

**Site Address: Hardwick Hill, Southam
Road, Banbury**

14/00383/DISC

**Ward: Banbury Grimsbury and
Castle**

**District Councillor(s): Councillor Beere,
Councillor Bonner**

Case Officer: Tracey Morrissey

Recommendation: Approve

Applicant: Bellway Homes Ltd

**Application Description: Discharge of condition no. 6 of 13/00159/OUT – provision of
Design Code**

Committee Referral: Major application

1. Site Description and Proposal

- 1.1 The application relates to the east part of a site that has been identified for residential development in the Submission Local Plan (October 2014) (SLP). Land to the west of the site (on the opposite side of Southam Road) forms a separate parcel of land with 90 units approved under 13/00158/OUT. Both sites (West and East of Southam Road) form the allocated BAN2 site, with a considered yield of approximately 600 units and no more than 90 units on the west side.
- 1.2 The site covers an area of some 25ha to the northern edge of Banbury and to the west of the M40 and east of Southam Road (A423) and is roughly triangular in shape comprising agricultural land. The principal environmental constraints is the Deserted Medieval Village (DMV) in the south east corner and the setting of the Grade II* Hardwick Farm beyond the site boundary to the south east. The site is also dissected by a mature hedgerow, spanning the central element on an east/west axis, to the south of which lies its lower slopes. The topography of the area rises gently to the north and the difference between the highest and the lowest points on the site is approximately 25m. Forming part of the Cherwell valley landscape feature, in the setting of the north of Banbury, the site is contained visually by the existing mature vegetation and the M40 and Southam Road.
- 1.3 The eastern side of the Southam Road subject to this application was granted outline consent under 13/00159/OUT and provides 510 units, a school and associated access, landscaping/open space, parking and related works. The consent 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** – Revisions to the landscape element is much improved and will help inform the landscape REM application.

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

Oxfordshire County Council Consultees

3.3 **Highways** – No objection

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 Bellway Homes over the last 5 months. An external Urban Design Consultant was engaged to assist officers during the development document.

4.3 In October Members were invited to a Design Code Briefing which acted as a 'Member Sounding Board'. Members were given the opportunity to hear about the applicant's aspirations for the site, the constraints and challenges faced in the development of the site and how highway matters would be addressed. Verbal comments made by Members were taken on board.

4.4 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.

4.5 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.

4.6 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.

4.7 *"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

- 4.8 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.
- 4.9 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;
- Historic core of Banbury;
 - The surrounding villages of Hanwell and Little Bourton.
- 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.
- 4.11 The site principally presents five character areas:
- Village Core (informed by Banbury Market Place)
 - Central Area (informed by Banbury);
 - South-Western Area (informed by Hanwell due to its distinctly contrasting ambiance to the remainder of the site);
 - South-Eastern Area (informed by Banbury with echoes of Hanwell around the open space);
 - Bund Frontage.
- 4.12 Within the character areas are 'conditions'. Conditions are the term used to define important spaces and routes within and through the development. Each character area contains its own identifiable condition (i.e. special place) which is either designed around proposed open space, the DMV or as a planned space such as the Village Core. This methodology will ensure that each development block will have an identifiable sense of arrival and place which in turn aid legibility and also a sense of community. The DMV will become the park for the development, with play equipment proposed to the northern 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.

- 4.14 Townscape includes active frontages and a hierarchy of frontages that are split into three tiers that can then 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. Landmark 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, material and/or composition.
- 4.15 The principle overarching strategic landscape objectives are the retention (where possible) of existing vegetation, new planting, public open spaces, tree lined reservations, ecological enhancements, children's play spaces and the DMV, all combining to create a strong and inter-related landscape structure.
- 4.16 The Primary Street will provide a convenient route through the development with bus stops for public transport. School coaches access is also facilitated.
- 4.17 The surface water drainage strategy aims to mimic the existing natural run-off as much as possible as detailed within the Approved FRA. Foul drainage will be provided for by way of sewer requisition by Thames Water, all draining by gravity.
- 4.18 The proposed noise attenuation structure will be up to 9m high. The structure will be a combination of mounded earth and acoustic fencing at c.6m and 3m high respectively. The bund will be approximately 20m wide at its base but may vary in width according to the topography as the site slopes down from the NE corner.
- 4.19 The urban form is supported by a Residential Density Plan, Building Heights Plan and Townscape Regulatory Plan.
- 4.20 The sustainability principles of the development, adopting a fabric first approach have been set out in the code.

Conclusion

- 4.21 The Design Code has evolved from an outline illustrative master plan and has been developed over the course of 5 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. 6 of 13/00159/OUT.

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