

**OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE
FOLLOWING DEVELOPMENT PROPOSAL**

District: Cherwell

Application no: 13/01019/REM

Proposal: Landscaping scheme and play areas for greenway

Location: Land north east of Whitelands Farm and adj. to KM3, Whitelands Way,
Chesterton

This report sets out Oxfordshire County Council's view on the proposal.

Annexes to the report contain officer advice and the comments of local members.

Overall view of Oxfordshire County Council:-

- No overall comment – see professional comments in the annexes

Officer's Name: Daniel Round

Officer's Title: Locality Manager – Bicester/Banbury

Date: 06 August 2013

ANNEX 1
OFFICER ADVICE

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TRANSPORT DEVELOPMENT CONTROL

Recommendation

- No objection subject to the following conditions, legal agreement and informatives

Key issues:

- Highway Safety
- Accessibility
- Design Code

Legal Agreement required:

- Section 38 Highways Act 1980

Conditions:

1. ROW condition - Temporary obstructions: No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that may obstruct or dissuade the public from using the public right of way whilst development takes place. Reason: To ensure the public right of way remains available and convenient for public use.
2. ROW condition - Route alterations: No changes to the public right of way direction, width, surface, signing or structures shall be made without prior permission approved by the Countryside Access Team or necessary legal process. Reason: To ensure the public right of way remains available and convenient for public use.
3. ROW condition - Vehicle access (construction): No construction / demolition vehicle access may be taken along or across a public right of way without prior permission and appropriate safety/mitigation measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants or their contractors to put right / make good to a standard required by the Countryside Access Team. Reason: To ensure the public right of way remains available and convenient for public use.

4. ROW condition - Vehicle access (Occupation): No vehicle access may be taken along or across a public right of way to residential or commercial sites without prior permission and appropriate safety and surfacing measures approved by the Countryside Access Team. Any damage to the surface of the public right of way caused by such use will be the responsibility of the applicants, their contractors, or the occupier to put right / make good to a standard required by the Countryside Access Team. Reason: To ensure the public right of way remains available and convenient for public use
5. ROW condition - Gates/right of way: Any gates provided shall be set back from the public right of way or shall not open outwards from the site across the public right of way. Reason: To ensure that gates are opened or closed in the interests of public right of way user safety
6. ROW condition - Improvements to routes: Public rights of way through the site should be integrated with the development and improved to meet the pressures caused by the development whilst retaining their character where appropriate. No improvements may be implemented without prior approval of the Countryside Access Team. Reason: To ensure the public right of way through the development retains character and use as a linear corridor and is able to integrate with the development
7. That, before the Greenway route is first opened for public use, the proposed vehicular accesses shall be constructed, laid out, surfaced and drained in accordance with the specification details to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development (in consultation with the Local Highway Authority).
8. Prior to the commencement of the Greenway route hereby approved, full details of the means of maintenance access between the land the highway, including the position, layout, construction shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority). Thereafter, the maintenance access shall be constructed and retained in accordance with the approved details.
9. Prior to the commencement of the Greenway route hereby approved, full details of a lighting design between the land the highway, including the position, layout, construction shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority).

Informatives:

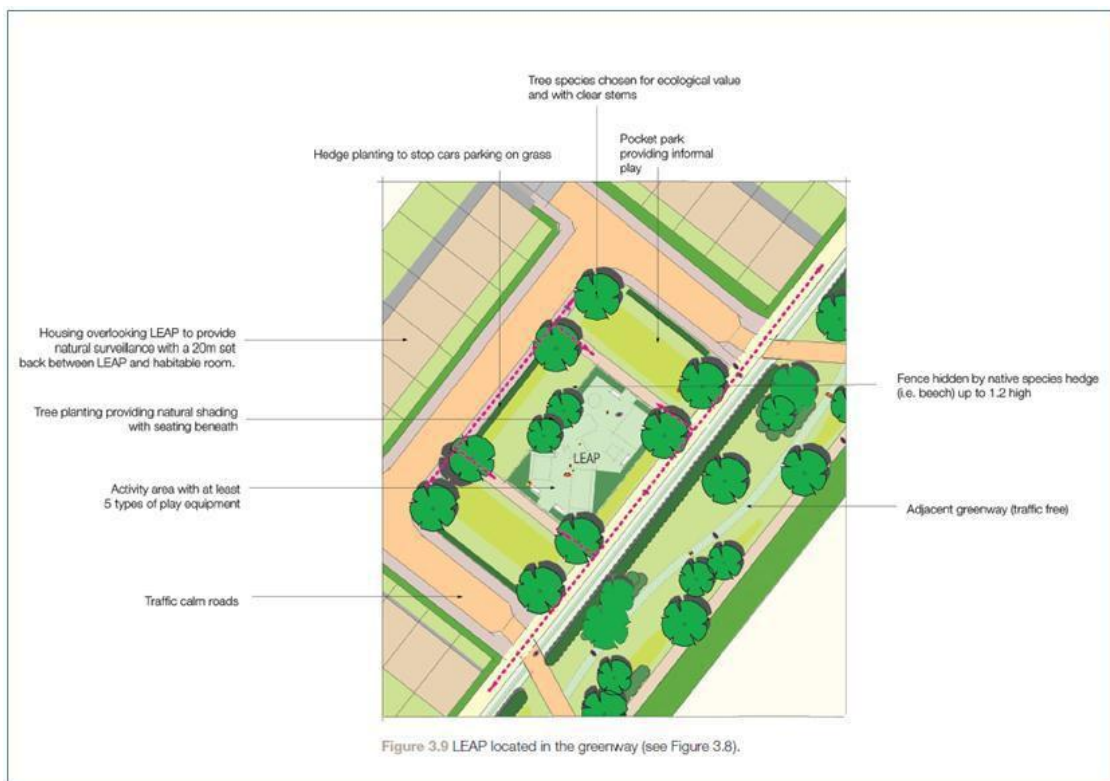
For guidance and information for S38 Agreements please contact the County Council's Road Agreements Team on 01865815700 or email Road.Agreements@oxfordshire.gov.uk.

Detailed Comments:

The reserved planning application that has been submitted I understand is for a landscape scheme for an area of structural landscaping (known as the Greenway within the Kingsmere Phase 1 Design Code).

Within this scheme there are to be two fixed vehicular crossings through the Greenway. These crossings will be located either side of the proposed LEAP, one being a Secondary Street, the other being a Side Street.

This arrangement is shown on the WSP drawing 1903/GW/GA01) Rev A, and in-principle within the approved Kingsmere Phase 1 Design Code:



Further drawings have been submitted showing construction details for the Greenway vehicular crossing (WSP Drawing 1903/GW/SO/01 Rev A, WSP Drawing 1903/SD/211 Rev J and WSP Drawing 1903/GWSD/01 Rev A). These details have been assessed and are considered acceptable; subject to a separate S38 Agreement technical approval.

There is some concern that the link between the Secondary and Side Streets across the Greenway may have poor visibility with all the proposed planting and the fact that the route is more diagonal than straight. It is expected that vehicle use along this route will be light, however there may be times when vehicles will meet and may have pass each other by overrunning onto the Greenway.

To deter damage to the Greenway it is recommend that grasscrete (or a similar material) is used along both sides of the Greenway to strengthen (reinforce) and protect the Greenway from overrunning damage.

The provision of bollards around the entrance features onto and within the Greenway is a design issue that does need consideration by both the Local Planning Authority (LPA) and the Local Highway Authority. If bollards are considered appropriate by the LPA these should be removable/collapsible for future maintenance purposes. The type of bollard that would be considered in this location is knee high ones (with reflective bands). Such a bollard type could be erected in specific locations to ensure vehicles keep to their specific route and to deter cars etc parking on the Greenway.

Lighting of this route is a design issue that needs to be considered for this planning application, but must be assessed alongside the County Council approved street lighting designs for the adjacent Kingsmere parcels i.e. KM 4 and KM15 and the approved Design Code (**to be conditioned**). Please note the parcel number quoted on the landscape drawing DFD/BIC/SL6/L7 is incorrect i.e. KM3.

A Maintenance Access scheme along the Greenway will need to be agreed and approved by both the District and County Councils (**to be conditioned**).

Rights of Way Comments

“This greenway does not actually follow the public right of way although it does cross it towards the southern end. Anyone walking along the Greenway will need to have good visibility when crossing the public right of way/cycleway, and at other crossing points, so the planting should be arranged so that it does not restrict visibility at these points”.

For further guidance and advice the OCC Right of Way contact officer Sarah Aldous. (Sarah.Aldous@oxfordshire.gov.uk).

Drainage Engineer Comments

The principle of SUDS has already been approved under the approved Design Code for the Kingsmere development site. The proposed crowning of the connecting roads raises a minor design issue, which needs further consideration - which is that the proposed route is shown with 1 in 40 gradients to each side. Usually porous roads/street is laid flat to retain the surface water rather than shedding it to the side.

For further advice and guidance the OCC Drainage contact officer is Gordon Kelman (Gordon.Kelman@oxfordshire.gov.uk).

Officer's Name: Michael Deadman

Officer's Title: Principal Engineer, Transport Development Control

Date: 26 July 2013
