Revised Comments of the Banbury Civic Society in Response to Amended Plans 12 Oct 2026

23/01633/F - Site at Calthorpe Street and Marlborough Road Banbury. Demolition of existing retail units and public car park and redevelopment for residential dwellings (C3 Use), provision of private car parking, hard and soft landscaping and photovoltaic (PV) panels on roof, and associated works.

Please accept this Society's apologies for the late submission of the Society's comments on the recent revisions to this application for

- the demolition of the only two modern purpose-built, large footprint retail buildings in the town centre and the loss of 390 town-centre public car-parking spaces (2 car parks) and
- their replacement by a large residential development of 181 flats and townhouses of up to 5 storeys.

The recent revisions include

- The reduction in the number of proposed dwellings from thew 230 to 181
- The reduction of the overall (100% private) parking provision across the site from 42 to 25 spaces, and
- The revision of the rooflines of the 'Smithy' blocks facing Calthorpe Street and Marlborough Road at the north end of the Site to stepped rooflines reflecting the Site's sloping natural topography.

Despite numerous incremental amendments, the overall height, massing, materials and appearance of the proposed development appear little changed, comprising in the main, a number of 4- and 5-storey blocks occupying the majority of the Site area.

Whilst the Site lies at the geographical heart of the Banbury Conservation Area, the development as now proposed is a generic metropolitan residential development that is devoid of massing, appearance or detail that could be in any way described as 'locally distinctive' or in-keeping with the established character and appearance of the conservation area or respectful to the setting and heritage 'significance' of nearby Listed buildings, specifically including those of the Grade I Church of St Mary, whose significance relies in part on defined and protected views from the grounds of Calthorpe Manor ('Danvers House') and from Lucky Lane.

We would thus maintain our opposition to the development as now amended, in that it is remains contrary to several adopted policy documents within the development plan and to the NPPF, specifically:

- **The Banbury Vision & Masterplan Supplementary Planning Document (December 2016)** requiring that "*this area could be redeveloped for town centre uses and car parking* and that development on the Site should comprise *"two-/three-storey residential blocks and new car parking",*
- **Policies Banbury 7** (**Strengthening Banbury Town Centre**), ***C.158 Land at Calthorpe Street*** requiring "*a mixed use scheme including car parking"* and **ESD 15** (Historic Conservation). of the current Cherwell Local Plan,
- Emerging **Policy BAN H3** of the Regulation 19 Cherwell Local Plan requiring *"public realm and built frontages that address and integrate with Calthorpe Street and Marlborough Road, and accommodate views of St Mary's Church* and the preservation and enhancement of *the setting of the Grade II listed Calthorpe Manor* and the *character and appearance of the Banbury Conservation Area"*, and
- **Policy HE6 of the NPPF**.

We also remain deeply concerned that this application is being submitted at a time when Thames Water are unable to supply it with an adequate supply of potable water, with no known prospect of an improved water supply for the town.

Should the Council determine that the public benefits of the proposed development outweigh other public harms (including the harm to the built heritage and environment), it would be incumbent on the Council to seek an independent study to establish beyond all doubt that the proposal is fully costed and deliverable without any reductions in quality or its affordable housing provision.

Rob Kinchin-Smith

(Chairman, Banbury Civic Society)

(Address supplied)

Appendix A – Comments on 2023 Iteration, submitted 9th August 2023

23/01633/F - Site at Calthorpe Street and Marlborough Road Banbury. Demolition of existing retail units and public car park and redevelopment for residential dwellings (C3 Use), provision of private car parking, hard and soft landscaping and photovoltaic (PV) panels on roof, and associated works.

Please accept this Society's apologies for having missed the deadline for public comments on this application.

The Banbury Civic Society wishes to express some grave concerns about the proposed development.

The application went live 26/6/2023, advertised as "Demolition of existing retail units and public car park and redevelopment for residential dwellings (C3 Use), provision of private car parking, hard and soft landscaping and photovoltaic (PV) panels on roof, and associated works".

It might properly have been advertised as "Demolition of existing retail units and public car park and redevelopment for 230 residential dwellings, provision of private car parking, hard and soft landscaping and photovoltaic (PV) panels on roof, and associated works".

The Council's Planning Department has clearly engaged in extensive pre-application discussions with the applicant and appears to have negotiated a reduction in the scale of development (from 3-6 storeys to 3-5 storeys). The applicant did engage in a public consultation exercise with a public exhibition at the Town Hall last March. This nevertheless presented a fully baked scheme and it is difficult to see what, if any, of the public comments have been taken into account in the current application. Certainly the main one (almost universal dismay at the loss of public parking in Banbury upper old-town) has not been addressed, the very expensive underground parking for residents only remaining unchanged.

Public Comments

We remain concerned at the level of public scrutiny and engagement with such a major development in the heart of Banbury's old town and conservation area, with comments from only five local residents (one of whom lives in Bicester). Still, five is better than the one comment that had been submitted before the closing date for comments (27/07/2023). These few comments nevertheless reflect a split in opinion (also noted in chatter on social media) between:

- those who are alarmed by the loss of public parking, the potential increase in on-street parking (resulting from inadequate on-site residents' parking), the additional pressure on public infrastructure and the impact on the built and historic environment, and
- those who welcome more town-centre residential development, some of whom observe that that the existing NCP car park is has recently been under-used.

This Society shares the views of those who have objected, for the same reasons.

We are sympathetic to the views of those in support, but we would note that the usage of the existing car park decreased during the Covid pandemic and has subsequently remained at low levels in no small part due to the change from cash / card parking to parking with a smart-phone app. This change, coupled with an initial hiking of charges well above competitive rates, appears to have been part of a deliberate ploy to deter demand so the site can be sold for redevelopment.

Like Cherwell District Council and Banbury Town Council, this Society believes passionately that the town should not settle for its post-Covid levels of footfall. If the town is to experience its promised 'town-centre renaissance', it will require most, if not all of its existing car-parking if it is to remain 'the metropolis of 100 villages', all of which suffer, like the town's newer suburbs, from completely inadequate public transport provision. Nearby shops on upper High Street and the 'brass plate' businesses on South Bar will be particularly hard hit.

Planning Policy

Like the (relatively few) supporters of the proposal, this Society is strongly in favour of increasing the residential population of the town centre. We nevertheless believe that this is already addressed by the Council's support for proposals that bring back into use the under-used spaces over shops (Local Plan Policy **Banbury 7**) and through the redevelopment of less-sensitive allocated town-centre sites that currently cause blight, notably:

- **Banbury 1**: Canalside (Approximately 700 dwellings (70% houses 30% flats, Affordable Housing – 30%) to include extra-care housing and the opportunity for community self-build affordable housing);
- **Banbury 8**: Bolton Road Development Area (Approximately 200 dwellings, in conjunction with wider retail and leisure uses); and
- **Banbury 19**: Land at Higham Way (Approximately 150 Dwellings (70% houses 30% flats, Affordable Housing – 30%) to include extra-care housing and the opportunity for community self-build affordable housing).
- **Policy Banbury 7: Strengthening Banbury Town Centre** states:

  "Shopping, leisure and other 'Main Town Centre Uses' will be supported within the boundary of Banbury town centre. Residential development will be supported in appropriate locations in the town centre except where it will lead to a loss of retail or other main town centre uses.

  The change of use of sites used for main town centre uses in the town centre for residential development will normally be permitted if proposals contribute significantly to the regeneration of the town centre. Mixed use schemes will be encouraged.

  A1 uses will not be permitted within the existing Town Centre Commercial Area.

  Only A1 and A3 uses will be permitted on the ground floor in the primary shopping frontage. Residential development will not be permitted within the primary shopping frontage unless above ground floor level.

  The Council will identify an extension to the Town Centre within the defined 'Town Centre Extension - Area of Search'. Prior to this retail and other main town centre uses will only be supported within the 'Area of Search' should they form part of a package of proposals to help deliver the aims for Banbury Canalside and be in accordance with Policy Banbury 1.

  In all cases proposals for town centre uses will be considered against Policies SLE2, ESD10 and ESD15

As the allocated site noted above have been slow in coming forward, it is of course tempting to applaud a scheme that will deliver up to 230 new homes in the town-centre, but to support a speculative proposal on a non-allocated site, irrespective of the wider impacts on the common environment and public infrastructure, would be an abandonment of the plan-led system.

It is worth examining adopted planning policy for this site, all of which has, unlike the present proposal, been subject to extensive local consultation, both at inception and throughout to adoption:

- The **Cherwell Local Plan** states:

  *C.158 Land at Calthorpe Street also provides the opportunity to regenerate this historic part of the town centre which has experienced vacancies. It provides the opportunity to deliver **a mixed use scheme including car parking**. Opportunities for the site will be explored further in the Banbury Masterplan.*

C.164 In 2010 the Council commissioned an update to its 2006 PPS6 Retail Study and this identifies the capacity for comparison and convenience floorspace in each of the District's urban centres up to 2026. In the light of recent changes facing the retail sector this study has itself been followed by a further examination of retail needs through to 2031 and the opportunity that exists ***to strengthen Banbury's retail offer****. In 2012 a study was commissioned and produced by CBRE which identifies the capacity for comparison and convenience retail floorspace in the District to 2031. A strategy for sites to accommodate retail floorspace is identified for Banbury. With proposals at Spiceball expected to deliver a new supermarket and some A3 uses and Bolton Road proposed to deliver new dwellings on a significant proportion of the site, land at Calthorpe Street is likely to contribute to ensuring that the* ***retail needs of an expanding town*** *are met. Following the CBRE study our Plan aims to* ***help strengthen the retail base of the town centre****, supporting the growth of retailers, particularly independent retailers and the night economy, to encourage dwell time and help generate new employment. The Local Plan identifies land within Banbury town centre that will help meet Banbury's identified need as well as positioning Banbury to compete on a regional basis. This last is supported by Policy* ***Banbury 7: Strengthening Banbury Town Centre****: Shopping, leisure and other 'Main Town Centre Uses' will be supported within the boundary of Banbury town centre. Residential development will be supported in appropriate locations in the town centre* ***except where it will lead to a loss of retail or other main town centre uses****.*

In all cases proposals for town centre uses will be considered against Policies SLE2, ESD10 and ESD15.

- **The Banbury Vision & Masterplan Supplementary Planning Document (December 2016)** states:

  Calthorpe Street Area: This area could be redeveloped for town centre uses and car parking.

  The plan at page 38 states that that development on the Site should comprise *"two-/three-storey residential blocks and new car parking".*

If approved in its present form, this development, and particularly the loss of public parking, would represent the greatest change to the town since Castle Quay and the greatest change to the upper town since the 1980s when Sainsburys redeveloped this site as a supermarket and (then) very popular town-centre car park that was free if you used the store. Compounding the loss of over 100 public parking spaces resulting from Castle Quay 2, the proposal has the potential to permanently restrict Banbury's footfall to post-Covid levels just as the Council's economy and regeneration arms are actively engaged in developing policies for a post-Covid town-centre renaissance.

We therefore object to the proposed development as it would be contrary to Local Plan Policy **Banbury 7 (Strengthening Banbury Town Centre)** and divert investment away from the three allocated town-centre sites (**Banbury 1**, **Banbury 8** and **Banbury 19**), all blight sites whose neglect and /or visual appearance cause actual harm the town.

We also object to the proposed development as being contrary to the **Banbury Vision & Masterplan Supplementary Planning Document (December 2016)**.

We object to the proposed development as being speculative and contrary to the plan-led planning system.

Water and Drainage

Two hundred and thirty new town-centre dwellings have the potential to impose a substantial strain on existing infrastructure. We are thus very concerned at the comments of Thames Water and the Council's Land Drainage Team.

Thames Water comments

We note with concern the comments of Thames Water:

- *"Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal.*
- *The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development*
- *Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available.*

We note that Thames Water have suggested a Condition requiring that *"No development shall be occupied until confirmation has been provided that either:-*

- *all water network upgrades required to accommodate the additional demand to serve the development have been completed; or*
- *a development and infrastructure phasing plan has been agreed with Thames Water to allow development to be occupied.*

Whilst it is likely that adequate water exists in the Banbury area, the nature, extent, disruption and cost of the required *"network reinforcement works"* remains completely unclear. It is nevertheless apparent that whether the works would comprise a new reservoir, a new water tower, or just a substantial upgrade of Banbury's town-centre water mains(a highly disruptive operation in itself), the costs will be high and likely to have a marked adverse impact on the viability of the proposed development.

The only areas where any necessary saving are likely to be possible would be in the quality of external finishes and the provision of the promised 69 *"Social, Affordable or Intermediate Rent dwellings"*. A reduced quality of external finish or the loss of some or all of these dwellings appears likely, significantly harming claims about the public benefits of the proposed development.

CDC Land Drainage

We similarly note the comment of CDC's Land Drainage Team that "*There is at least one public sewer which is shown to cross the site - there may be more that are uncharted. Therefore diversions may be required. I recommend that the applicant carries out a comprehensive drainage/utility survey and consults with Thames Water when results are known"*.

Again, it is clear that inadequate background studies necessary to determine the viability of the proposed development have been carried out.

Again, the only areas where any necessary saving are likely to be possible would be in the quality of external finishes and the provision of the promised 69 *"Social, Affordable or Intermediate Rent dwellings"*. A reduced quality of external finish or the loss of some or all of these dwellings appears likely, significantly harming claims about the public benefits of the proposed development.

Cut and Fill Imbalance

Whilst not commented on by consultees and not discussed in the application, we cannot help noticing that the proposal introduces undercroft car-parking. If this is not to raise the already tall (4 to 5 story) new buildings above existing ground levels, this will be expensive and require a significant amount of excavation.

We also note that the northern half of the site is currently raised by up to 2.5m above pavement level, with retaining walls facing onto both Marlborough Road and Calthorpe Street. The submitted plans shown the new buildings at pavement level, introducing a further substantial cut-an-fill imbalance.

The demolition and crushing of the existing buildings, retaining walls and car-park surfaces will result in substantial arisings as well.

As far as we can see, there is nowhere on site where any such excavated material and demolition arisings can be disposed of. The development will thus have a significant imbalance between cut and fill, resulting in a substantial additional costs for disposal off site, as well as extensive and prolonged heavy

lorry movements within the town centre, in addition to the disruption caused by unquantified sewer diversions and 'reinforcement' of the town-centre's water infrastructure.

Whilst the lorry movements may be mitigated by a suitable Construction Management Plan, we are sceptical whether the significant monetary cost of the 'muck-away' operations and sewerage and water infrastructure have been factored in to the viability of what appears to already be a financially optimistic proposal in these days of rapidly-escalating construction costs across the industry. Again, we have grave concerns that the proposals are unviable if the promised quality of external finishes and 69 *"Social, Affordable or Intermediate Rent dwellings"* are to be delivered.

The obvious end result will, we predict, be a series of post-consent revisions to the scheme, with the quality of external finishes and the "*69 Social, Affordable or Intermediate Rent dwellings"* being the obvious candidates for loss. Clearly any reduction in the quantum of the Social, Affordable or Intermediate Rent dwellings would remove completely the only real public benefit of the proposal.

Conservation and Urban Design

CDC Design and Conservation Comments

For such a large and important development at the heart of the Banbury Conservation Area and within the setting of multiple Listed buildings, we are very concerned that it appears from the terse comment of the Council's Design & Conservation team that they have not been involved to any significant degree in pre-application discussions during the evolution of the proposal. The comment reads:

> "*Thank you for consulting the* (Design and) *Conservation Team on the above application. As this consultation refers to urban design advice it is considered that this is outside the remit of the* (Design and) *Conservation Team and we would therefore advise that specialist Urban Design advice is sought*."

This is not a proportionate response to the scale of the proposed development and its location at the heart of the Banbury Conservation Area.

One may well ask how is it that Cherwell's Design and Conservation Team have not been involved in the Council's pre-application discussions with the applicant and why have the Design and Conservation Team have only been consulted on urban design matters, particularly when the team currently clearly lacks urban design expertise.

Historic England Comments

Fortunately Historic England have risen to the challenge. They identify that:

- *…the proposal will cause some harm to the significance of the Grade II* listed Calthorpe Manor through development in its setting and some harm to the Banbury Conservation Area through the introduction of large residential blocks that do not reflect the local character and distinctiveness*
- *…the introduction of large residential blocks of 4-5 storeys to the centre and southern end of the site is of some concern. The harmful impact of taller buildings in this street can already be judged from the modern Calthorpe House, midway down Calthorpe Street, which does little to reflect the character of the conservation area. It would be regrettable to further harm the significance of the conservation area and the listed buildings nearby by erecting more overly large buildings.*
- *Block A would have some impact on the significance of the Grade II* Danvers House* (Calthorpe Manor)*, as it would bring larger buildings in close proximity to it, reducing the perceived sense of openness to the north of the house and competing with its prominence.*
- *…the development would introduce a mass and scale to the conservation area, which apart from some individual infill developments is largely absent. This will change the experience through this part of the conservation area, which retains some locally listed buildings such as 15 and 25 Calthorpe Street, believed to be the former gatehouses to Calthorpe Manor. The large scale of the buildings so close to these locally listed buildings has a harmful impact, somewhat weakening those building's place in the streetscape and their visual connection to the Manor.*
- *…the site's redevelopment… offers a rare change to greatly enhance the town centre if done very sensitive. However, the current proposals fail to take this opportunity. We have concerns*

regarding the scale, massing and design of the taller blocks and the resulting harm this would cause to the character and appearance of Banbury's historic townscape.

- *We feel there is scope for the harm to be reduced through modifications to reduce the height and break by the massing of the taller blocks through material changes and alterations to form. Stepping back the upper storeys and giving them mansard or pitched roofs would further help to reduce the scheme's prominence.*
- *In our view* (the relatively minor) *benefits* (of the proposed development on the character and appearance of the conservation area) *could be delivered as part of a more sensitive and less harmful scheme. We do not consider that these benefits alone outweigh, or are close to outweighing, the combined harm to heritage assets...*
- *With regards to the setting of Calthorpe Manor, in our view the proposed improvements to its setting should be more ambitious. Under the existing proposals the existing modern boundary treatments and car park to its west, both which adversely affect the setting of the house would be retained. We would encourage a more positive landscaping strategy is delivered that seeks genuine enhancements to better reveal the setting of this important asset and tell the story of this house and its historic connection with the application site, which was once the parkland.*
- *Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 199, 200 and 202 of the NPPF.*
- *In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess, and section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.*

Banbury Civic Society's Design and Conservation Comments

As well as being concerned about the viability and deliverability of the development proposed (and in particular the promised 69 *"Social, Affordable or Intermediate Rent dwelling*) and the loss of public parking and town-centre retail from this key town-centre site, this Society strongly concurs with Historic England that the appearance, massing, landscaping and large scale of the individual residential blocks proposed are inappropriate to the location and will result in harm to the character and appearance of the Banbury Conservation Area and harm to the setting and heritage significance of multiple Listed and locally-listed built heritage assets, including (but not exclusive to):

- the Grade II* Calthorpe Manor (Danvers House, Dashwood House and Calthorpe House) and its Grade II-Listed gate piers,
- Grade II Old Wine House (27 High Street),
- Grade II Former Mechanics Institute and Municipal Technical School, Marlborough Road (Library and Borough House) and
- the locally listed former gate lodges to Calthorpe Manor (15 and 25 Calthorpe Street), Methodist Church, Freemason's Hall and 18-23 Marlborough Road

Further, whilst the site is visible in only two 'important views' identified in the Banbury Conservation Area Appraisal (one looking north from Lucky Lane to the tower of St Mary's Church, the other looking from the remaining gardens of Calthorpe Manor to St Mary's), there will be numerous incidental views looking over the old town where the 4- and 5-storey blocks will loom over the existing roofscape, competing for dominance with:

- The tower of St Mary's Church (Grade I)
- The tower of St John's Church (Grade II), and
- The spire of the Methodist Church (locally listed)

The site lies in the 19th Century Suburbs (East) – Calthorpe Character Area of the Banbury Conservation Area (Calthorpe Manor and its former grounds, an area characterised by high-quality mid-19th-century villa development and retaining the Grade II* Calthorpe Manor, its Grade II gate piers and the locally listed former gate lodges (15 and 25 Calthorpe Street). Buildings in this area are of two and three storeys

only (see Banbury Conservation Area Appraisal, pp.55-65 (Scale and Massing)).

The east side of the site faces the 'posh' western edge of the 19th Century suburbs (East) – Newlands, still notable for its fine public buildings (notably the three-storey Former Mechanics Institute and Municipal Technical School (Library and Borough House, Grade II), locally-listed Methodist Church and Freemason's Hall, despite the loss of the old police station and Methodist church hall. Most of the buildings in this character area are of 2 or 3 storeys and none are of more than 3½ storeys (see Banbury Conservation Area Appraisal, p.50 (Scale and Massing)).

The western side of the site abuts the east side of the Main Rote Corridor Character Area. Buildings on the west side of South Bar Street were built as high status residences in the Georgian period. Most of them are three storeys. In contrast, buildings on the east side are much smaller (mainly three storeys, reducing to two storeys near to the Cross. The scale of St. John's Church (Grade II) ensures its prominence compared to the surrounding buildings. These differences in building height and roof line contrast with the uniform building line and roofline on the west side of the street (see Banbury Conservation Area Appraisal, p.44 (Scale and Massing)).

The northern end of the site abuts the Medieval Character Area (Banbury's historic core). "*The height of buildings in this area is remarkably consistent, with very few examples of intrusive tall development that characterises the centre of many market towns. In Market Place and other principal routes such as High Street buildings stand at three or three-and-a-half storeys and, only occasionally, four storeys. Buildings in the lanes and also those found to the rear of plots are noticeably lower, at predominantly two storey with some single storey structures*" (see Banbury Conservation Area Appraisal, p.33 (Scale and Massing)).

The site lies on rising ground on what was for 900 years of Banbury's 1,000-year history the grounds of Calthorpe Manor. Study of old maps and images show that, despite some two and three-storey development on the east side of Calthorpe Street and the insertion of the two-storey Calthorpe Terrace and a single-storey steam sawmill in the mid 19th Century, much of the site remained as open green space (latterly including allotments) until well into the 20th Century. This aspect remains tangible in the town's fabric even today, because of the low height of the existing ex-supermarket buildings, the open space of the car-parking and, most importantly, the now-mature tree-planting within the site and fronting onto Calthorpe Street and Marlborough Road.

Contrary to all of the above, the present application seeks to build a series of large footplate, flat-roofed, 5-storey modern idiom blocks of flats within the site, with a series of large footplate, 4-storey apartment blocks around the perimeter. These latter buildings have an external appearance inspired perhaps by Victorian factory or warehouse buildings.

In scale, massing and appearance, the central 5-stiorey blocks are wholly alien to Banbury's historic core and wider Conservation Area and will compete for dominance with the towers of St Mary's Church and St John's Church and the spire of the Methodist Church in views over the town centre, including in the 'important views' from Lucky Lane and the garden of Calthorpe Manor.

Whilst more sympathetically designed, the proposed 4-storey 'Victorian warehouses' proposed for the site perimeter are both over-scale for their location and of an inappropriate idiom, given the site's historically green and open nature. Such buildings would no doubt be suitable for Banbury's 'Canalside' industrial area, but they are historically inappropriate for this site and a poor substitute for the existing trees on the present margins of the site.

Notwithstanding the key public benefit of the "*69 Social, Affordable or Intermediate Rent dwellings"* proposed (which we believe to be potentially unviable), we object to the proposed development for its adverse effect on the established character and appearance of the Banbury Conservation Area (including two identified 'important views) and its adverse impact on the settings of multiple historic buildings, including St Mary's Church (Grade I), Calthorpe Manor (Grade II*), St John's Church (Grade II), Former Mechanics Institute and Municipal Technical School (Grade II), Old Wine House (27 High Street) (Grade II) and the locally-listed Methodist Church, former gate lodges to Calthorpe Manor (15 and 25 Calthorpe Street), Freemason's Hall and 18-23 Marlborough Road.

We object to the proposed development as being contrary to Cherwell Local Plan **Policy ESD15**.

Further, given the availability of three allocated town-centre sites that have the potential to deliver 1,050 new homes in much less sensitive locations, we do not believe that the public benefits of the proposed development (and the resulting disruption of 'muck-away' and water and sewer diversions), outweigh the heritage harm, making the development contrary to **paragraph 202 of the NPPF**.

Conclusions

The Banbury Civic Society has grave concerns over the effect of the proposed development on the vitality and well-being of local businesses, through the loss of public parking, which we feel will condemn Banbury's footfall to immediate post-Covid levels at a time when the town and its Councils are planning for a renaissance in trade and leisure retail. As the town-centre has allocated sites for 1,050 new dwellings elsewhere in areas much more deserving of regeneration, the intensive development of this site for 230 dwellings is unnecessary and contrary to policy.

We also have grave concerns about the impact of the proposed development on the built and historic environment, resulting in a significant degree of 'less than substantial harm' to the Banbury Conservation Area and multiple designated and non-designated heritage assets, not least the Grade II* Calthorpe Manor.

We object to this application as being contrary to:

- **The Banbury Vision & Masterplan Supplementary Planning Document (December 2016)**
- **Policies Banbury 7** and **ESD 15** of the Cherwell Local Plan, and
- **Paragraph 202 of the NPPF**.

With its requirements for an undercroft car park for 60 vehicles, 69 *"Social, Affordable or Intermediate Rent dwellings"* and quality external finishes and hard and soft landscaping, the proposed scheme appears ambitious, given Banbury relatively low property prices. Its delivery is also likely to be highly disruptive to this part of Banbury during construction.

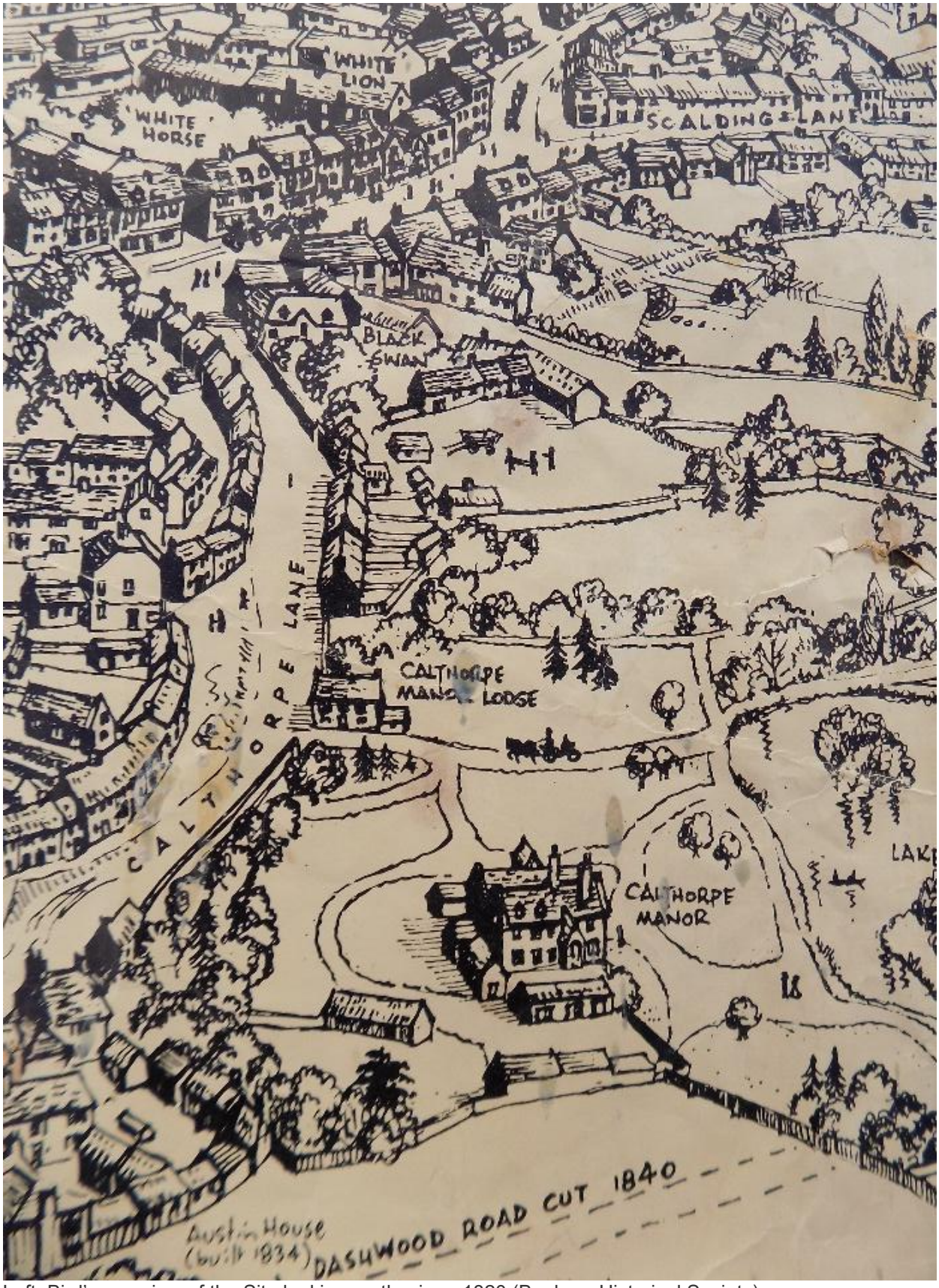
Given the requirements for significant reductions in ground levels, water *"network reinforcement works"* and sewer diversions, we have grave concerns over viability of this scheme. At a time of (currently) falling house prices, and ever-rising costs for materials and labour, we can easily foresee a situation where any developer would have to return to the Council for either a reduction in the quality of external finishes and landscaping, or a reduction in the promised 69 *"Social, Affordable or Intermediate Rent dwellings"* (or both). A future reduction in build quality or loss of some or all of these 'affordable' dwellings would significantly harm claims about the public benefits of the proposed development. If the Council is to approve this application, it has to satisfy itself that the scheme is viable in its current form.

Should the Council determine that the public benefits of the proposed development outweigh other public harms (including the harm to the built heritage and environment), it would be incumbent on the Council to seek an independent study to establish beyond all doubt that the proposal is fully costed and deliverable without any reductions in quality or 'affordable housing' provision.

Rob Kinchin-Smith

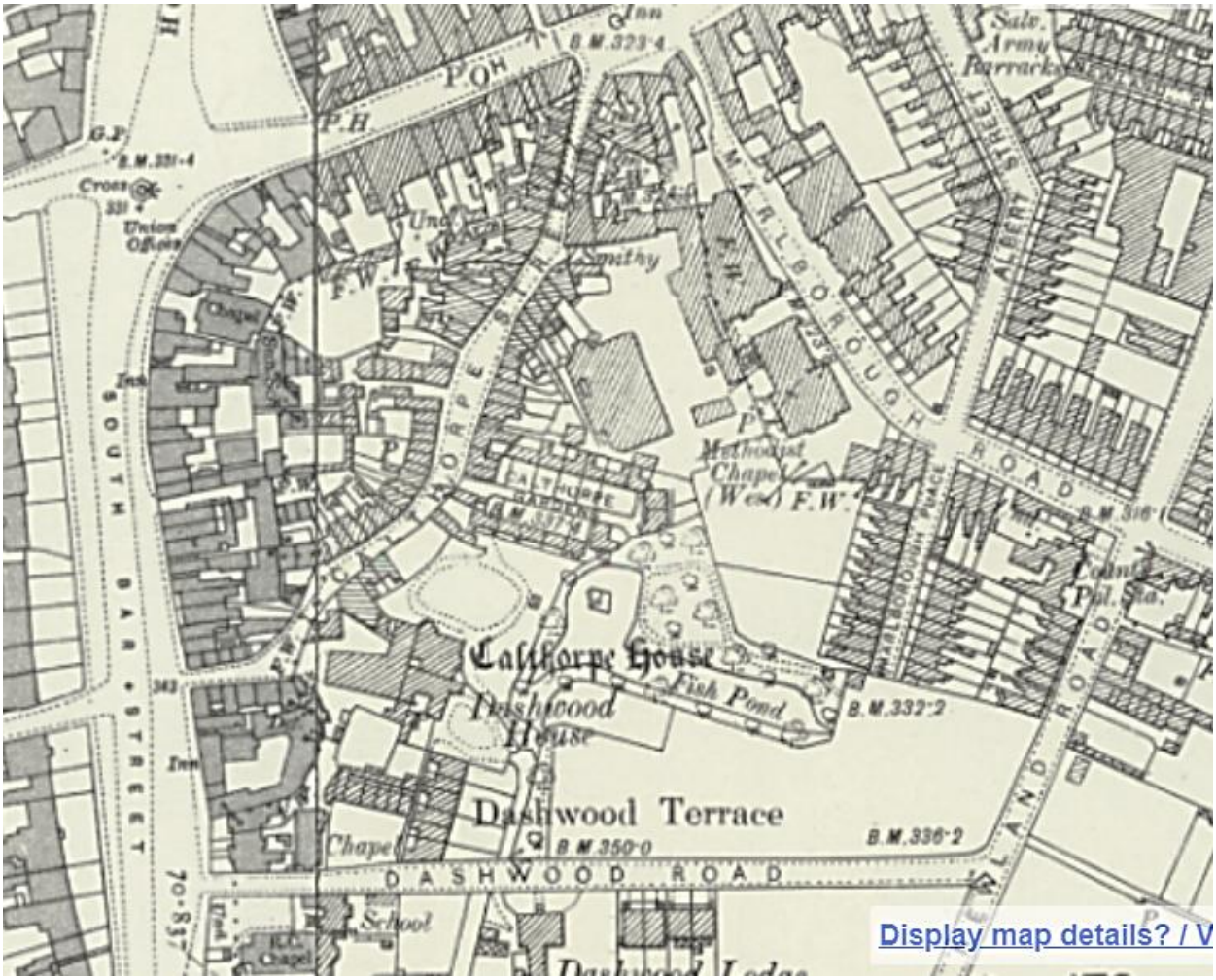
(Chairman, Banbury Civic Society)

(Address supplied)



Left: Bird's-eye view of the Site looking north, circa. 1820 (Banbury Historical Society)

Except from the 1880s 1:500 Ordnance Survey map, showing Calthorpe manor and its reduced grounds



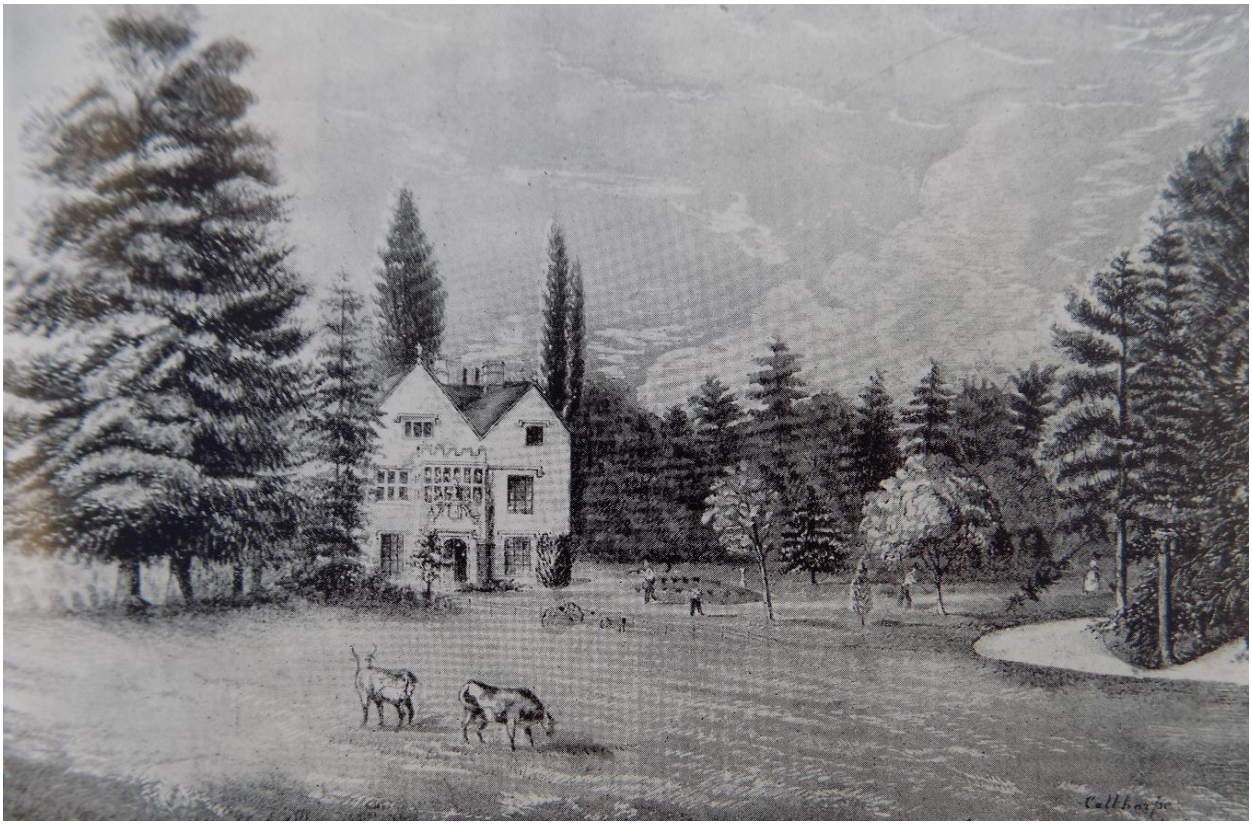
Except from the 25-inch OS map c.1900

1947 aerial view of the Site, looking south, with Calthorpe Manor and its much-reduced garden top-right and allotment gardens lop left

Corresponding view of 1947, following the construction of Cheney's printing works in the 1920s, with allotment gardens bottom right

Aerial view of 2009, showing the trees on the site's margins that give it its leafy character when viewed from Marlborough Road and Calthorpe Street

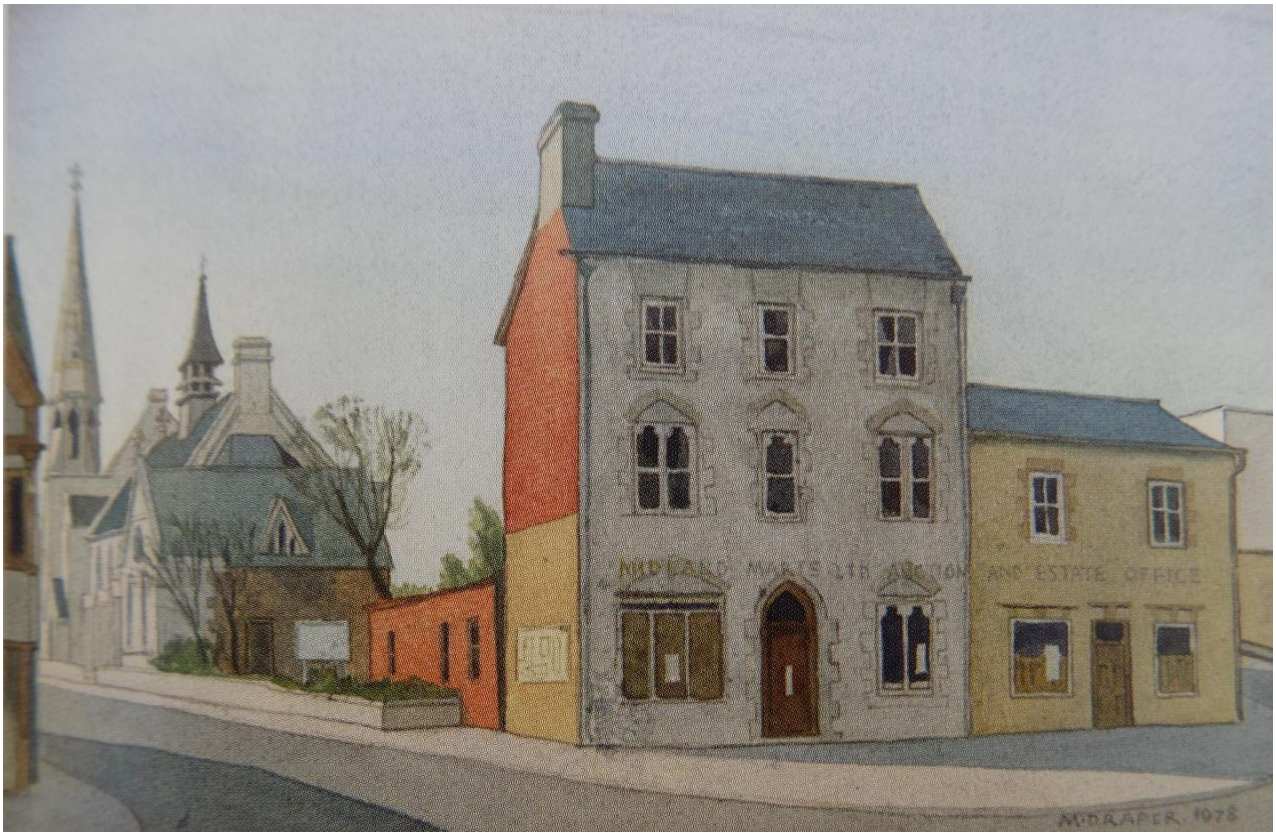
G. Clarke’s view of Calthorpe House and boating lake (St John’s Church to far left), c.1840



Mrs M.B. Draper’s Calthorpe House, East View, 1854

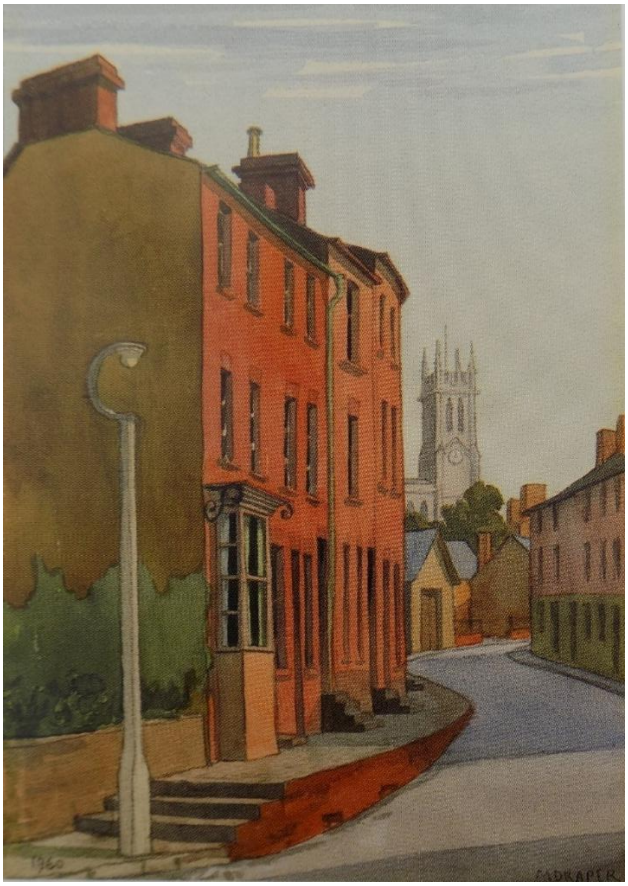
Miss Stanley (later Wakelin)’s Garden View, Calthorpe House, c.1878

1921 postcard view of Marlborough Road looking north, with the locally-listed Methodist Church and now-demolished Methodist Hall beyond. Former Mechanics Institute and Municipal Technical School (Grade II) on right



Maurice Draper's watercolour of Marlborough Road, looking south c.1960, with the locally-listed Methodist Church and now-demolished Methodist Hall prominent on left

Contrasting views looking south along Marlborough Road, as existing (with trees) and as proposed, with trees replaced by built mass



(Top Left) Maurice Draper's watercolour of Calthorpe Street c.1960, looking south, with St John's church prominent in the distance

(Right) Views looking up Calthorpe Street showing the trees reminiscent of Calthrop Manor's historic grounds

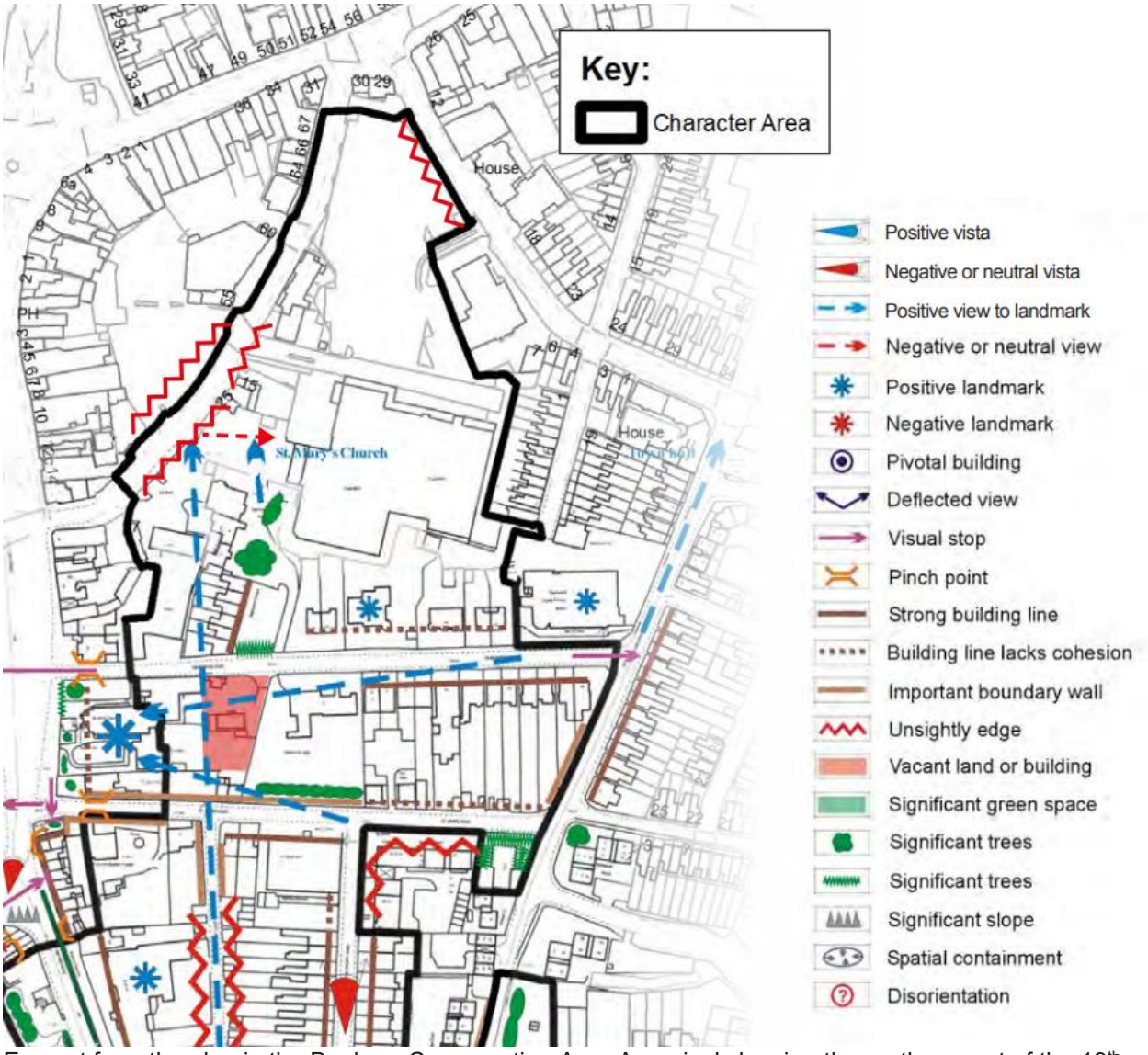
(Bottom) The same view as proposed in 2023, showing proposed apartment blocks reminiscent of Victorian factory or warehouse buildings

View from South Bar looking east along Calthorpe Street towards the Grade II* Calthorpe Manor

View looking north along Calthorpe Street with the Grade II* Calthorpe Manor on far right and it locally-listed former gate lodges centre left. If the proposed development is approved and built, almost the whole of this view will be dominated by 4- and 5-storey blocks of flats, resulting in significant harm to the setting of these important historic buildings

Winter view from Lucky Lane, showing the Positive View to St Mary's Church (Grade I)

The Banbury Vision & Masterplan Supplementary Planning Document (December 2016) states "*Calthorpe Street Area: This area could be redeveloped for town centre uses and car parking*". The plan at page 38 (above) states that that development on the Site should comprise *"two-/three-storey residential blocks and new car parking".*



Excerpt from the plan in the Banbury Conservation Area Appraisal showing the northern part of the 19th Century Suburbs Calthorpe Character Area, showing the Positive Views from Lucky Lane and Calthorpe Manor to St Mary's church