



LAND AT BLOSSOM FIELDS, BODICOTE

PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT

PLANNING STATEMENT

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1 INTRODUCTION

- 1.1 This planning statement has been prepared by RPS Planning and Development Limited (RPS) on behalf of Mr. O. Wells, in support of an application for Outline planning permission for residential development on land at Blossom Fields, Cotefield Farm, Bodicote. RPS is a multi-disciplinary consultancy with significant experience of providing planning advice in relation to residential development proposals of all sizes.
- 1.2 This Planning Statement has been prepared in respect of an Outline planning application for a residential development of 95 new homes, on a site of 4.5ha in size. The application is accompanied by details of access. Matters relating to siting, design, landscaping and external appearance are reserved. The application is submitted together with a number of supporting documents, as follows;
- Location plan Ref. 7993-0057-04
 - Illustrative masterplan Ref. 7993-0047-01
 - Storey heights plan Ref. 7993-0056-02
 - Aerial photograph plan Ref. 7993-0058-02
 - Walking routes plan Ref. 7993-0060-01
 - Design and Access Statement
 - Transport Assessment
 - Landscape and Visual Impact Assessment
 - Phase 1 Ecology survey and bat activity surveys
 - Flood Risk Assessment
 - Ground conditions report
 - Tree Survey and Arboricultural Impact Assessment
 - Archaeological assessment
- 1.3 Section 2 of this statement provides a description of the application site and its surroundings, and further detail on the proposed development. Section 3 contains a

review of relevant national planning guidance, the development plan, and other material considerations including the Council's five-year housing land supply situation. Section 4 comprises our planning assessment of the proposal, in the context of relevant planning policies and other material considerations. Our conclusions are set out in Section 5.

Environmental Impact Assessment

- 1.4 RPS has sought a screening opinion from Cherwell District Council (Ref. No. 13/00059/SO) in respect of a development of up to 100 houses, in accordance with Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. The response from the District Council confirmed that Environmental Impact Assessment was not required for a development of up to 100 houses (see **Appendix 1**).

Pre-application Discussions

- 1.5 RPS submitted a pre-application package to Cherwell District Council on 2 July 2014 and attended a meeting with the Council's appointed planning officer, Ms Linda Griffiths, on 6 August 2014. The Council's response to this pre-application submission, dated 18th August 2014, is attached at **Appendix 2**.

- 1.6 The response can be summarised as follows:-

- The site is in open countryside and is neither allocated for development in the adopted Cherwell Local Plan (CLP) 1996, nor is it proposed for allocation in the emerging Cherwell Local Plan 2011 - 2031. However, the Council can only demonstrate a 3.4 year housing land supply and, as such, the Council's policies related to the supply of housing can no longer be considered up to date and the presumption in favour of sustainable development applies.
- Under the presumption in favour of sustainable development, there remains a need to undertake a balancing exercise to establish whether there are any adverse impacts which would significantly and demonstrably outweigh the benefits.
- In terms of visual amenity and landscape impact, it is noted that an Inspector, in their report related to an appeal at the site immediately adjoining this site to the north, concluded that the proposal would not represent an unacceptable intrusion into the open countryside. The current proposal would need to be supported by a

landscape and visual assessment, which assesses the impact of the current proposal on visual amenities and the surrounding landscape.

- The application would need to be supported by a noise assessment, which investigates the relationship between the proposed development and the adjacent industrial uses.
- In terms of design and layout, the proposal will be considered against Policies C27, C28 and C30 of the adopted CLP, which require development proposals in villages to respect their historic settlement pattern, be of a high standard of design and be compatible with the appearance, character, layout, scale and density of existing dwellings in the vicinity.
- In terms of specific comments relating to the proposed layout, it was suggested that the current development proposal should positively address the frontage with the consented development immediately to the north; the central open space area should be fronted by housing, as is the case at the adjoining consented development; the sight line from Bodicote towards Adderbury Church should be maintained; access should be a combined point of entry, to create a single development rather than two independent developments; the proposal should ensure that there would be no adverse impact on the existing woodland belt which spaces the southern and western boundaries of the development site.
- A Section 106 Legal Agreement is likely to be required for the development. Contributions towards items such as education and community facilities, highways infrastructure and fire health services are likely to be required.

1.7 RPS also submitted a pre-application package to Oxfordshire County Council on 22nd May 2014, in order to agree the scope of the Transport Assessment. Correspondence relating to these pre-application discussions is attached at Appendix B to the accompanying Transport Assessment.

1.8 RPS has also engaged in pre-application consultation with Bodicote Parish Council and presented to the full council meeting on 18th June 2014. The Council provided a written response, following the meeting, in which they highlighted questions relating to surface water drainage; foul drainage; transport; and, the availability of sufficient materials. The response also confirmed that the Council would like some bungalows as part of the development and would not want to see any negative impact on the

screening value of the perimeter tree belt. Both RPS's presentation and the Parish Council's subsequent response are attached at **Appendix 3**.

Public Consultation

- 1.9 RPS held a one-day public consultation at The Old Church House, Bodicote on 13th August 2014, at which the draft proposals were displayed and a number of the project team attended in order to discuss the proposal with visitors. As part of this exhibition we prepared a short questionnaire, which was used to record any responding comments from visitors. The public exhibition was attended by approximately 30 people and a number of comments were provided by visitors. Copies of RPSs display boards, the short questionnaire and also the responding comments received are attached at **Appendix 4**.

2 THE SITE AND THE PROPOSED DEVELOPMENT

- 2.1 This section sets out a brief description of the site, the proposed development and its context. The merits of the proposed development are discussed in detail in Section 4, in the light of the adopted and emerging policies which apply to the area and other material planning considerations.

The site

- 2.2 The application site consists of a parcel of land in the single ownership of Mr R Bratt on the southern edge of the settlement of Bodicote (See accompanying location plan Ref. 7993-0057-02). The site is around 800m from Bodicote village centre, about 1.2km from Banbury town edge and about 3km from Banbury Cross. The site forms the southern half of an agricultural field, the other half of which was granted planning consent on appeal in 2012 (Ref. 11/00617/OUT) for a residential development of 82 houses. This site has a total area of 4.5ha.
- 2.3 The site is currently arable and is bounded to the south and west by agricultural land, to the east by Cotefield Business Park and to the north by the aforementioned parcel of land which was granted planning consent in 2012 for 82 houses (all of which are owned by Mr Bratt). There is a substantial woodland belt running along the southern and western field boundaries, which provides a natural field boundary and also acts as a robust screening barrier for public views from the south of the site towards Bodicote. The accompanying aerial photograph Ref. 7993-0058-02 gives an indication of the site's context.
- 2.4 Access to the site is taken from the A4260, via an access which currently serves Cotefield Nurseries and the existing businesses at Cotefield Business Park. The access also comprises the principal access for the immediately adjoining residential development of 82 houses.
- 2.5 Cotefield Business Park is a mixed use commercial park, comprised of five detached units, in a mix of land uses. Unit A, which sits adjacent to the Oxford Road, is 273sq.m. in area and is permitted for B1/ B8 use; Unit B, which also sits adjacent to the Oxford Road, is 1361sq.m. in area and is permitted for B8 use; Unit C sits adjacent to Cotefield House and is permitted for B1 use; Unit D is adjacent to the current application site, is 864sq.m. in area, and is permitted for B1/B8 use; and, Unit E, which is situated between units A and D, is 317sq.m, and is permitted for B8 use.

Proposed development

- 2.6 Outline planning permission is sought for 95 new houses. The accompanying drawings provide an indicative site layout and also provide details of the storey heights of the proposed housing. Details relating to dwelling mix, type and tenure are summarised in tables 2.1 and 2.2 below. 35% of the total housing will be affordable, in line with up to date Council policy, with the remaining units proposed as open market housing.

Affordable Housing	
1-bed Maisonette	4
2-bed House	20
3-bed House	8
2-bed Bungalow	1

Table 2.1: Affordable Housing Provision, as agreed with Gary Owens (CDC Strategic Housing Officer)

Market Housing	
2-bed House	6
3-bed House	25
4-bed House	13
5-bed House	18

Table 2.2: Market housing mix, as informed by the Oxfordshire SHMA 2014

- 2.7 The applicant is considering whether a portion of the development could be allocated as self-build houses and has recently opened discussions with the District Council about this possibility. The applicant welcomes the opportunity to discuss this possibility further with the Council's officers.
- 2.8 The illustrative masterplan (Ref. 7993-0047-01) which accompanies this application places a strong emphasis on physical and visual connections with the north-adjointing development and has an extended public open space at its heart. The existing mature Oak tree forms a focal point in the centre of this recreational area. The evolution of the illustrative layout is discussed in detail within the accompanying Design and Access Statement.

2.9 The applicant also proposes to enhance a number of local public footpaths and proposes the creation of a number of new walking routes, connecting the proposed development with walking routes in the local area. Full details of these proposals can be seen on accompanying plan Ref. 7993-0060-01. The applicant has discussed the proposed walking routes with Bodicote Parish Council and is willing to secure their provision as part of any Section 106 legal agreement.

Deliverability

2.10 The applicant is in a position to begin construction as soon as is practicable, subsequent to the granting of planning permission. The north-adjointing development has been commenced and it is anticipated that this development will be built-out in 2015/2016.

2.11 The applicant is happy to negotiate the preferred build-out strategy with the Council, in order to ensure the development is completed in a satisfactory and sustainable fashion. It is anticipated that the site could be built out within two years of gaining planning permission, with roughly 50% of units completed each year.

Planning history

2.12 The application site has not been the subject of any previous planning applications.

2.13 Cotefield Farm has an extensive planning history, in terms of agricultural and business development. Of importance to the current application are the permitted commercial uses, ongoing at Cotefield Business Park. These are summarised in Table 2.3 below.

Unit Ref	Floor Space and Volume (Sq Metres)	Lawful Use
A	273.40 sq metres	B1/B8
B	1361.28 sq metres	B8
C	310.43 sq metres	B1
D	863.97 sq metres	B1/B8
		D1 (Children's Play Centre)
E	317.23 sq metres	B8

Table 2.3: Summary of permitted commercial uses at Cotefield Business Park

2.14 The immediately north-adjointing site has also been the subject of a number of planning applications for residential development. Of importance in the current context are the below applications, which granted planning permission for a residential development:-

- 11/00617/OUT - Granted on appeal 26 March 2012 - Outline application for residential development of 82 No. dwellings.
- 12/01802/REM . Granted 10 April 2013 - Reserved Matters Application (Outline Application 11/00617/OUT) relating to layout, appearance, scale and landscaping of a scheme of 82 dwellings.

For completeness, the site of these applications is clearly marked on the accompanying aerial photograph Ref. 7993-0058-02)

2.15 This planning permission was implemented in April 2014 and it is anticipated that the development will be built out in 2015/2016.

3 PLANNING POLICY CONTEXT

- 3.1 This section summarises key Development Plan policies as well as other material planning policies, which we consider to be of relevance in the assessment of the current application. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 together require that planning applications should be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.
- 3.2 For the purposes of this application the Development Plan comprises saved policies from the Cherwell Local Plan 1996. Emerging policies are set out in the Cherwell Local Plan 2011 . 2031 which, now that it has been submitted to the Planning Inspectorate for examination, carries weight. Section 216 of the National Planning Policy Framework confirms that the amount of weight to be given to relevant emerging policies should accord with (a) the stage of preparation of the emerging plan, (b) the extent to which there are unresolved objections to relevant policies, and (c) the degree of consistency of the relevant policies within the emerging plan to the policies within the Framework. The weight which should be to individual policies is considered below.

The Cherwell Local Plan 1996

- 3.3 The Cherwell Local Plan 1996 was adopted in November 1996. In 2007 the Secretary of State saved a number of these policies, under the provisions of the Planning and Compulsory Purchase Act 2004.
- 3.4 The adopted Cherwell Local Plan 1996 Proposals Map confirms the application site is outside the built-up area boundary for Bodicote and is also in an Area of High Landscape Value¹.
- 3.5 Policy H5 Affordable Housing confirms that the Council will negotiate with developers to secure an element of affordable housing in substantial new residential

¹ Note that whilst there is an adopted policy relating to Areas of High Landscape Value it is out of date and inconsistent with national planning policy. This point is discussed in further detail below at paragraph 3.14.

development schemes where there is a demonstrable lack of affordable housing to meet local needs;

- 3.6 The Council's approach to housing in the Villages is set out in policies H13, H14 and H15. Bodicote is identified as one of eighteen Category 1 Settlements within the hierarchy of villages, which the plan states is due to its physical characteristics and the range of services, which will enable it to accommodate some limited extra housing. As such, development is controlled by the provisions of Policy H13 which states;

“Residential development within the villages of...Bodicote...will be restricted to:-

- (i) Infilling;***
- (ii) Minor development comprising small groups of dwellings on sites within the built-up area of the settlement;***
- (iii) The conversion of non-residential buildings in accordance with Policy H21.***

In each instance development proposals will be subject to the other policies in the plan”.

- 3.7 In the explanatory text, infilling is clarified as being:-

“the development of a small gap in an otherwise continuous built-up frontage suitable for one or two houses”

- 3.8 The application site is situated outside of the built-up area of Bodicote and, as such, the proposal would be contrary to this policy unless material considerations indicate otherwise.

- 3.9 New housing in the countryside is controlled under Policy H18, which states:-

“Planning permission will only be granted for the construction of new dwellings beyond the built-up limits of settlements other than those identified under Policy H1 when

- (i) It is essential for agriculture or other existing undertakings, or***
- (ii) The proposal meets the criteria set out in Policy H6; and***
- (iii) The proposal would not conflict with other policies in this plan”.***

3.10 The current proposal does not accord with any of the three criteria and as such is contrary to this policy, unless material considerations indicate otherwise.

3.11 In relation to transport, Policy TR3 confirms ~~that~~ the Council will ask for traffic impact assessments to be provided at the developer's expense and to the satisfaction of the highway authority, for all major development proposals.

3.12 Policy TR5, parking and servicing provision, confirms that ~~the~~ development likely to attract vehicular traffic will normally be required to: (i) accommodate within the site the necessary highway-safety requirements relating to access, turning, servicing and parking provision; and, (ii) include appropriate measures to minimise the visual impact of vehicles and any parking areas.

3.13 The site is also currently within an ~~an~~ Area of High Landscape Value under which Policy C13, states:-

“The Ironstone Downs, the Cherwell Valley, the Thames Valley, North Ploughley, Muswell Hill and Otmoor are designated areas of high landscape value within which the Council will seek to conserve and enhance the environment”.

3.14 Whilst this policy was ~~saved~~ by the Secretary of State in 2007, it is considered to be out of date due to its inconsistency with national planning policy. Since the introduction of the now revoked Planning Policy Statement (PPS) 7 (replaced by the National Planning Policy Framework and Planning Practice Guidance), local landscape designations such as this have been discouraged, in favour of broader policies protecting the countryside outside nationally designated areas, as they may unduly restrict acceptable, sustainable development from being permitted.

3.15 The Council has accepted this national policy guidance in its preparation of both the non-statutory Cherwell Local Plan 2011 and the emerging Cherwell Local Plan 2011 . 2031, neither of which contain a similar local landscape designation policy.

3.16 Policy C28 provides control of design, layout and appearance of new developments in rural locations, stating:-

“Control will be exercised over all new development...to ensure that the standards of layout, design and external appearance, including the choice of external finish materials, are sympathetic to the character of the urban or rural context of that development”.

- 3.17 The specific design details of the current proposal are discussed elsewhere within this Planning Statement and also within the accompanying Design and Access Statement and Landscape and Visual Assessment. RPS considers the proposal accords with the overarching aims of Policies C13 and C28.
- 3.18 The Council's flood risk policy, ENV8, states that *in* the areas at risk from flooding, new development, the intensification of existing development or land raising will not normally be permitted, appropriate flood protection and mitigation measures will generally be required as part of the development⁺.

Draft Cherwell Local Plan 2011 - 2031²

- 3.19 The draft Cherwell Local Plan 2011 - 2031 (dCLP) was submitted for examination on 31 January 2014. Once adopted, it will provide the District's development strategy for the period up to 2031. However, on 4 June 2014 the independent Planning Inspector suspended the examination hearings *to allow the Council to put forward proposed modifications to the plan, involving increased new housing delivery over the plan period to meet the full, up to date, objectively assessed, needs of the district as required by the NPPF and based on the Oxfordshire SHMA (2014)*⁺.
- 3.20 In the intervening period, the Council has significantly modified the dCLP, in order to address the Inspector's reasons for suspending the examination hearings. These modifications have, between 22nd August 2014 and 3rd October 2014, been the subject of a focussed public consultation, ahead of their submission to the Inspector and the planned re-opening of the examination hearings in early December 2014.
- 3.21 As the dCLP has advanced to the stage that is currently at examination, its policies therefore carry weight, in the context of determining a planning application. Section 216 of the National Planning Policy Framework confirms that the amount of weight to be given to relevant emerging policies should accord with (a) the stage of preparation of the emerging plan, (b) the extent to which there are unresolved objections to relevant policies, and (c) the degree of consistency of the relevant policies within the emerging plan to the policies within the Framework. The weight which should be to individual policies is considered below. The relevant planning policies to the current

² The base year for the new Cherwell Local Plan has been updated from 2006 to 2011, on direction from the independent Planning Inspector examining the submitted draft Local Plan

proposal, together with our assessment of the weight to be attached, are set out below.

3.22 The District's housing strategy is set out in Theme Two Policies for Building Sustainable Communities. The overarching aim in terms of housing (Policy BSC1) is to provide for an additional 22,840 new houses, through a mixture of site allocations, windfall sites and outstanding planning permission commitments. This total provision is proposed in the main modifications submission, in line with the direction from the independent Inspector under his suspension of the examination hearings. As the total amount of new housing is in accordance with the Council's objectively assessed needs, we consider weight can be given to the policy.

3.23 Policy BSC2 requires effective and efficient use of land. In relation to housing density the policy states:-

“Housing development in Cherwell will be expected to make effective and efficient use of land. The Council will encourage the re-use of previously developed land in sustainable locations. New housing should be provided on net developable areas at a density of at least 30 dwellings per hectare unless there are justifiable planning reasons for lower density development”.

3.24 RPS is not aware of any material objections to this policy and, as such, affords weight.

3.25 The Council's affordable housing policy is set out at Policy BSC3, under which:-

“...all proposed developments that include 3 or more dwellings (gross)...will be expected to provide at least 35% of new housing as affordable homes on site”.

3.26 RPS is not aware of any material objections to this policy and, as such, affords weight.

3.27 The policy also provides specific guidance on the type of affordable housing required as part of new developments:-

“all qualifying developments will be expected to provide 70% of the affordable housing as affordable/social rented dwellings and 30% as other forms of intermediate affordable homes”.

3.28 Housing mix is controlled under Policy BSC4, which requires a mix of homes to meet current and expected future requirements. Housing mix will be negotiated using the Council's most up-to-date evidence on housing need.

3.29 The provision of open space as part of development proposals is controlled under Policy BSC10, which states:-

“The Council will encourage partnership working to ensure that sufficient quantity and quality of, and convenient access to open space...is secured through the following measures;

- ***Ensuring that proposals for new development contribute to open space...provision commensurate to the need generated by the proposals”.***

3.30 The Council's requirements in terms of outdoor recreation are set out in Table 8 of the dCLP, as summarised below in table 3.1, and require the following;

Type of provision	Quantitative standard	Accessibility standard	Minimum size of provision	Threshold for on-site provision
General green space	2.4ha per 1000 urban dwellers	5 minute walk (amenity open space) (400m)	200sq.m.	10 urban dwellings
	2.74ha per 1000 rural / urban edge dwellers	15 minute walk other		6 rural/urban edge dwellings
Play space	0.78ha per 1000 people	5 minutes walk (400m) except for NEAPs 15 min walk (1200m)	LAP - 100sq.m. activity zone; 400sq.m. including buffer	10 dwellings (for a LAP)
			LEAP - 400sq.m. activity zone; 3600sq.m. including buffer	50 dwellings (for a LEAP and LAP)

Table 3.1: Outdoor recreation local standards of provision

3.31 RPS is not aware of any material objections to this policy and, as such, affords weight.

3.32 Council requirements in terms of sustainable construction are set out in Policy ESD3. Of relevance to the current application, it states:-

“All development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:

- ***Minimising both energy demands and energy loss***
- ***Maximising passive solar lighting and natural ventilation***
- ***Maximising resource efficiency***
- ***Incorporating the use of recycled and energy efficient materials***
- ***Incorporating the use of locally sourced building materials***
- ***Reducing waste and pollution and making adequate provision for the recycling of waste***
- ***Making use of sustainable drainage methods***
- ***Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example); and***
- ***Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.***

Should the promoters of development 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 can be undertaken. Where it is agreed that an external economic viability assessment is required, the cost shall be met by the promoter”.

3.33 RPS is not aware of any material objections to this policy and, as such, affords weight.

3.34 Policy ESD6 is the Council’s flood risk management strategy. Of relevance in the current circumstances, the policy states:-

“The Council will manage and reduce flood risk in the district through using a sequential approach to development; locating vulnerable developments in areas at lower risk of flooding. Development proposals will be assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF”.

3.35 Under this policy, developments of 1ha or more located in flood zone should provide a site-specific flood risk assessment and this assessment should demonstrate that there will be no increase in surface water discharge rates or volumes during storm

events up to and including the 1 in 100 year storm and that developments will not flood from surface water up to and including the design storm event or any surface water flooding beyond the 1 in 30 year storm event. Developments should also demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere.

3.36 RPS is not aware of any material objections to this policy and, as such, affords weight.

3.37 Policy ESD7 requires all developments to use sustainable drainage systems for the management of surface water run-off.

3.38 Policy ESD13 is the Council's principal landscape protection policy and seeks to conserve and enhance the distinctive and highly valued local character of the district. It states that development will be expected to respect and enhance local landscape character and secure appropriate mitigation where damage cannot be avoided. Development proposals will not be permitted if they would:

- ***“Cause undue visual intrusion into the open countryside***
- ***Cause undue harm to important natural landscape features and topography***
- ***Be inconsistent with local character***
- ***Impact on areas judged to have a high level of tranquillity***
- ***Harm the setting of settlements, buildings, structures or other landmark features, or***
- ***Harm the historic value of the landscape”.***

3.39 RPS is not aware of any material objections to this policy and, as such, affords weight.

3.40 Policy ESD16 is the Council's principal design policy, requiring all new development to complement and enhance the character of its context through sensitive siting, layout and high quality design. The policy states that new developments should:-

- ***“Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in.***
- ***Development of all scales should be designed to improve the quality and appearance of an area and the way it functions***
- ***Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions***

- ***Support the efficient use of land and infrastructure, through appropriate land uses, mix and density / development intensity***
- ***Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting***
- ***Conserve, sustain and enhance designated and non-designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged.***
- ***Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation.***
- ***Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages***
- ***Reflect or, in a contemporary design response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette***
- ***Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features***
- ***Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking***

and servicing. The principles set out in The Manual for Streets should be followed

- *Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space*
- *Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation*
- *Be compatible with up to date urban design principles, including Secured by Design and Building for Life, and achieve Secured by Design accreditation*
- *Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout*
- *Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1 - 5 on climate change and renewable energy)*
- *Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 18 Green Infrastructure). Well-designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality*
- *Use locally sourced sustainable materials where possible”.*

3.41 The Council's development strategy for its villages is set out in Section C5 of the dCLP. The Council has identified a hierarchy of villages, under which Bodicote is identified in Policy Villages 1 as being a 'Category A village' and is capable of accommodating ***minor development, infilling and conversions***'.

3.42 Minor development is clarified subsequently in Paragraph C.227:-

“In assessing whether proposals constitute acceptable 'minor development', regard will be given to the following criteria:

- *The size of the village and the level of service provision,*
- *The site's context within the existing built environment,*
- *Whether it is in keeping with the character and form of the village,*

- ***Its local landscape setting,***
- ***Careful consideration of the appropriate scale of development in Category B (satellite) villages”.***

3.43 The Council’s approach to allocation of housing to the villages remains the subject of objection, including from the landowner, in relation to the Council’s continued reluctance to allocate a greater proportion to the villages, which are as a matter of fact sustainable locations for new residential development. Therefore, insofar as the dCLP’s direction of travel indicates the criteria it will use to identify sites for residential development, we consider Policy Villages 1 should be given weight. However, we give very little weight to the Council’s proposed allocation of 750 new homes on the basis of the aforementioned objection.

3.44 Policy Villages 2 confirms that the delivery of these 750 new homes will be restricted to sites within the Category A Villages and individual allocations will be undertaken through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable, and through the determination of planning applications for planning permission. The policy confirms the criteria for identifying and considering sites under this policy:-

- ***“Whether the land has been previously developed land or is of lesser environmental value;***
- ***Whether significant adverse impact on heritage or wildlife assets could be avoided***
- ***Whether development would contribute in enhancing the built environment***
- ***Whether best and most versatile agricultural land could be avoided***
- ***Whether significant adverse landscape and impacts could be avoided***
- ***Whether satisfactory vehicular and pedestrian access/egress could be provided***
- ***Whether site is well located to services and facilities***
- ***Whether necessary infrastructure could be provided***
- ***Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period***
- ***Whether land the subject of an application for planning permission could be delivered within the next five years”.***

3.45 As is the case with Policy Villages 1, RPS considers this policy should only be given weight, insofar as it confirms the criteria the Council will use to identify potential housing sites.

Non-Statutory Cherwell Local Plan 2011

3.46 The Non-Statutory Local Plan was originally intended to replace the Cherwell Local Plan 1996; however in December 2004 Council made a decision to discontinue work on the draft plan and to prepare a Local Development Framework under the then new planning system. The Local Plan 2011 was however approved by the Council as interim policy for development control purposes.

3.47 Relevant policies are generally similar to those in the Cherwell Local Plan 1996.

3.48 Policy H15 relates to Category 1 Villages. The number of Category 1 Villages has been reduced from 18 to 12 but, importantly, Bodicote remains. The provisions of the Policy are virtually identical to those of Policy H13 of the Local Plan 1996 and, as such, the current proposal remains incompliant.

3.49 Policy H19, New Dwellings in the Countryside, is also very similar to Policy H18 of the Local Plan 1996, restricting new dwellings in the countryside. The proposal remains incompliant with this policy.

3.50 Policy EN34 relates to Landscape Character and provides a more generalised policy approach than policy C13 of the Local Plan 1996. The policy lists five criteria, with which developments should accord.

Other Material Considerations

National Planning Policy Framework (NPPF)

3.51 The National Planning Policy Framework (NPPF) sets out Government planning policies and guidance, to be used by all local authorities in England when preparing development plans and determining planning applications. A golden thread underpinning the NPPF is a presumption in favour of sustainable development, with the policies set out within the Framework, taken as a whole, constituting the Government's view of what sustainable development means in practice.

3.52 According to Paragraph 14, for decision-taking this presumption in favour of sustainable development means ***where the development plan is absent, silent, or relevant policies are out of date, granting permission***+unless the impacts of doing

so would **significantly and demonstrably outweigh the benefits** when assessed against the NPPFs policies.

- 3.53 In relation to housing developments, Paragraph 49 states that such applications **should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites**.
- 3.54 In relation to promoting sustainable transport Paragraphs 30 and 34 indicate that local planning authorities should plan for and support a pattern of development which maximises the use of sustainable modes of transport and minimises the need to travel. Development which would generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.
- 3.55 In terms of delivering a wide choice of high-quality homes the NPPF states that local planning authorities should ensure that local plans meet in full the objectively assessed needs for market and affordable housing and should identify and update a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. Paragraph 49 confirms that where a local planning authority cannot demonstrate a five year supply of deliverable housing sites, relevant policies for the supply of housing should not be considered up to date and housing applications should be considered in the context of the presumption in favour of sustainable development.
- 3.56 With particular regard to rural housing, the NPPF states that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.
- 3.57 The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. It is appropriate for planning decisions to promote and enforce local distinctiveness but, they should not attempt to impose architectural styles or particular tastes. Paragraph 58 confirms planning decisions should aim to ensure that developments:
- Will function well and add to the overall quality of the area, not just for the short-term but over the lifetime of the development

- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- Respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- Are visually attractive as a result of good architecture and appropriate landscaping

3.58 The NPPF also provides policy guidance on meeting climate change, flooding and coastal change challenges. Of relevance in the current circumstances, Paragraph 103 requires submission of a site-specific flood risk assessment for proposals on land of 1ha or more in Flood Zone 1.

3.59 In terms of conserving and enhancing the historic environment, the planning system is expected to contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and ensuring the site is suitable for its new use taking into account ground conditions

Planning Practice Guidance (PPG)

3.60 The recently published PPG replaces previous Government guidance relating to residential development and now provides the most up-to-date guidance on application making and decision taking. PPG echoes the NPPF guidance in terms of how a planning decision should be taken, applying the presumption in favour of sustainable development.

3.61 PPG provides important guidance on housing proposals in villages and smaller settlements, highlighting the important role new housing plays in ensuring local services and community facilities remain viable. This important point is crystallised at Paragraph 001 (Reference ID: 50-001-20140306), which states:-

“A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities...all settlements can play a role in delivering sustainable development in rural areas and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”.

Five-Year Housing Land Supply

- 3.62 Paragraphs 3.51 to 3.59 of this report have discussed the importance of the NPPF as a material consideration in the assessment of any planning application. Paragraph 49 of the Framework confirms that relevant policies for the supply of housing should not be considered up-to-date where a Local Planning Authority cannot demonstrate a five-year housing land supply.
- 3.63 In June 2014 the Council published a *Housing Land Supply Update* (attached at **Appendix 5**), which accepted that the Council could not demonstrate a five-year supply of deliverable housing sites. The position statement indicated that the best the Council could achieve is a 3.4 year supply. At the time of writing the June 2014 *Update* remains the most recent statement on the matter
- 3.64 On this basis, and in line with guidance of Paragraphs 14 and 49 of the Framework, the Council's policies relating to the supply of housing are not up-to-date and the presumption in favour of sustainable development should be applied.
- 3.65 Therefore, planning permission should be granted unless any adverse impacts of doing so would *significantly and demonstrably outweigh the benefits* of the development.
- 3.66 Importantly, the Council's responding officer, Linda Griffiths, (Principal Planning Officer), accepts this in the pre-application report (Appendix 2) and confirms the presumption in favour of sustainable development is engaged.

4 PLANNING ASSESSMENT

- 4.1 Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 together require that planning applications should be determined in accordance with the statutory Development Plan unless material considerations indicate otherwise.
- 4.2 Having set out the planning policy context in Section 3 of this statement, the key planning considerations and issues in respect of the proposal are considered to be the following: the principle of development; landscape and visual impacts; transport; ecological impacts; drainage and flood risk impacts; affordable housing provision; housing mix, and, impact on residential amenity. This section assesses the application against these issues in turn.

Principle

- 4.3 The Council's approach to the distribution of housing in both the adopted and emerging Local Plans is informed by a settlement hierarchy which places a strong emphasis on providing the majority of new housing in the two largest towns in the district, Banbury and Bicester, together with a smaller contribution from the district's villages. In order to control this contribution from the villages, the Council has categorised all of the villages based on the level of services available to residents, with housing development potentially allowed in the most sustainable villages.
- 4.4 Bodicote forms one of the Category A settlements as identified in both the adopted and emerging Local Plans. The Category A settlements are recognised as the most sustainable settlements in the district, outside of Banbury and Bicester. However, whilst under the Cherwell Local Plan 1996 the Category A Villages were only considered capable of accommodating *some limited extra housing*, and the Plan did not allocate any sites for housing in these villages, their role as settlements considered to be sustainable locations for new housing is enhanced under the emerging Cherwell Local Plan 2011 - 2031 (dCLP), following the Council's acceptance of the need to provide 22,800 new houses in the period up to 2031. Paragraph C.226 of the dCLP confirms this enhanced role, stating:-

“There is a need for Cherwell’s villages to sustainably contribute towards meeting the housing requirements identified in Policy BSC1 (22,800 over the 20-year lifetime of the plan is the accepted objectively assessed housing need)...The

appropriate form of development will vary depending on the character of the village and development in the immediate locality”.

4.5 Policy Villages 1 indicates that the Category A settlements are capable of accommodating **minor development, infilling and conversions**, whilst Policy Villages 2 confirms that a total of 750 new houses will be provided in these villages over the plan period.

4.6 The approach to (a) identification of those villages considered to be better able to accommodate this housing and (b) individual sites considered capable of accommodating residential development is set out in the accompanying explanatory text under both Policies Villages 1 and 2.

(a)

4.7 In determining whether an area is capable of accommodating acceptable **minor** development, Paragraph C.227 confirms that **regard will be given to the following criteria:-**

- **The size of the village and the level of service provision,**
- **The site’s context within the existing built environment,**
- **Whether it is in keeping with the character and form of the village, and**
- **It’s local landscape setting”.**

4.8 In considering this assessment criteria, it is useful to refer back to the Planning Inspector’s report (attached at **Appendix 6**) on the appeal of the north-adjoining development (a development of similar scale to the current proposal) which, having assessed the impact of the proposal on the character of the local area and the sustainability of the site’s location, concluded **“The site is immediately adjacent to the edge of the existing limit of built up development of Bodicote. The site would have close access to bus routes leading to Banbury and the wider area and these are within a short walk of the appeal site. A local shop and post office would be readily accessible from the proposed footpath/cycle link into the site and the local school is said to be about 1km away...The site is therefore in a sustainable location”.**

4.9 Bodicote offers an excellent range of village services³; the site is extremely well-related to the existing built environment; the scale and design of the proposal is in keeping with the character and form of the village; and, the development would not adversely impact on the local landscape.

4.10 RPS therefore concludes that the proposal accords with each of the Council's assessment criteria for minor developments in the most sustainable villages and is an acceptable location for new residential development.

(b)

4.11 In relation to the identification of individual sites within the Category A Villages, Policy Villages 2 confirms that sites will be identified through the preparation of the Local Plan Part 2, through the preparation of Neighbourhood Plans where applicable and through the determination of applications for planning permission (RPS emphasis). The policy also confirms that appropriate sites will be identified using the following criteria:-

- ***Whether the land has been previously developed land or is of lesser environmental value;***
- ***Whether significant adverse impact on heritage or wildlife assets could be avoided;***
- ***Whether development would contribute to enhancing the built environment;***
- ***Whether best and most versatile agricultural land could be avoided;***
- ***Whether significant adverse landscape impacts could be avoided;***
- ***Whether satisfactory vehicular and pedestrian access/egress could be provided;***
- ***Whether the site is well located to services and facilities;***
- ***Whether necessary infrastructure could be provided;***

³ The Council carried out a Housing Village Categorisation Update in October 2014, which confirmed the following services in Bodicote: Nursery facilities, primary school facilities, retail services, food shop, post office, public house, recreational facilities and a village/community hall. Bodicote is amongst the highest scoring of the district's villages, in terms of the level and extent of services available to residents.

- ***Whether land considered for allocation is deliverable now or whether there is a reasonable prospect that it could be developed within the plan period; and,***
- ***Whether land the subject of an application for planning permission could be delivered within the next five years”.***

4.12 In response to this criteria, the following should be noted:-

- The application site does not comprise previously developed land, but is closely associated with both commercial and residential development on adjoining land;
- The applicant has undertaken both archaeological and ecological surveys of the site, the final reports on which are submitted as part of this application. As can be seen from both of these reports, the proposed development would have no material adverse impact on either heritage or wildlife assets. In fact, the proposed development secures improvement for biodiversity, providing improved foraging habitat and green linkages;
- Whilst layout and design comprise reserved matters, the illustrative layout gives an indication of the potential layout of the site. There are numerous opportunities for physical and visual connections with the adjoining consented site. Furthermore, as is set out within the accompanying Design and Access Statement, the development would use a similar palette of materials to the adjoining site.
- The application site comprises Grade 3 agricultural land. As such, the proposed development would not result in the loss of best and most versatile agricultural land.
- The proposed development would not give rise to any adverse impacts on the local landscape. As is stated by the Council's Landscape Officer in the pre-application response (Appendix 2), the site is well-contained by the woodland belt on the south and south western boundaries, by the large commercial buildings at Cotefield Business Park and Cotefield Nurseries to the east and north east, and by the consented development to the north.

- Access can be provided via the existing access off the A4260 Oxford Road, which provides adequate capacity to deal with the volume of traffic associated with both existing and proposed development.
- The site is within easy walking distance of services and amenities in Bodicote. Bodicote offers a range of childcare, educational, retail, community and recreational facilities. Furthermore, the site is also very well connected with Banbury, which acts as both a services and employment centre for the north of the district.
- The illustrative layout has been designed in order to provide required on-site infrastructure and the applicant has submitted draft Heads of Terms which confirm their willingness to appropriate contributions towards off-site infrastructure.
- The applicant is in a position to begin construction as soon as is practicable, subsequent to the granting of planning permission and is happy to negotiate the preferred build-out strategy with the Council, in order to ensure the development is completed in a satisfactory and sustainable fashion.

4.13 As can be seen above, the proposal accords with the assessment criteria to be used to identify individual sites in the Category A villages. Taken together with the previously discussed compliance with the Council's criteria for assessing whether the minor nature of the development is appropriate to the location, and the fact that development of the scale proposed has previously been found by an Inspector to be acceptable on the adjoining site, it is considered the proposed development is entirely in line with both the requirements and spirit of Policy Villages 2.

4.14 The NPPF is a material consideration in the assessment of this planning application; in particular Paragraph 49 which states:

“Relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites”.

4.15 Paragraphs 3.62 to 3.66 of this report discussed the Council's up-to-date five-year housing supply situation, confirming that there is at best a 3.4 year supply of deliverable housing sites; below the 5 year + 20% supply required. As such, policies

for the supply of housing should not be considered up-to-date and the presumption in favour of sustainable development applies.

- 4.16 The NPPF seeks to significantly boost the supply of housing, confirming that significant weight should be given to proposals for residential development which meet this significant national need.
- 4.17 The application site is adjacent to the existing development boundary for Bodicote, abutting the development which was commenced in Spring 2014. The site does not form part of any designated landscape setting and is not situated in Flood Zones 2 or 3. The site can come forward as a sensitive extension to the built up area of Bodicote, without any material adverse impacts.
- 4.18 The issue of the suitability of this general location has previously been considered by the Planning Inspectorate in their assessment of the north-adjoining development. Key comments from the Inspector's report are provided at Paragraph 4.8 of this report but it is worth restating their conclusion that ***the site is therefore in a sustainable location.***
- 4.19 In RPS's view, and backed up by the earlier positive conclusions from the Inspector, the site is considered, as a matter of fact, to be in a sustainable location for housing and, having regard to the provisions of Paragraph 49 of the NPPF, the proposed development should be supported by the Council.

Landscape and Visual Impacts

- 4.20 As is set out in the Planning Inspector's report on the appeal of application 11/00617/OUT (Appendix 7), the Council clarified at the inquiry relating to the north-adjoining development that it did not object to the development on the grounds of any potential impact on landscape quality, instead focussing its concern on the perceived visual intrusion into the open countryside.
- 4.21 Housing development on the application site has been designed to be accommodated without any major landscape impacts. The existing woodland belt provides a strong landscape feature that reinforces the local character and pattern of the landscape and provides a significant layer of screening in views from the surrounding countryside. The setting of the village would be preserved in views from public rights of way to the south and south west. There would be no change in view when arriving at the village on the A4260 due to the existing extensive landscape planting at Cotefield Farm.

- 4.22 In assessing the visual impacts of the development, it is again useful to refer back to Inspector's report on the appeal of the adjoining development, which considered the issue in detail (Appendix 7). It stated ***where a Council accepts development beyond the existing limits of built-up areas, new development will often take place on undeveloped and open land; a change of character is inevitable...the appeal site is seen in the context of immediately adjacent residential development, the large garden centre buildings and, set a short distance away, the large business buildings which, due to their design, size and surrounding car and vehicle storage, give a distinct commercial impression. Whilst views of the proposed development would be gained from viewpoint 9 (a view from the A4260 Oxford Road, opposite the site entrance), the context would mean that the proposal would not represent an unacceptable intrusion into the open countryside***.
- 4.23 RPS considers the above comments apply equally to the current proposal. The site is also set within the context of the same substantial commercial buildings at Cotefield Business Park and the large garden centre buildings at Cotefield Nurseries. Furthermore, the proposed layout provides a number of linkages with the consented development and also provides a sensitive transition at the southern edge of Bodicote, from the built framework of the village to the undeveloped, open countryside.
- 4.24 RPS agrees with the Council's most recent Landscape Sensitivity and Capacity Assessment (undertaken by White Young Green in September 2014) which concluded the area surrounding the application site (identified in the report as Site 104) has a low visual sensitivity and a medium to low overall landscape character sensitivity. The relevant sections of this report are attached at **Appendix 7**.
- 4.25 Discussing the prospect of residential development on this site, the report states ***Residential development would bring the edge of Bodicote slightly further south although development would be contained within existing structure planting on the southern and western boundaries and contained by Cotefield Business Park therefore having limited visual intrusion. The overall capacity for residential development is Medium (RPS emphasis)***.
- 4.26 The report defines medium capacity as follows:-

the site is able to accommodate development within some areas as long as regard is given to the surrounding areas to preserve landscape character and visual amenity.

4.27 In support of this application we have prepared a Landscape, Townscape and Visual Appraisal, which provides a detailed assessment of the proposed development. This assessment confirms that the local landscape has the capacity to accommodate the proposed development and the setting and character of the village would be preserved by the design approach adopted.

Transport

4.28 The proposed development would be accessed via the existing highly engineered road access which serves Cotefield Nurseries and Cotefield Business Park and also the consented development.

4.29 The applicant has completed a Transport Assessment, in consultation with Oxfordshire County Council's Highways Department, in order to assess the likely impacts of the proposed development on the highway network. Specific details relating to the scope of the transport assessment, together with details of pre-application discussions with OCC are contained within Appendix B of the Transport Assessment Appendices.

4.30 The Transport Assessment concludes that committed strategic developments in Banbury will likely give rise to capacity issues at junctions in the area, but that the proposed development would not have a detrimental residual impact on the local highway, transport networks or highway safety itself. Indeed, it confirms that traffic emanating from the proposed development would have a negligible increase on the volume of traffic using the A4260 Oxford Road.

4.31 Moreover, the Transport Assessment concludes that the proposed development is in an accessible and sustainable location, within recommended walking distance of bus stops, schools, shops, education and leisure facilities, and for a number of trips for everyday needs residents would have a realistic option to walk rather than travel via car.

4.32 Parking provision has been developed in accordance with Oxford County Council's *Parking Standards for New Residential Development 2011*, which provides maximum parking standards for new residential developments. Individual properties are provided with a maximum of two allocated parking spaces, whilst the five-bed units

are provided with the option of two additional allocated parking spaces. Unallocated parking spaces are then provided in accordance with this, providing a total of 247 spaces.

Ecology

- 4.33 This application is supported by an *Ecology Desk Study and Phase 1 Habitat Survey* (EDSPHS). The EDSPHS confirmed that the site consists predominately of arable farmland, bordered by hawthorn dominated hedgerows and a mixed plantation woodland belt. It is not covered by either statutory or non-statutory environmental designations.
- 4.34 The EDSPHS noted that the site has the potential to support protected and notable birds, bats, mammals, herptofauna, invertebrates and plant species, although none were recorded during the survey visit.
- 4.35 Arising from the recommendations of the EDSPHS a number of further bat activity surveys were undertaken in May, June and July 2014, to investigate and assess; (a) whether the semi-mature mixed woodland is being used by bats for roosting, and, (b) how bats use the site.
- 4.36 The results of these further bat activity surveys are presented in the supporting Bat Activity and Dusk Emergence Survey report, which confirms a small section of the woodland belt is used by a low number of bats and predominantly by common pipistrelle. Activity was greatest around a small area of the woodland belt in the southern corner of the site and around the two in-field trees, which are used as a navigation aid.
- 4.37 Importantly, the Survey found that there were no bat roosts within the Sycamore tree, which is to be removed as part of the proposal.
- 4.38 The proposed development involves the retention of the woodland belt in its current form and also the retention of the Oak tree. In addition, the green link between both features would provide an enhanced route for commuting bats. This would help improve connectivity across the site and provide an additional foraging resource for bats.
- 4.39 It is noted that in the pre-application response (Appendix 2) the Council's Ecology officer indicates a desire to secure the provision of bat and bird boxes, as a biodiversity enhancement, as part of the proposal. It should be noted that, as is set

out within the accompanying Bat Activity and Dusk Emergence Survey, the applicant has already installed 20 such bird boxes within the woodland belt and is actively managing the maintenance of these important features on an annual basis. We can confirm that at this stage 12 of the bird boxes are used as birdsqnests, whilst one other is used as a bumble beesqnest. As such, the applicant does not consider additional provision is necessary as part of the proposed development.

Drainage and flood risk

- 4.40 The application site is situated in Flood Zone 1 and is at low risk of flooding. However, as the application site is over 1ha in size, a Flood Risk Assessment is required as part of the application.
- 4.41 The accompanying Flood Risk Assessment (FRA) has been carried out in accordance with the EA's FRA Guidance Note 1, for development on land with an area greater than 1ha in Flood Zone 1. This requires that the FRA should address the following issues:-
- Surface water runoff should not increase flood risk to the development or third parties.
 - An allowance for climate change needs to be incorporated, which means adding an extra amount to peak rainfall (30% for residential).
 - The residual risk of flooding needs to be addressed should any drainage features fail or if they are subjected to an extreme flood event.
- 4.42 The FRA confirms that the site's Greenfield surface water run-off rate can be significantly improved, post development, through the use of SuDS.
- 4.43 The FRA also confirms that the site has a low risk of fluvial or tidal flooding; is considered unlikely to be at risk from groundwater flooding and sewer flooding; and, is considered unlikely to be at risk from pluvial flooding.
- 4.44 The site is also considered to be at low risk of flooding in the event of a water infrastructure failure, given it is around 1.7km from the Oxford Canal and the reservoir to the east of the site is very small in capacity. Also, the site is situated on higher ground than the reservoir and as such is not vulnerable to flooding from this particular source in any case.

4.45 The proposals are considered to accord with Policy ENV8 of the adopted Local Plan and also Paragraph 103 of the NPPF, by reason of the betterment they provide in terms of the flood resilience of the site.

Affordable housing provision

4.46 The applicant has engaged in pre-application discussions with the Council's Strategic Housing Officer, Mr. Gary Owens, who confirmed in an email dated 12/9/14 (**Appendix 8**) the Council will require 35% of new housing to be affordable, in the following mix:-

Affordable Housing Provision	
1-Bed Maisonette	4
2-Bed bungalow	1
2-Bed House	20
3-Bed House	8

Table 4.1: Affordable housing requirement

4.47 We note that this requirement is not in keeping with the forecasted affordable housing requirements for Cherwell district, as set out in the Oxfordshire Strategic Housing Market Assessment (SHMA) 2014. However, we accept the Council is best-placed to request the most appropriate mix of affordable housing.

4.48 The proposal accords with Policies H5 of the Cherwell Local Plan 1996 and BSC3 of the draft Cherwell Local Plan 2011 . 2031.

Housing mix

4.49 Policy BSC4 of the draft Cherwell Local Plan 2011 . 2031 states that the Council will negotiate housing mix for residential developments using the Council's most up-to-date evidence on housing need. The applicant has, as part of the pre-application consultation, confirmed that the Council's housing mix requirements are based on the Oxfordshire SHMA 2014, which forecasts the following market housing needs over the Plan period.

Market Housing requirements (Source: Oxfordshire SHMA 2014)	
1-Bed	5%
2-Bed	25%
3-Bed	45%
4-bed	25%

Table 4.2: Market housing requirement

- 4.50 The illustrative layout has been designed having regard to Council's market housing requirements and provides a mix which is in line with this.
- 4.51 In developing the illustrative site layout we have taken account of both the Council's housing requirements and also the need to devise a layout which ensures there are no undue impacts on the amenities of the area. As can be seen on the illustrative layout, the south and south-western boundaries represent the extended village edge, and are a particularly sensitive area. RPS's design team has carefully considered the illustrative layout in this location and has allocated a greater proportion of larger houses, in order to provide an appropriate transitional area between the village and the surrounding countryside. This has had a modest impact on the mix of market housing, increasing the proportion of large houses on the site. The applicant has appointed Savills to market the site and they are satisfied the mix of housing is suitable for this area. The market housing mix is set out in table 4.3.

Market Housing Mix	
2-bed	6
3-bed	25
4-bed	13
5-bed	18

Table 4.3: Market housing mix

Residential amenity

- 4.52 The applicant has undertaken a noise survey, which assessed baseline conditions in the area, with a view to providing an indication of the likely quality of the residential environment and any (if any) mitigation measures required in order to ensure suitable internal and external residential environments for residents.
- 4.53 The survey found that industrial noise levels emanating from Cotefield Business Park were not noticeable and existing conditions are such that noise levels will continue to be of an acceptable level.
- 4.54 Noise levels were found to be slightly higher at the outer limits of the site (although not of an unacceptable level) and it is proposed that an alternative means of ventilation should be provided to houses in these areas.

4.55 The proposed development, with the inclusion of appropriate mitigation, is acceptable with regards to noise both in terms of national and local policy and British Standards.

Archaeology

4.56 The applicant has undertaken a preliminary evaluation of the archaeological potential of the site, including a geophysical survey and subsequent trial trenching in key areas. This work has been undertaken in consultation and agreement with Richard Oram of Oxford County Council's Archaeology Department.

4.57 The geophysical survey uncovered a number of anomalies concentrated in the south-eastern end of the site, which were subsequently confirmed during the archaeological evaluation to be archaeological in nature.

4.58 Arising from this archaeological evaluation, the applicant is preparing a further written scheme of investigation, in order to further evaluate the archaeological potential of the site. This additional mitigation work has been developed and agreed in discussions with Richard Oram. The applicant is willing to accept a planning condition on any grant of planning permission, which requires this additional work to be undertaken.

Ground conditions

4.59 The applicant has undertaken a ground conditions assessment, in order to evaluate the suitability of the site for residential development, from a ground contamination perspective. This assessment concluded that the potential for contamination to exist on the site is low, due to the site's ongoing use as an arable field, which has not been the subject of any previous development.

Planning Obligations

4.60 The Council's pre-application response advised that planning obligations are likely to arise in a number of areas, should permission be granted. As part of this planning application we attach a draft Heads of Terms which sets out the applicant's commitment to agreeing appropriate planning obligations with the Council. The draft Heads of Terms are attached at **Appendix 9**.

Other matters

4.61 In tandem with this application, the landowner is currently working with both Bodicote Parish Council and Oxfordshire County Council on potential speed restrictions within Bodicote Village. The County Council are currently proposing to undertake a number

of traffic surveys at key locations, funded entirely by the landowner, with a view to reducing the speed limit in the village to 20 mph. RPS can advise Cherwell District Council of progress with this project, which will bring about significant road safety improvements for local residents, as the application progresses through the assessment stage.

Conclusion

- 4.62 In conclusion, the Council's emerging Local Plan places an emphasis on the contribution to be made by the district's villages in meeting its objectively assessed housing needs in the period up to 2031. Policies Villages 1 and Villages 2 confirm that 750 houses will be allocated to the Category A villages, and individual sites will be identified via the Local Plan Part 2, Neighbourhood Plans and also through the granting of planning permissions.
- 4.63 Both Policies Villages 1 and Villages 2 provide criteria which will be used to establish (a) whether the scale of development is appropriate to the location, and, (b) whether the individual site is suitable for residential development. Having assessed the proposed development against these criteria, RPS considers the site is wholly compliant with the Council's requirements in this respect.
- 4.64 The application site represents a sustainable location for residential development, sited as it is immediately adjacent to the Bodicote built-up area. The suitability of the application site's general location has been the subject of a detailed assessment by an independent Planning Inspector, as part of the appeal of the immediately north-adjacent site, where it was concluded that residential development would not represent an unacceptable intrusion into the countryside.
- 4.65 The application site is very similar to the adjoining site, in that it is well related to built edge of the village and is well contained by the large commercial buildings at Cotefield Business Park and Cotefield Nurseries and is also very well contained in views from the surrounding countryside by the mature woodland belt which spans its south and south western boundaries. Our specialist assessments of the proposal confirm that the development can be accommodated without any material adverse impact on the amenities or character of the local area.

5 CONCLUSION

- 5.1 This application seeks Outline planning permission for a residential development of 95 houses, on the site known as Blossom Fields, south of Bodicote. The proposal would provide market and affordable housing to meet with Cherwell District Council's identified needs.
- 5.2 The proposal accords with Policies Villages 1 and 2 of the draft Cherwell Local Plan 2011 - 2031, which (a) provide a categorisation of the district's villages, based on the level and nature of services available, and (b) currently provide a broad allocation of 750 new houses to the most sustainable villages in the district. Bodicote is one of these most sustainable villages.
- 5.3 Both Policies Villages 1 and Villages 2 provide criteria which will be used to establish (a) whether the scale of development is appropriate to the location, and, (b) whether the individual site is suitable for residential development.
- 5.4 The proposed development has been assessed against these criteria, in Section 4 of this Statement, and it is concluded that application site accords with these criteria in full and provides an excellent opportunity in helping the district Council to meet its significant housing needs.
- 5.5 Of further relevance to this application is Paragraph 49 of the National Planning Policy Framework, which confirms that relevant policies for the supply of housing should not be considered up to date if the Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites. The Council, in its most recent housing statement (June 2014) accepts that it cannot demonstrate a five-year supply of deliverable housing sites and, as such, the presumption in favour of sustainable development applies. For this application, this means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies set out within the Framework taken as a whole.
- 5.6 The site in question is one half of a field, the other half of which has previously been granted planning permission for a residential development of 82 houses in 2012. This general area has previously been confirmed by a Planning Inspector as being a sustainable location for development of the nature and scale proposed.

5.7 The site is well located in relation to nearby services and amenities in Bodicote and is also well-related to the nearby town of Banbury, which acts as a service centre in the north of the district.

5.8 The Council has undertaken a Landscape Sensitivity and Capacity Assessment (September 2014), which has assessed the site's capacity for residential development and states as follows:-

“Residential development would bring the edge of Bodicote slightly further south although development would be contained within existing structure planting on the southern and western boundaries and contained by Cotefield Business Park therefore having limited visual intrusion. The overall capacity for residential development is Medium”.

5.9 The application is supported by a Transport Assessment which concludes that the proposed development would not have a detrimental residual impact on the local highway, transport networks or highway safety. Indeed, it concludes that traffic emanating from the proposed development would have a negligible increase on the volume of traffic using the A4260 Oxford Road.

5.10 The application is supported by an Ecology Desk Study and Phase 1 Habitat Survey and a subsequent Bat Activity and Dusk Emergence Survey report (BADES), which assessed whether the site is used by bats and, if so, how it is used. The BADES confirmed that a small section of the woodland belt is used by a low number of bats and predominantly by common pipistrelle and the two in-field trees are used by bats as a navigation aid. The proposed development would retain the woodland belt in its entirety, together with the in-field Oak tree, and would provide a dedicated green link between the two as an improved foraging resource.

5.11 The application is supported by a Flood Risk Assessment, which confirms the application site is situated in Flood Zone 1 and is at low risk of flooding. Due to the good infiltration rates available on the site, surface water can be accommodated through ground infiltration, with the brownfield run-off rate reduced below current greenfield levels.

5.12 The application is supported by a noise survey, which assessed baseline conditions on the site, with particular focus on the relationship between the application site and the adjoining commercial units at Cotefield Business Park. The survey concluded that industrial noise levels emanating from Cotefield Business Park were not noticeable

and existing conditions are such that noise levels will continue to be of an acceptable level.

- 5.13 The application is accompanied by an archaeological assessment, including an initial written scheme of investigation and a report on the subsequent trial trenching, field evaluation works. Arising from this initial work, the applicant has prepared a further written scheme of investigation, to undertake further evaluation of the archaeological potential of the site. Satisfactory completion of this work can be controlled via the use of an appropriate planning condition, should permission be granted.
- 5.14 The application is also supported by a preliminary ground conditions report, which concluded that the potential for contamination to exist on the site is ~~low~~, due the site's ongoing use as an arable field, which has not been the subject of any previous development.
- 5.15 In conclusion, the draft Cherwell Local Plan 2011 - 2031 confirms the important role the district's villages will have to play in the provision of housing over the plan period. The application site is an ideal location on which to provide 95 new houses, as part of the Council's housing strategy. The site is very well related to Bodicote village and also to Banbury, both of which provide a range of services and amenities to residents, and is also well related to public transport connections. The proposal is a sustainable form of development and should be supported by the Council.

Appendices

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**Appendix 2 Pre-application submission letter and Cherwell District Council
pre-application report**

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Appendix 3 Parish Council consultation records

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Appendix 4 Public consultation records

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Appendix 5 Housing land supply update June

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Appendix 9 Draft Heads of Terms

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