

Site Address: OS Parcels 4083 and 6882

14/00341/DISC

**Adjoining and north of Broken Furrow,
Warwick Road, Banbury**

Ward: Wroxton

District Councillor(s): Councillor Ilott, Councillor Donaldson, Councillor Turner and Councillor Webb

Case Officer: Tracey Morrissey

Recommendation: Approve

Applicant: Persimmon Homes

Application Description: Discharge of condition no. 5 of 12/01789/OUT – provision of Design Code

Committee Referral: Major application

1. Site Description and Proposal

- 1.1 The application relates to a site that has been identified for residential development in the Submission Local Plan (October 2014) (SLP) under Policy Banbury 5 for a total allocation of approximately 544 dwellings. The site as an allocation covers an area of 26ha, whilst the site subject to this application covers an area 20.2ha and forms the greater part of the strategic site to the north of Dukes Meadow Drive and to the east of Warwick Road, there are two other land parcels that are and will be subject to additional planning permissions.
- 1.2 Persimmon Homes are developing the site subject to this application proposing upto 350 dwellings under 12/01789/OUT. The parcel relates to three segments of land immediately adjacent to Dukes Meadow Drive to be developed for upto 160 dwellings under 14/00066/OUT. The third parcel relates to a dwelling known as Broken Furrow which includes a large paddock to the south of the two agricultural fields.
- 1.2 The consent under 12/01789/OUT required the submission of a Design Code which should include a density plan for the site, design influences / character area study, form of buildings, street frontage, materials, servicing, parking, sustainability features.

2. Application Publicity

- 2.1 It is not a statutory requirement to consult on discharge of condition however a draft Design Code has been consulted on with CDC and OCC.

3. Consultations

Cherwell District Council Consultees

- 3.1 **Landscape Officer** – I welcome the retention of existing vegetation and this should be shown on plans. The landscape strategy such that it is, is very standard and shows no imagination. There could for example be wetland planting around the

attenuation pond, areas of coppice, orchard planting. There is no reference to the ecological survey or incorporation of recommendations. Different landscape treatments can be used to create character as can different species of trees and shrubs. There is no list of indicative species which can be used in both native and built up areas to create character. Green corridors need to include wide dense hedgerows. Existing hedges should be reinforced. They provide a valuable green screen in developments early stages of maturity.

3.2 **Strategic Housing Officer** – No objections to revisions to the proposed clusters

Oxfordshire County Council Consultees

3.3 **Highways:**

- Chapter 1 – Introduction - No comment
- Chapter 2 – Masterplan Framework
 - Pleased to see that the internal access points are again shown for both applications to ensure the overall masterplan street/road links are to be secured and maintained for Banbury 5. I know the S106 recently covers this point, but the pending element of Banbury 5 (upto 160 units) also needs to be drafted and completed with the drafting.
- Chapter 3 – New Built Environment Codes
 - The front boundary treatments proposed must not obstruct visibility splays at junctions around the site and at access points serving individual plots. The proposed railings shown on page 45 would be acceptable in principle as they can be viewed through. However for future maintain of the footway having such features running directly adjacent the footway is not acceptable and a service strip needs to be introduced – min 0.6 to 1m. The height of boundary walls is also an important factor due to the likely pedestrian movements within this site. It is recommended that any boundary treatments fronting onto footways should not be any higher than 0.6m (0.9m will be considered in appropriate locations where 2m x 2m pedestrian visibility splays are provided both sides).
- Chapter 4 – Street & Movement Network Codes
 - The proposed Street Typology Table in my view requires a bit of tweaking for:
 - The secondary streets need to be in my opinion served by 2m footways (on both sides) instead of the proposed 1.5m on one or both sides.
 - Grass verge details need to be firmed up – must be a min of 1m to ensure grass can be cut.
 - Carriageway & kerbing materials will need to be agreed by the county council's Road Agreements Team as well as by CDC.
 - Road widths quoted are acceptable.
- Parking Strategies chapter appears acceptable.

- Chapter 5 – Public Realm Codes - No comment.

4. Appraisal

- 4.1 Design Codes set the context for a detailed design development which provides a design rationale and instructions, it also sets out mandatory and discretionary guidance. Fundamentally the code establishes the criteria to assess the developer's proposal when the next stage Reserved Matters application is submitted.
- 4.2 The proposed Master Plan has evolved from the illustrative Layout/Master Plan submitted and approved at Outline Stage. The evolution of the Master Plan has been developed alongside officers and the applicant, Persimmon Homes over the last 15 months. The Master Plan was refined to ensure that the connectivity of the site was maintained to provide pedestrian linkages to Dukes Meadow Drive.
- 4.3 Planning Practice Guidance provides a raft of information on Design Codes and acts as a good base for the consideration of design matters during the application process.
- 4.4 Good quality design is an integral part of sustainable development. The National Planning Policy Framework recognises that design quality matters and that planning should drive up standards across all forms of development. As a core planning principle, plan-makers and decision takers should always seek to secure high quality design.
- 4.5 Well-designed places are successful and valued. They exhibit qualities that benefit users and the wider area. Well-designed new or changing places should be functional, support mixed uses and tenures, include successful public spaces, be adaptable and resilient, have a distinctive character, be attractive; and encourage ease of movement. The PPG advocates that the promotion of good design should be sought at all stages in the planning process and that in the evolution of planning applications and proposals there are established ways in which good design can be achieved. Design Codes is one such mechanism.
- 4.6 *"A design code is a type of detailed design guidance that is particularly useful for complex scenarios involving multiple parties in long-term development. A code can be a way of simplifying the processes associated with new development to give more certainty to all those involved and help to make high quality places. Code preparation can allow organisations and local communities to work together more effectively, helping to build consensus about what kind of place everyone wants to create.*

Design codes vary mainly according to their level of prescription (what they fix and what they leave flexible) and the scale at which they operate. They may be appropriate for use on an area basis to shape new build development. They can be applied to all development types including residential, commercial, mixed use, redevelopment of parts of towns or cities, open space, landscape or public realm requirements. Design codes can be used in other situations. For example, they may be appropriate to guide the design of repetitive minor householder planning applications such as house extensions, alterations, and the like in a particular locality. They often link to adopted masterplans.

Preparing a good code is about finding a balance between technical specificity and a succinct description of what is required. Some of the best and most effective codes are very short.

Design codes seek to capture the specific requirements of a place and encourage interested parties to think together about each development in its entirety as a unique place.

Local planning authorities and developers should consider using design codes where they could help deliver high quality outcomes where for example:

- they wish to coordinate design outcomes across large or complex sites to deliver a coherent locally agreed vision;*
- wish to ensure consistency across large sites which may be in multiple ownership and/or where development is to be phased and more than one developer and design team is likely to be involved;*

Codes can also be used by applicants when submitting a planning application, if there is a need to retain some flexibility on the final design of the development (e.g. if the development is a self/custom build housing scheme where the final design of homes depends on the preferences of future home owners).

To promote speed of implementation, avoid stifling responsible innovation and provide flexibility, design codes should wherever possible avoid overly prescriptive detail and encourage sense of place and variety (unless local circumstances can clearly justify a different approach).

Codes should be succinct and carefully distinguish mandatory from discretionary components, avoiding ambiguous aspirational statements, unnecessary jargon and they should define any use of key technical terms.

Although design codes are most often used as part of the planning application process they can be used at other points including:

- via formal adoption, principally through a Local Plan or neighbourhood plan;*
- by being incorporated within Community Right to Build Orders or as part of a local development order or Neighbourhood Development Order; and*
- by the exercise of freehold rights through development agreements and covenants.*

The choice of approach depends on local circumstances and the aims and aspirations of the promoter of the code". Paragraph: 036 Reference ID: 26-036-20140306

- 4.7 The evolved Master Plan that forms the basis of the Design Code document, builds on the foundations established during the Outline Application stage and the illustrative layout/master plan, to create a sustainable community through the establishment of a balanced mix of land-uses.

- 4.8 The Design Code begins by setting out the areas that have the potential to influence the design and character of the development. This has required the undertaking of a Character Assessment of the locale of the development to both inform the architectural language and also the composition of routes, spaces and places to ensure that the proposed development would be identifiable to the local context. To that end, the Character Study focus on the following locations;
- Hanwell Fields;
 - The villages of Hanwell and Horley
- 4.10 The purpose of the study is not to recreate these settlements but to seek an understanding of how the movement networks inter-relate with the spaces and places along them, the form they take and the role both the built and landscape environment and public realm play within them and the design cues to be taken forward in the proposed development of the site.
- 4.11 The site principally presents three character areas:
- Main Street
 - Core Housing
 - Green Edge
- 4.13 The document is not required to detail the precise layout of the individual plots but is required to have some regard to the potential block structure, this has been done. The Design Code prescribes some 'mandatory' design features which must be provided to ensure the scheme is delivered to incorporate the key design factors necessary to sustain the high quality environment envisaged. These 'mandatory' design features include street dimensions, building and public realm treatments, material palettes and building typology to ensure a consistent approach and application of the codes.
- 4.14 Townscape includes active frontages which relate to street typologies tying together the legibility of the scheme from a townscape perspective. This is also reflected within the movement network, which helps to support the movement hierarchy and aids legibility. Key and Gateway buildings are identified that have strategic importance for the site as whole as they will be designed to convey the special importance of the location, such as a vista stop or accent within a key area, through contrasting forms, scale, windows, material and/or composition.
- 4.15 The principle overarching strategic landscape objectives are the retention (where possible) of existing vegetation, new planting, provision of green corridors and green edges, key public open spaces, formal sports pitch, tree lined reservations and children's play spaces, all combining to create a strong and inter-related landscape structure.
- 4.16 The street hierarchy plan identifies 6 street typologies, the main street from the Warwick Road will provide a convenient legible route through the development and will link eventually to Dukes Meadow Drive to allow public transport links in the future. Parking strategy includes parking typologies.
- 4.17 The development of the site will have a set of Sustainable Urban Drainage features within the drainage infrastructure for the site. The three SUDs features within the public open spaces will provide a multifunctional space, including a shallow swale

in between attenuation features.

4.18 The urban form is supported by a Residential Density Plan and Regulating Plan.

4.19 The sustainability principles of the development have been set out in the code.

Conclusion

4.20 The Design Code has evolved from an outline illustrative master plan and has been developed over the course of 15 months. Elements of the document have been revised, enhanced and modified to the point that the Design Code will deliver a high quality development that meets the vision, aspirations and expectations of the Council.

5. Recommendation

Approve the discharge of condition no. 5 of 12/01789/OUT.

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