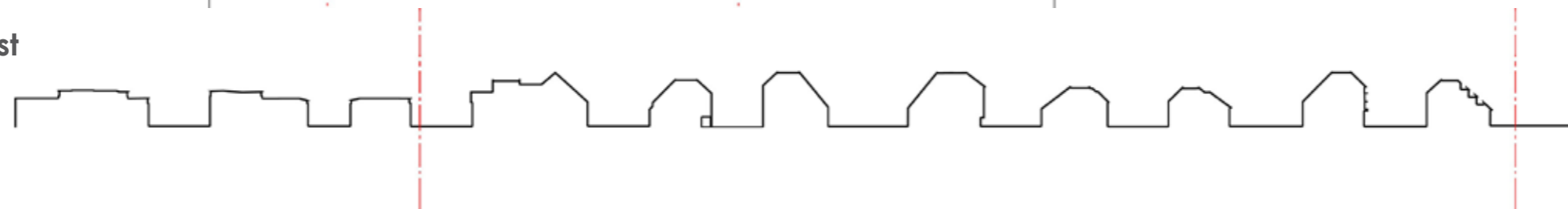
North



South



West



Indicative cross sections illustrating how the concept of the development integrates with the existing surrounding built form.

# 7: Design Parameters

## Access and Street Hierarchy

### Site Access

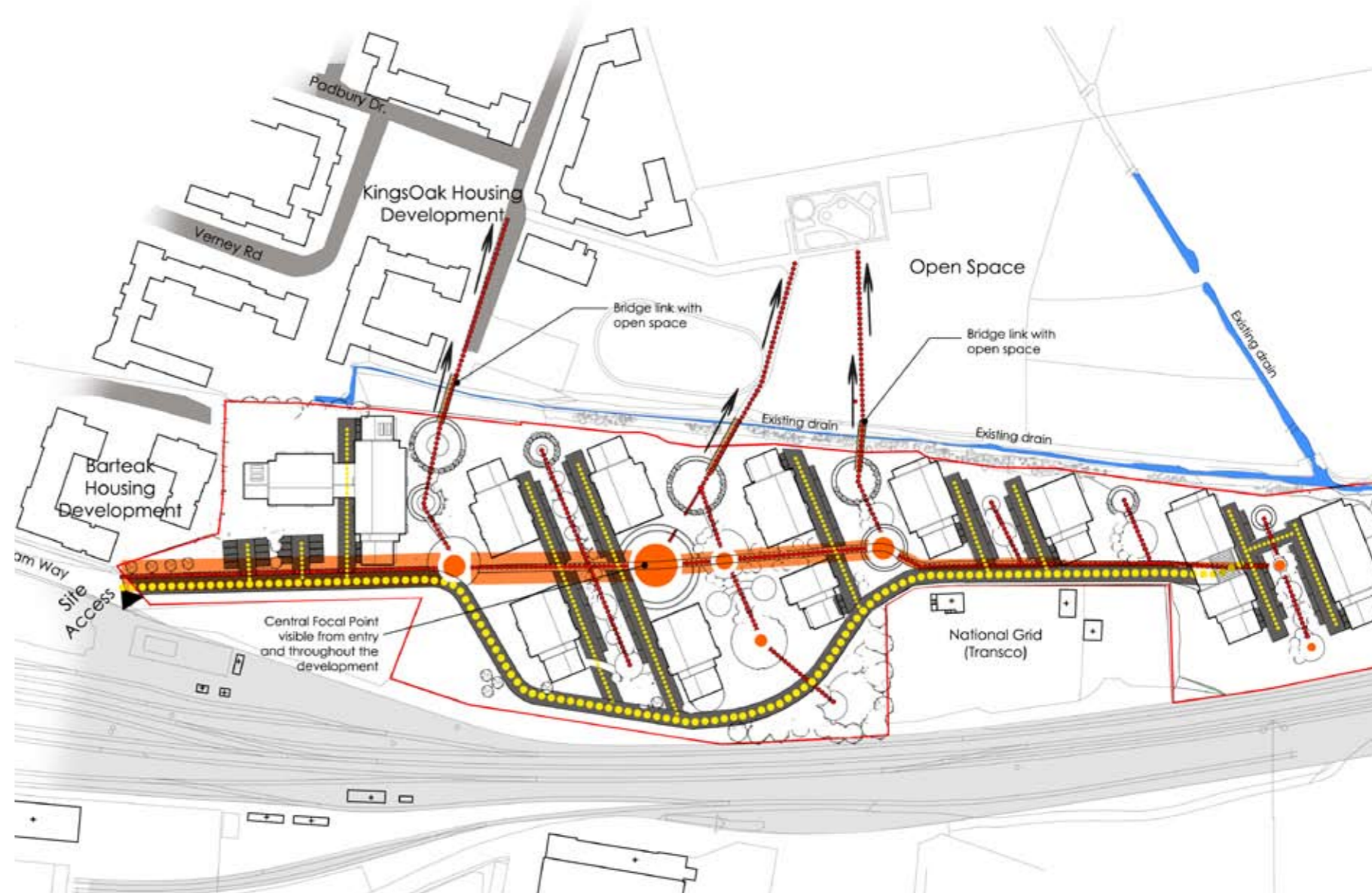
The proposed street hierarchy will be simple and legible. Variations in street width, frontages, landscaping, parking arrangements and relationship to open space will result in distinct streetscapes and open spaces that will help to shape the character within the development.

The vehicular access to the site is to remain from Higham Way via Merton Street at the northern edge of the site. It is proposed to construct a new access road from Higham Way along the western boundary of the site. This position allows for a buffer between the development and the Chiltern Main Line.

The application is supported by a Transport Assessment which has been prepared by Grontmij. The assessment includes an evaluation of the operation of the Higham Way/Merton Street junction and confirms that the junction will operate well within capacity even with the addition of all committed development traffic and traffic associated with the proposed development.

The main access road is the principle route through the site and it is anticipated that the residential development will be served by smaller cul-de-sacs illustrated to spur from this main thoroughfare. It is envisaged that the access and street hierarchy would have a strong 'home-zone' emphasis, utilising different surface materials and landscaping to soften the access routes and naturally slower the speed of vehicular movement through the site.

Pedestrian and cycle routes are designed to be as direct as possible between the main community destinations. This encourages their use, creating an active community and safer, car free more comfortable places. The opportunity to provide linkages to the open space to the north east of the site and the wider



residential development will be explored in greater detail at the Reserved Matters Stage.

Parking will be provided in line with the Council's adopted parking standards and on a 1:1 ratio. The parking layout will adopt a variety of forms including parking courtyards and undercroft arrangements at the ground floor of the new development blocks. This will serve to significantly reduce the amount of hardstanding across the site, creating a pleasant amenity space that is not dominated by vehicular parking.

### Servicing

Servicing and refuse vehicle access is proposed from Higham Way via the proposed vehicular access. A large refuse vehicle is expected to be the largest to access the site and swept path analysis of this vehicle has been undertaken to demonstrate that it will be able to route through the development and turn around in order to exit.



## Landscape Framework and Open Space

The indicative layout sets out different types of green spaces that take account of their location within the development and relationship to existing landscape context. Generally the landscape framework seeks to create and enhance key landscape features to provide a coherent and legible network of open space on site.

The distribution of open space has evolved by taking into account the need to link into existing neighbouring open spaces, provide a buffer to the Chiltern Main Line and augment accessibility and location along paths and cycle routes, proximity to dwellings and levels of natural surveillance. It takes into account the multifunctional use of open space for amenity, recreation, drainage and biodiversity and visual and physical connections with the existing landscape structure.

Residential areas will be characterised by street trees, landscaped verges, with the inclusion of a green link running through the heart of the site interrupting the street pattern and softening the street scenes. Landscaping will be used to aid visual marking and orientation.

The detailed site layout will also incorporate equipped children's play and open spaces which will be located in accessible areas with excellent natural surveillance.



# 7: Design Parameters

## Sustainability

Sustainability targets and objectives have been set for the proposed development based on the applicant's aspirations and a review of planning policy.

Key sustainability measures would include the following:-

- Flood risk and drainage issues would be fully addressed;
- Energy and water efficient fixtures and fixings would be incorporated;
- Provision would be made for cycle storage and safe walking routes to discourage the use of private cars for short journeys;
- Consideration would be given to responsible sourcing of materials and to their environmental impact throughout their life cycle.
- Recycling space to be provided for the development;
- Private gardens, balconies, communal spaces and publicly accessible open spaces would be incorporated into the development including local areas of play.
- The ecology of the site enhanced through the creation of new habitats and remediation.
- Lifetimes Homes standards would be met in all dwellings and some dwellings would be designed for disabled access.



# 7: Design Parameters

## Illustrative Development Masterplan



The concept Masterplan and layout which is submitted alongside the application has been developed to illustrate the principle of development on the site. The concept Masterplan builds upon the previously identified design parameters demonstrating the site's capacity to accommodate the development in principle. It is anticipated that the detailed design and further development of the site layout would be progressed as a Reserved Matters Application in due course.

As set out in the previous sections, consideration has been given to the density of the dwellings and how dwellings could be located in the site in order to maximise the potential of the site whilst maintaining an appropriate level of development which is appropriate given the character of the site and its setting.

The illustrative layout seeks to address the site's prominent position adjacent to the railway line and respond to the public open space beyond in order to allow for the development of attractive and locally distinctive buildings.

The concept Masterplan adopts a linear form of development to retain important vista's throughout the site and ensure that any new development can obliquely flank onto the railway line to assist noise mitigation whilst also maximising sunlight penetration.

The layout of the road network has been determined by the existing location of the current site access/ egress. The main access road runs adjacent to the adjacent railway line to act as a further noise buffer. The network of internal access roads will also utilise 'home zone' principles for areas of hardstanding and access to soften the impact of vehicles through the site.

# 10: Conclusion

## Summary and Conclusion

The land at Higham Way offers a unique opportunity to provide much needed housing as identified in the Cherwell Local Plan. The site is allocated for new housing development and will provide a sustainable development within Banbury town centre.

It also provides an opportunity to remediate contaminated land and move the existing industrial uses at the site onto a dedicated consolidated facility at Thorpe Way, creating a more amenable relationship with the neighbouring residential to the north and completing the regeneration of the wider former Cattle Market site.

The development design has been based upon an analysis of the constraints and opportunities of the site including detailed assessments of flooding, contamination, transport, ecology and noise and these have guided the Masterplan and the proposed quantum of development to its current form.

Whilst in outline with all matters reserved, this Statement has demonstrated how the proposal can comply with Local Plan Policy 'Banbury 19' in so far as the development proposed:-

- provides a distinctive residential proposition for Banbury that integrates well and helps make connections with the adjoining town centre and Railway Station;
- provides more efficient density residential accommodation;
- takes advantage of the proximity of the town centre for sustainable transport solutions;
- complies with Local Plan Policy ESD15;
- provides an indicative layout that maximises

walkable neighbourhoods and enables a high degree of integration between new and existing communities;

- provides green infrastructure links beyond the application site;
- provides open/urban spaces in various locations within the site and new trees will be planted;
- promotes biodiversity enhancement;
- demonstrates innovative car parking solutions and movement within the site (i.e. separation of pedestrians);
- supports links to public transport;
- suggests appropriate methods for remediation of the site;
- promotes the use of SuDS at the appropriate stages;
- promotes compliance with Policies ESD 1-5 at the appropriate stages; and
- includes appropriate noise mitigation measures, supported by a Noise Assessment.

The statement has demonstrated how the site has the potential to deliver 200 new dwellings in a sustainable and considered form. The scheme will deliver positive improvements to this part of Banbury and enhance the local community. Consequently, it will result in the delivery of true sustainability, whilst at the same time meet national and local housing needs.

The proposal comprises sustainable development and it should go ahead without delay.