

Executive

BANBURY CANALSIDE DRAFT SUPPLEMENTARY PLANNING DOCUMENT (SPD)

5 October 2009

Report of the Head of Planning and Affordable Housing Policy

PURPOSE OF REPORT

To consider the draft Supplementary Planning Document (SPD) and Companion Document for the Canalside site in Banbury and endorse it for public consultation.

This report is public

Recommendations

The Executive is recommended to:

- (1) Endorse the Draft Supplementary Planning Document (SPD) attached as appendix 1 and a Companion Document (made available in the Members room) for public consultation.
- (2) Authorise the Head of Planning & Affordable Housing Policy, in consultation with the Portfolio Holder for Planning and Housing to make any further minor non-substantive changes as are necessary to the Draft SPD and Companion Document prior to the publication of these for public consultation.

Executive Summary

Introduction

- 1.1 Banbury Canalside is located between Banbury Town Centre and Banbury Railway Station. It is bound to the west by Windsor Street, by Bridge Street to the north, to the east by Banbury Railway Station and railway line; and to the south by open fields. The site is in a sustainable location, very close to the town centre and railway station. The site is part of the River Cherwell flood plain. The River Cherwell and the Oxford Canal pass through the site. The site is currently mostly in industrial use.

- 1.2** A draft Supplementary Planning Document (SPD) has been prepared to promote and manage future development proposals in the Banbury Canalside area in order to create a vibrant new sustainable community. A 'Companion Document' has been prepared to accompany the SPD which includes a Statement of SPD matters, a Statement of Consultation, technical papers and further information regarding the evidence base. It is recommended that this document is placed on public consultation alongside the Draft SPD. A copy of this document has been placed in the Members' Room.

Background

- 1.3** The Council identified the Canalside site as part of a wider Regeneration Area in the Non Statutory Cherwell Local Plan 2011.
- 1.4** More recently, the Council has been working with English Partnerships, and more recently the Homes & Communities Agency (HCA) to develop a vision for the comprehensive redevelopment of the Canalside area. In order to update the evidence base for the Local Development Framework and to consider in more detail the regeneration opportunities that there may be in the canalside area, English Partnerships last year commissioned a study. This work was undertaken by consultants LDA Design. On 6 October 2008, the Executive considered a report summarising this work and endorsed the principle of 1,200 dwellings as part of a residentially led development including the relocation of uses on the site.
- 1.5** The canalside area was also identified in the 'Core Strategy: Options for Growth' document published by the Council for public consultation in September 2008. The document identified Canalside as one of a number of Strategic Sites for housing and other development in Banbury to 2026. The public consultation showed a widespread support for the redevelopment of this site, in contrast to most of the other options put forward for consultation.
- 1.6** The decision to prepare an SPD for this area was taken in view of the recognised need to (a) provide further evidence to support the Council's allocation of this site within the emerging Core Strategy (particularly in view of the technical complexity of bringing the site forward), and (b) provide more detailed planning guidance for how the site should best be brought forward to achieve a comprehensive, housing-led, mixed use development scheme.
- 1.7** The work to prepare the SPD has been undertaken by consultants appointed by the Council. We have appointed LDA Design, and the expertise they bring to the project builds upon the earlier work that they did for English Partnerships in 2008 (see paragraph 1.4 above). As well as preparing the Draft SPD document, LDA will be undertaking the public consultation and analysing the responses to assist us in preparing a final draft of the SPD to be considered again by the Council in due course.
- 1.8** The HCA have continued to support the Council in the production of the SPD and have offered technical and other support throughout the project. This is important support as it may be that the Council needs to seek further assistance from the HCA to ensure that this project is successfully delivered. The canalside site is being considered as part of the "Single Conversation" that the Council, along with all other local authorities in Oxfordshire, is undertaking with the HCA to identify county-wide HCA investment priorities.

- 1.9** The Executive is being asked to approve the draft SPD and Companion document for public consultation. A leaflet will also be produced for public consultation summarising the draft SPD. The Consultation will be undertaken for a period of 6 weeks during the autumn during which a public exhibition showing proposals for the site will be available to view. The public consultation will take place in accordance with the Council's adopted Statement of Community Involvement. After the consultation period has ended, the representations made will be brought back to the Executive to consider and Members will be asked to approve a final SPD document. This is likely to be in February 2010, where Members will be asked to approve a (possibly revised) document for development control purposes.

Planning Policy

- 1.10** All Supplementary Planning Documents must be prepared in accordance with a "parent policy" which is contained within a Development Plan Document (DPD). In the case of this SPD, the relevant DPD is the Core Strategy. The "parent policy" in the Core Strategy has not yet been prepared, and therefore the following Parent Policy for Canalside is proposed to be included in our emerging Core Strategy:

Banbury Canalside is allocated as a strategic site to deliver a housing-led, mixed-use development. Planning permission will be granted for development that includes:

- *About 1,200 homes, the majority of which will be houses*
- *Retail, office and leisure uses up to a maximum of 17,500 sq m*
- *A one form entry primary school*
- *Public open space*
- *Pedestrian and cycle routes including new footbridges over the railway line, river and canal*
- *Multi-storey car parks to serve Banbury railway station and residents*

Development Proposals will be expected to be in accordance with the Supplementary Planning Document (SPD) adopted for the site. Proposals should allow for a comprehensive and detailed masterplan for the whole allocated area and set out how it is anticipated planning applications will be made for each part of the site.

This policy also forms the basis for the policies and proposals set out in the draft SPD.

- 1.11** A draft version of the Core Strategy is currently being prepared for public consultation in early 2010. The Core Strategy is expected to be submitted for Examination later during 2010 to enable to be adopted in 2011. On adoption of the Core Strategy the SPD will also be formally adopted.
- 1.12** In the meantime, the Council intends to approve the SPD early next year for development control purposes as informal planning policy to encourage and

enable potential development promoters to bring forward suitable proposals for the whole of Canalside. If necessary, the Council will use the SPD alongside other relevant planning policy to refuse planning applications that it considers are contrary to SPD policy.

Development Proposals

1.13 The Draft SPD sets out a vision for the canalside site and a series of detailed policies to guide its future development. These are summarised below and explained in more detail in the draft SPD. The development proposals have been devised with regard to the environmental constraints and financial challenges associated with this site.

1.14 The proposed vision for the site is as follows:

“The Canalside site offers a unique opportunity to bring about an urban renaissance to this part of the town with a housing-led regeneration of the area, bringing a mix of family and other homes, offices, shops and open space into the heart of Banbury. The Canalside area will be a neighbourhood unlike any other in Banbury - a development that demonstrates the town’s sustainability credentials and becomes a destination in its own right. Residents who move to Banbury Canalside will be making a lifestyle choice to live in contemporary dwellings with excellent access to Banbury town centre, public transport and adjoining countryside.

1.15 In accordance with this vision, the SPD sets out the following proposals for the site:-

- The site is expected to accommodate about 1,200 dwellings across the site the majority of which will be houses.
- A development appraisal undertaken as part of this SPD has indicated that the site will not be capable of delivering affordable housing in accordance with the Council’s normal policies and expectations. This has been anticipated and was reported to the Executive in October of 2008. Current development appraisals suggest that a figure of 15% affordable housing is likely to be deliverable; however this should not be taken as the Council’s target figure for this site. The Council would wish any proposal that does not provide affordable housing in accordance with policies set out elsewhere within our LDF to be justified in relation to an open book development appraisal.
- Retail and commercial provision will be focused in the north of the site adjacent to the town centre and station and should not exceed 17,500m².
- Access to Banbury Railway Station for public transport and taxis will be via Bridge Street and Station Approach. A route will be provided to join Station Approach with an extended Tramway Road to enable public transport services only to operate through the site.

- Pedestrian and cycle access into and through the site will be significantly enhanced. This will include the provision of several bridges over the Oxford Canal and the River Cherwell to improve access to the town centre from the east. There should also be a pedestrian bridge over the railway line to improve links between the site and Grimsbury.
- Access to the site for vehicles will be from Upper Windsor Street, Swan Close Road and Tramway Road. The main access will be from Tramway Road.
- Car parking standards reflect the location of the site adjacent to the town centre and Banbury Railway Station. Parking provision will comply with County Council standards and guidance and will not exceed maximum standards. In some residential areas car parking provision below the County Council standards will be considered. Some car free development will be encouraged in residential areas.
- Two locations for multi story car parking are identified, on each side of the railway. These are to provide:-
 - A total of 1,000 spaces for use by commuters using the railway station
 - 100 spaces for residents, to facilitate a managed car pool club, car sharing scheme or similar.
- A canal basin will be located on the canal's western side between Bridge Street and Tramway Road.
- A landscape corridor will be provided along the edge of the river to facilitate access and enhance biodiversity.
- Most Listed and Locally Listed Buildings will be retained and their renovation encouraged.
- Provision will be made for a minimum of three hectares of public open space.
- A one form entry primary school combined with community facilities will be located on site.
- Seven distinct character areas have been identified within the site to deliver the vision, objectives and proposals set out above.

Delivery and Monitoring

- 1.16** Delivering the vision and objectives for the Canalside is a major challenge, given the number of land ownerships, the complexity of land assembly, the costs of redeveloping brownfield land and ensuring development proposals take account of flood risk. These challenges and the solutions proposed are set out in the draft SPD.

- 1.17** The Draft SPD considers that the only way to deliver a successful regeneration of the canalside area is through a comprehensive redevelopment of the site. Development proposals must therefore include a comprehensive and detailed masterplan for the whole allocated area and set out how it is anticipated planning applications will be made for each part of the site. Individual planning applications for the site can come forward at varying times but they must meet the requirements of the SPD and comply with and deliver the masterplan.
- 1.18** The redevelopment will require the relocation of Banbury United Football Club. Banbury United Football Clubs ground is a valuable community facility and should be safeguarded as such. Development proposals will only be permitted if there are firm development and planning agreements in place that replace Banbury United Football club in a manner acceptable to the Council.
- 1.19** The implementation of the SPD will be monitored including the extent to which the strategy, vision and spatial objectives are being achieved and, where this is failing.

Background Information

Partners and Stakeholders

- 2.1** A project team consisting of the Council, together with LDA Design, Oxfordshire County Council and the HCA was formed to oversee the work on the draft SPD.
- 2.2** During the preparation of the SPD the Council has engaged with a number of key stakeholders. All known landowners across the site have been identified and contacted. A landowner forum has been set up to discuss issues of availability of land and delivery of an achievable scheme. It is expected that this forum will continue to inform the project as it proceeds. Meetings have been held with the Environment Agency, Oxfordshire County Council, Oxfordshire Primary Care Trust, Banbury Town Council, and British Waterways.
- 2.3** Workshops were held at Banbury Town Hall in July 2008 and July 2009 to which stakeholders from the above organisations and others were invited. Consultees participated in identifying the opportunities and challenges facing the site and assisted in establishing a vision for Banbury Canalside. More detail about this consultation is set out in the Companion Document.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1** The main issue for consideration is whether to endorse the Draft SPD for public consultation.
- 3.2** There are also other matters which require consideration. Endorsement of the Draft SPD will mean that the Council will continue to endorse a strategy for a comprehensive residential led scheme for the whole site. The SPD, once it has been subject to public consultation and subsequently revised (if

necessary) by this Council will be used to determine planning applications from early next year when it is approved for development control purposes, which means that as the policies in the SPD are designed to facilitate a comprehensive residential led scheme for the whole site, planning applications that do not comply with these policies are likely to be refused. This will include applications for commercial development which may have otherwise been given permanent or temporary consent in recent years. It should however be recognised that the SPD will not carry full statutory weight until it is formally adopted after the Core Strategy.

3.3 Endorsement of the Draft SPD will also further reinforce the Council's commitment to including the Canalside site in the Core Strategy, even though ultimately the inclusion of the site will be determined through the Core Strategy process. The site is considered to be the most sustainable strategic development site in and around Banbury. It should be noted that work to bring forward the Canalside area for residential redevelopment will not be able to proceed if the Flood Alleviation Scheme for Banbury is not implemented. The two issues are closely linked, and the Council is working hard to support the Environment Agency as it seeks to implement this project.

3.4 The following options have been identified.

Option One	To endorse the SPD and Companion Document for public consultation
Option Two	To endorse the SPD and Companion Document for public consultation with amendments
Option Three	To not endorse the SPD and Companion Document for public consultation

Consultations

Cllr Michael Gibbard	Informal briefing
Stakeholder Workshop	See this report

Implications

The following details have been approved by Eric Meadows (Ext 1552) (Financial), Rosemary Watts (Ext 1566) (Risk), Pam Wilkinson (Ext 1688) (Legal) and Claire Taylor (Ext 1563) Equalities

Financial: Financial effects - There are no financial implications arising from this report. Costs can be met within existing Budgets. Consultants have been commissioned to produce the SPD.

Legal: It should be noted that, even after public consultations have been completed and when the SPD has been approved for development control purposes, it will remain an informal document only, until the Core Strategy has been adopted. .

Risk Management: No issues arising from this report. The proposed re-development of Canalside is part of the decision making process for determining the location of future development for the Local Development Framework. The risks are set

out in this report.

Equalities:

Consultation has been undertaken in accordance with the Council's Statement of Community Involvement and aims to address local needs. An Equalities Impact Assessment will be undertaken for the LDF.

Wards Affected

Banbury: Grimsbury and Castle and Banbury: Calthorpe

Corporate Plan Themes

Theme 3
Theme 4
Theme 5
Theme 6
Theme 7
Theme 9
Theme 10

Executive Portfolio

Councillor Michael Gibbard
Portfolio Holder for Planning and Housing

Document Information

Appendix No	Title
Appendix 1	Banbury Canalside Draft Supplementary Planning Document
Background Papers	
Companion Document (as above), Executive Report October 2008 – Banbury Canalside	
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